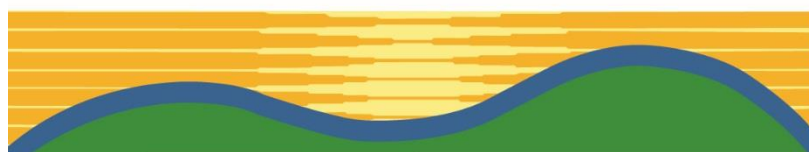


MITCHELL SHIRE COUNCIL



COMMUNITY QUESTIONS AND HEARINGS COMMITTEE

AGENDA

MONDAY 8 OCTOBER 2018

7.00pm

NOTICE IS HEREBY GIVEN that **Community Questions and Hearings Committee** of the Mitchell Shire Council will be held at **Mitchell Civic Centre, 113 High St, Broadford, on Monday 8 October 2018** commencing at **7.00pm**.

**DAVID TURNBULL
CHIEF EXECUTIVE OFFICER**

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1 WELCOME AND GOVERNANCE DECLARATION

The Mayor formally opens the meeting with an acknowledgement of country and welcomes all present.

2 APOLOGIES AND LEAVE OF ABSENCE**3 DISCLOSURE OF CONFLICTS OF INTEREST**

In accordance with section 79 of the Local Government Act 1989.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

In accordance with Clause 66 of Local Law No. 4 – Meeting Procedures.

RECOMMENDATION

THAT the Minutes of the Community Questions and Hearings Committee held 13 August 2018, as circulated, be confirmed.

5 DEVELOPMENT AND INFRASTRUCTURE

5.1 DEVELOPMENT PLAN APPLICATION AT 45 AND 75 WILLOWMAVIN ROAD KILMORE

Author: *Holly Sawyer - Senior Statutory Planner*

File No: *PLI001/18*

Attachments: *Nil*

Reference: *PLI001/18*

Property No.:	105311 and 105310
Title Details:	Lot 1 on PS213762A Volume 09863 Folio 115 Lot 2 on PS213762A Volume 09863 Folio 116
Applicant:	SJE Consulting
Zoning:	Industrial 1 Zone Industrial 3 Zone
Overlays:	Development Plan Overlay – Schedule 12
Notification:	Yes, via letters to adjoining landowners and occupiers and a sign along Willowmavin Road
Objections Received:	None
Cultural Heritage Management Plan Required:	No, the site has been subject to significant ground disturbance
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

DEVELOPMENT PLAN APPLICATION AT 45 AND 75 WILLOWMAVIN ROAD KILMORE (CONT.)

SITE MAP



SUMMARY

Council received an application for the approval of a Development Plan to enable the future subdivision and development of land at 45 and 75 Willowmavin Road Kilmore (legally described as Lot 1 on PS213762A Volume 09863 Folio 115 and Lot 2 on PS213762A Volume 09863 Folio 116).

The application was publicly notified via letters to adjoining landowners and a sign fronting Willowmavin Road between 23 August and 10 September 2018. No submissions were received in relation to the proposed development plan.

SITE AND SURROUNDS

Subject Site Description

The subject site consists of two allotments (45 and 75 Willowmavin Road) that have frontages to Willowmavin Road, with the existing industrial area in the northern part of Kilmore. The site currently contains North-Vic Constructions, a large bridge manufacturing company.

The site contains a land area of approximately 10.5ha, with 75 Willowmavin Road covering most of that area. The site contains a number of existing industrial warehouses and sheds, with a large portion of the site used for hardstands. There is minimal vegetation found within the subject site, with no remnant native vegetation identified on the site. The topography of the site is relatively flat.

Surrounding Area

The surrounding area is predominately used for industrial purposes to the east and south of the site, with agricultural land found to the west. Industrially zoned land is characterised by warehouses and other industrial structures, with farming land being consistently cleared for grazing purposes.

DEVELOPMENT PLAN APPLICATION AT 45 AND 75 WILLOWMAVIN ROAD KILMORE (CONT.)

Vegetation within the surrounding area is typically found along fence lines and for wind breaks, with most vegetation being exotic. Native vegetation can be found along the Kilmore Creek located approximately 230 metres to the west of the subject site.

PROPOSAL

The main points of the proposal are as follows:

- To facilitate further subdivision of the site for industrial purposes;
- The proposed plan seeks to provide a road connection north-south through the site to connect to Willowmavin Road in accordance with the adopted Kilmore Structure Plan;
- Streetscaping is proposed along the connector road, with details of the width of the road shown on the proposed industrial road section;
- A subdivision layout has been shown for the immediate future plans for the site, which would result in four lots (three smaller lots within the north-eastern corner of the site and the remainder of the lot being the balance lot);
- A sediment basin is proposed immediately east of the proposed road;
- Land subject to inundation in the Kilmore flood study has been notated in the south-eastern corner of the site.

HEARING AND CONSIDERATION OF SUBMISSIONS

Council has established the Community Questions and Hearings Committee to hear and report to Council on submissions received by Council under section 223 of the *Local Government Act 1989* and on objections and submissions received in relation to planning permit applications under the *Planning and Environment Act 1987*.

The applicant has been invited to attend this meeting of the Community Questions and Hearings Committee to make a brief presentation in support of their application and submission.

RECOMMENDATION

THAT Council officers provide a report to Council in relation to Development Plan Application PLI001/18 at 45 and 75 Willowmavin Road Kilmore.

5.2 PLANNING PERMIT APPLICATION PLP018/18 FOR CREATION OF AN EASEMENT AT 585 LANCEFIELD TOOBORAC ROAD NULLA VALE

Author: Mathew Mertuszka - Principal Planner

File No: PLP018/18

Attachments: Nil

Reference: PLP018/18

Property No.:	113531
Title Details:	Lot 1 on Title Plan 131350C
Applicant:	Chris Smith & Associates
Zoning:	Farming Zone
Overlays:	Bushfire Management Overlay Environmental Significance Overlay – Schedule 2
Objections Received:	Not Advertised
Cultural Heritage Management Plan Required:	No, not in an area of Aboriginal Cultural Heritage Significance
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

SITE MAP



PLANNING PERMIT APPLICATION PLP018/18 FOR CREATION OF AN EASEMENT AT 585 LANCEFIELD TOOBORAC ROAD NULLA VALE (CONT.)

SUMMARY

The application is seeking to formalise an existing track through the creation of a carriageway easement pursuant to Clause 52.02 of the Mitchell Planning Scheme.

The purpose of the carriageway easement is to create legal access to an adjoining site used for sand extraction (within the Macedon Ranges Shire Council municipality) and will be implemented over an existing track providing access to this facility, which is located on land in common ownership.

As all affected land is within common ownership and therefore the application for the creation of the carriageway easement was not publicly notified. The application does not require any internal or external referrals and requires consideration against Clause 52.02 of the Mitchell Planning Scheme.

It is noted that two other concurrent applications are being considered by Council (PLP012/17 and PLP013/17 for the use and development of the land for a conference centre and place of assembly). Both applications will be presented to Council for decision at a later stage.

SITE AND SURROUNDS

Subject Site Description

The subject site is legally described as Lot 1 on Title Plan 131350C and is located at 585 Lancefield Tooborac Road, Nulla Vale. The site is occupied with a single dwelling and associated outbuildings and used for lifestyle and private residential purposes.

The subject land has an area of approximately 54.45 hectares, is rectangular in shape with a small splay at the south west boundary and takes access from a government road reserve to the south of the site. This access utilises a carriage-way easement on the adjacent lot to the south to formalise access to the land.

The topography of the site is generally undulating and heavily vegetated with few cleared areas, located around the existing dwelling and sheds on the site. Another mostly cleared area of the site is located within a gully located just north of the dwelling towards a dam, where a number of exotic trees are located on the site.

Surrounding Area

The subject site is located within a rural area of the Shire located generally in the south west extremity of the locality. The site itself shares a boundary with a government road reserve, and immediately to the south is the municipal boundary to Macedon Ranges Shire Council.

The subject area is heavily vegetated containing mostly remnant native forests with few cleared areas, which are located mostly to the east and north of the site where mixed grazing of the land is the predominant land use within the immediate surrounds. Land to the immediate west and north west is heavily treed and consist of significant habitat for local wildlife.

The landscape is also generally undulating with vegetation making parts of the immediate surrounds particularly to the north and west remote.

PLANNING PERMIT APPLICATION PLP018/18 FOR CREATION OF AN EASEMENT AT 585 LANCEFIELD TOOBORAC ROAD NULLA VALE (CONT.)

Most properties in the area are large allotments consisting of an area between 40-100 hectares with a few lots that are smaller. Some lifestyle and dwelling uses exist in the immediate surrounds.

Land is generally zoned within the Farming Zone and adjoining property within the Macedon Ranges Shire is mostly zoned within the Rural Conservation Zone

A number of watercourses traverse the subject site and surrounds mainly made up seasonal creeks. All watercourses are captured under the ESO2 area protecting the proclaimed water catchment area of Mollison Creek.

The main access to and from the site is Lancefield Tooborac Road, running north south, being the main arterial road under VicRoads management.

PROPOSAL

The proposal is seeking to create a Carriageway Easement on Lot 1 on TP131350C as shown on the Plan of Creation of Easement submitted with the application. The proposed easement is 10 metres wide and meanders through the southern portion of the site, passing through the government road reserve to the south, and joining onto another existing easement located on the adjacent site to the south within the Macedon Ranges Shire. The carriageway easement will formalize an existing track that connects Lot 1 on TP599819L. the subject site and Lot 2 TP599819L.

The pre-existing track currently provides access to a recently approved sand extraction facility (approved under Macedon Ranges permit PLN/2016/424) located on Lot 1, TP599819L, within the Macedon Ranges municipal district immediately south west of the subject land. As part of the sand extraction permit a carriageway easement was approved on lot 2, TP599819L. This application will formalise the 'missing link' of the carriageway easement utilising existing infrastructure.

The existing physical carriageway is approximately 3m wide and is proposed to be widened and straightened in sections with the construction of passing bays and drainage works to facilitate the efficient and safe movement of dump trucks using the track.

HEARING AND CONSIDERATION OF SUBMISSIONS

Council has established the Community Questions and Hearings Committee to hear and report to Council on submissions received by Council under section 223 of the *Local Government Act 1989* and on objections and submissions received in relation to planning permit applications under the *Planning and Environment Act 1987*.

The applicant has been invited to attend this meeting of the Community Questions and Hearings Committee to make a brief presentation in support of their application and submission.

RECOMMENDATION

THAT Council officers provide a report to Council in relation to Planning Application PLP018/18 for the creation of an easement at 585 Lancefield Tooborac Road Nulla Vale.

5.3 PLANNING PERMIT APPLICATION PLP033/18 FOR THE BUILDINGS AND WORKS FOR THE CONSTRUCTION OF A CARPARK, REMOVAL OF VEGETATION AND ALTERATION OF ACCESS TO A ROAD ZONE - CATEGORY 1 AT 1 ELIZABETH STREET SEYMOUR

Author: Mathew Mertuszka - Principal Planner

File No: PLP033/18

Attachments: Nil

Reference: PLP033/18

Property No.:	100372 & 100373
Title Details:	Lots 1 & 2 on Plan of Subdivision 099148
Applicant:	Amelia Cloney (Round 6 Architects)
Zoning:	Commercial 1 Zone
Overlays:	Heritage Overlay – Schedule 156 Design and Development Overlay - Schedule 9 Floodway Overlay
Objections Received:	No objections received
Cultural Heritage Management Plan Required:	No, not in an area of Aboriginal Cultural Heritage Significance
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

SITE MAP



PLANNING PERMIT APPLICATION PLP033/18 FOR THE BUILDINGS AND WORKS FOR THE CONSTRUCTION OF A CARPARK, REMOVAL OF VEGETATION AND ALTERATION OF ACCESS TO A ROAD ZONE - CATEGORY 1 AT 1 ELIZABETH STREET SEYMOUR (CONT.)

SUMMARY

Council received a planning permit application (PLP033/18) proposing to upgrade and extend an existing carpark and remove vegetation associated with the Seymour Club located at 1-5 Elizabeth Street, Seymour.

The application proposes to increase the number of car parking spaces associated with the Seymour Club to cater for its existing members and usage. Application material states the vegetation removal is necessary to facilitate the increase in formalised car parking spaces.

The application was advertised by way of notifying adjoining property owners and occupiers by mail and the erection of a sign located on the premises. No objections were received following the advertising period. The application was discussed at the Council Delegate Committee owing to the vegetation removal and it was determined to present this matter to Council for decision.

SITE AND SURROUNDS

Subject Site Description

The subject site is legally described as lots 1 & 2 on Plan of Subdivision 099148, also known as 1-5 Elizabeth Street, Seymour. The combined land area of both lots is approximately 9600sqm and is irregular in shape, occupying the corner of Tallarook Street and Elizabeth Street.

Lot 1 of the site is occupied by the existing Seymour Club complex consisting of a bistro, function room, lounge, bar and gaming room. The site has access from Tallarook Street and dual access from Elizabeth Street. Lot 2 is undeveloped however is predominantly utilized as overflow car parking for members of the club.

Most significant vegetation is located on lot 2 and consists of mixed native and exotic species that offer landscape value to the site. Land is otherwise mostly flat and groundcover is grass, landscaped areas or sealed car park.

The site currently offers a total of 46 sealed car parking spaces and a number of informal (unsealed) spaces located on lot 2.

Surrounding Area

The subject land is found within the centre of Seymour, approximately 600m walk from the Seymour Railway Station and Station Street where a variety of services and amenities are located.

The subject land is adjacent to Kings Park, on the western side of the tree-lined Tallarook Street, which is covered by the Seymour 'old town centre historic precinct'.

PROPOSAL

The proposal is seeking to upgrade and extend the existing car park located on the site, covering both lots 1 and 2 of property and remove vegetation located there within. The proposal will increase the number of existing car parking spaces from 46 to 126 (an increase of 80 car parking spaces).

The car parking will be formalised and sealed to Councils requirements.

PLANNING PERMIT APPLICATION PLP033/18 FOR THE BUILDINGS AND WORKS FOR THE CONSTRUCTION OF A CARPARK, REMOVAL OF VEGETATION AND ALTERATION OF ACCESS TO A ROAD ZONE - CATEGORY 1 AT 1 ELIZABETH STREET SEYMOUR (CONT.)

The proposal includes the removal of 7 trees (out of the 48 trees located on the site) to facilitate the increased sealed areas of car parking.

The application proposes to alter the existing internal car parking layout located on Lot 1 (the site of the existing building) resulting in the loss of established planted garden beds within the western and southern frontages of the site, not accounted for in the arborist report.

The three crossovers will remain in the same location, with access to Lot 2 relying on the existing crossover from Lot 1.

HEARING AND CONSIDERATION OF SUBMISSIONS

Council has established the Community Questions and Hearings Committee to hear and report to Council on submissions received by Council under section 223 of the *Local Government Act 1989* and on objections and submissions received in relation to planning permit applications under the *Planning and Environment Act 1987*.

The applicant and any relevant submitters to the application have been invited to attend this meeting of the Community Questions and Hearings Committee to make a brief presentation in support of their application and submission.

RECOMMENDATION

THAT Council officers provide a report to Council in relation to Planning Application PLP033/18 for the buildings and works for the construction of a carpark, removal of vegetation and alteration of access to a Road Zone – Category 1 at 1 Elizabeth Street Seymour.

6 SUBMISSIONS

PUBLIC PARTICIPATION FORUM

In accordance with Clause 65 of the Meeting Procedure Local Law 2014.

7 QUESTION TIME

8 COMMUNITY PRESENTATIONS

9 DATE OF NEXT MEETING

Meetings of the Community Questions and Hearings Committee are scheduled for the second Monday of the month. If no submissions are scheduled to be heard at a particular meeting of the Committee, the meeting will be cancelled. The next meeting of the Community Questions and Hearings Committee is scheduled for 7.00pm on Monday 12 November 2018 at Mitchell Civic Centre, 113 High St, Broadford.

10 CLOSE OF MEETING