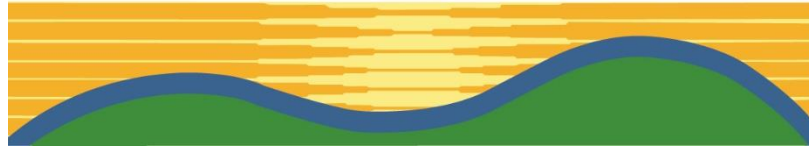


MITCHELL SHIRE COUNCIL



**COMMUNITY QUESTIONS
AND HEARINGS COMMITTEE
MINUTES**

MONDAY 12 FEBRUARY 2018

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**MINUTES OF THE COMMUNITY QUESTIONS AND
HEARINGS COMMITTEE OF THE MITCHELL SHIRE
COUNCIL HELD AT MITCHELL CIVIC CENTRE, 113 HIGH
ST, BROADFORD ON
12 FEBRUARY 2018**

THE MEETING OPENED: 7.01pm

COUNCILLORS PRESENT:

Cr Annie Goble Central Ward
Cr David Atkinson Central Ward
Cr Bob Humm Central Ward

Cr Bill Chisholm North Ward
Cr Rhonda Sanderson North Ward (Chairperson)
Cr Fiona Stevens North Ward

Cr David Lowe South Ward
Cr Rob Eldridge South Ward
Cr Bob Cornish South Ward

OFFICERS PRESENT:

Mr David Turnbull Chief Executive Officer
Mr Laurie Ellis Director Governance and Corporate Performance
Ms Mary Agostino Director Advocacy and Community Services
Mr Travis Conway Acting Director Development and Infrastructure
Ms Lidia Harding Governance and Corporate Accountability Coordinator

1 GOVERNANCE DECLARATION

THE MAYOR FORMALLY OPENS THE MEETING WITH AN ACKNOWLEDGEMENT OF COUNTRY AND WELCOMES ALL PRESENT.

THE MAYOR ACKNOWLEDGES THAT THE MEETING IS BEING HELD ON THE TRADITIONAL LANDS OF THE TAUNGURUNG PEOPLE, ACKNOWLEDGING THEM AS THE TRADITIONAL OWNERS AND PAYING RESPECT TO THEIR ELDERS, PAST AND PRESENT, AND ANY ELDERS FROM OTHER COMMUNITIES WHO MAY BE HERE TODAY.

THE DECLARATION WAS READ BY CR B HUMM.

2 APOLOGIES AND LEAVE OF ABSENCE

No apologies were received.

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.

COMMITTEE RECOMMENDATION

MOVED: CR. A. GOBLE

SECONDED: CR. D. LOWE

THAT the Minutes of the Community Questions and Hearings Committee held 11 December 2017, as circulated, be confirmed.

CARRIED UNANIMOUSLY

5 DEVELOPMENT AND INFRASTRUCTURE

5.1 PLANNING SCHEME AMENDMENT C123: IMPLEMENTATION OF KILMORE AND WANDONG-HEATHCOTE JUNCTION STRUCTURE PLANS - CONSIDERATION OF SUBMISSIONS

Author: Justin Harding - Strategic Planner

File No: PL/05/215

Attachments: 1. C123 Summary of Submissions and Council Response [⇒](#)
2. Amendment C123 Revised Policy [⇒](#)

SUMMARY

Planning Scheme Amendment C123 seeks to implement the *Kilmore Structure Plan, 2016* and *Wandong-Heathcote Junction Structure Plan, 2016* into the *Mitchell Planning Scheme*. Amendment C123 was placed on public exhibition between 6 October and 17 November 2017, in accordance with Council's resolution on 21 August 2017. Exhibition comprised a mailout to all affected land owners, newspaper advertising, notice in the Victorian Government Gazette and five drop-in sessions.

In total 30 submissions have been received. A summary of the submissions received and the officer response is provided at Attachment 1 to this report. The overall vision and guiding principles within each Structure Plan and Amendment C123 have not been challenged. Most submissions received focus on a site or specific issues as opposed to challenging the overall strategic intent of Amendment C123.

The Structure Plans are Council's adopted strategic vision for both townships and providing them with statutory weight under the Mitchell Planning Scheme is vital to ensuring that Kilmore and Wandong-Heathcote Junction develops in a fair, orderly and sustainable manner. Implementation of the Structure Plans through Amendment C123 will provide significant benefits to Council, referral authorities and the community regarding the future development of both townships. It is recommended that Amendment C123 be referred to an Independent Planning Panel for review and consideration of unresolved submissions.

PLANNING SCHEME AMENDMENT C123: IMPLEMENTATION OF KILMORE AND WANDONG-HEATHCOTE JUNCTION STRUCTURE PLANS - CONSIDERATION OF SUBMISSIONS (CONT.)

COMMITTEE RECOMMENDATION

MOVED: CR. A. GOBLE

SECONDED: CR. B. CHISHOLM

THAT Council:

1. Request the Minister for Planning to appoint an Independent Planning Panel under Part 8 of the *Planning and Environment Act 1987* to consider Amendment C123.
2. Submit to the Independent Planning Panel Council's response to the submissions, as generally outlined in Attachments 1 and 2 to this report.
3. Continue mediating with submitters to resolve concerns prior to commencement of the Independent Planning Panel.

CARRIED UNANIMOUSLY

6 SUBMISSIONS

Nil.

7 QUESTION TIME

Responses to Community Questions & Hearings Committee 12 February 2018

TRACEY TOWNSEND - QUESTION #1

- Councillors have stated that the Council will not compulsorily acquire land for the rail trail. Can/will State or Federal Government do this?

Thank you for the question.

If the trail is developed, it is not our intention to compulsorily acquire land. The Council is not in a position to make a similar commitment on behalf of either State or Federal Government.

TRACEY TOWNSEND - QUESTION #2

- It has been suggested that there will be no cost to rate-payers for upkeep of the rail trail as user groups will do this. For the Mitchell Shire section of The Great Victorian Rail Trail what is the level of the user group contribution to its upkeep? I believe that the Mitchell Shire spend \$1000 per km per year on the section from Tallarook to Trawool. If user groups don't do the upkeep will this fall back on rate payers? Will rate-payers be told of this?

Thank you for the question.

Council has a budget of \$15,000 (approx. \$1000 per km) and will have fully expended this money by March as grading is due to begin shortly.

Council will seek additional funding or grants in future to improve the facilities, signage, safety and other ongoing issues such as weed control, tree works, and fencing.

The Council's intention is that funding for its construction will come from external grants. Preparation of this detailed feasibility is a necessary first step before seeking grants. If the project is endorsed by Mitchell Shire and the City of Greater Bendigo, State and Federal grants would be sought to construct the trail.

As with other rail trails in Victoria and around Australia, it's expected that the cost to the rate payer to maintain the trail would be negligible.

MARLA STONE - QUESTION #1

- Can Council confirm what route the Engineering report has costed on and if it is based on the initial route, why have landholders decision to reject the Rail Trail on their land been ignored in Council's planning and costing process? And if a different route has been costed, can this alternate route be released to the public?

Thank you for the question.

PLANNING SCHEME AMENDMENT C123: IMPLEMENTATION OF KILMORE AND WANDONG-HEATHCOTE JUNCTION STRUCTURE PLANS - CONSIDERATION OF SUBMISSIONS (CONT.)

Council can confirm the route the engineering report is costed is on is the route published in the feasibility report. This is a relatively direct route, if diversion around particular landholdings were required these would be determined on a section by section basis and would need to be re-costed. As we don't have a detailed understanding of any potential diversion from the published route we have not completed any alternative costings at this time. If we were to deviate the costs may change including the cost of construction and potentially the cost of any land acquisition. As a result of any change costs may increase or decrease.

MARLA STONE - QUESTION #2

- Why then, despite detailing and sharing significant concerns about heavy vehicles, cars and bicycles sharing a pathway, have Mitchell Shire ignored our request to build an off-road path along the length of Ladderhill Road. Why would Mitchell Shire Council provide a brand new 78km Rail Trail costing over \$17 million dollars and not ensure the comfort and safety of cyclists, walkers and horse riders in our community by ensuring the length of the Rail Trail is away from vehicular traffic?

Thank you for the question.

The proposed rail trail route takes into account a range of considerations including safety, costs, number of users among many others.

The specific concerns raised with respect to the separation of users of Ladderhill Road will be addressed as part of the next stages of this project and will be fully communicated to residents.

8 PRESENTATIONS

Mr Ross Lee made a presentation on Mill Street Mall, Kilmore.

9 DATE OF NEXT MEETING

The next Community Questions and Hearings Committee meeting is scheduled to be held on 13 March 2018 at the Mitchell Civic Centre, 113 High St, Broadford, commencing at 7.00pm.

10 CLOSURE OF MEETING

The meeting was declared closed at 8.50 pm.

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Chairperson
Mayor, Cr Rhonda Sanderson