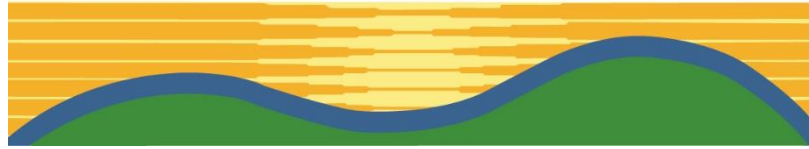


MITCHELL SHIRE COUNCIL



**COMMUNITY QUESTIONS
AND HEARINGS COMMITTEE
MINUTES**

MONDAY 11 FEBRUARY 2019

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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
11 FEBRUARY 2019**

THE MEETING OPENED: 7.00pm

COUNCILLORS PRESENT:

Cr Annie Goble Central Ward
Cr Bob Humm Central Ward

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

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

OFFICERS PRESENT:

Mr Laurie Ellis Acting Chief Executive Officer
Ms Mary Agostino Director Advocacy and Community Services
Mr Mike McIntosh Director Development and Infrastructure
Ms Lidia Harding Governance and Corporate Accountability
Coordinator

1 WELCOME AND GOVERNANCE DECLARATION

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

The Mayor acknowledges the traditional owners of the Taungurung Nation and pay her respect to their Elders past and present, and its emerging and future leaders.

The declaration was read by Cr D. Lowe

2 APOLOGIES AND LEAVE OF ABSENCE

COMMITTEE RECOMMENDATION

MOVED: CR. B. HUMM

SECONDED: CR. A. GOBLE

THAT the apology for this meeting received from Cr D. Atkinson be accepted.

CARRIED UNANIMOUSLY

3 DISCLOSURE OF CONFLICTS OF INTEREST

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

Cr F.Stevens declared an indirect conflict of interest in item 6.3 Planning Permit Application PLP 129/18 for buildings and works for the construction of an office building, 2 lot re-subdivision, reduction of car parking requirements and alterations to access to a road zone - category 1 at 63 High Street Broadford as she holds an indirect financial interest, is an interested party and her residential amenity is likely to be altered.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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

COMMITTEE RECOMMENDATION

MOVED: CR. D. LOWE

SECONDED: CR. R. SANDERSON

THAT the Minutes of the Community Questions and Hearings Committee held 10 December 2019, as circulated, be confirmed.

CARRIED UNANIMOUSLY

5 GOVERNANCE AND CORPORATE PERFORMANCE

5.1 PROPOSED DECLARATION OF PUBLIC HIGHWAY - PART WANDONG AVENUE

Author: Teresa Hendy - Property Officer

File No: CP/06/012, ST/01/001

Attachments: 1. Area proposed to be declared public highway

Reference: CM18/307

SUMMARY

This report follows a Council Report from 15 October 2018 that discussed issues associated with the land on both sides of Wandong Avenue where the road abuts Rail Street. The recommendations of the Council Report of 15 October 2018 were that Council:

1. Propose to declare the northern section of Wandong Avenue, Wandong (adjacent to Rail Street), and as shown on Attachment 1 of this report, as a public highway.
2. Authorise the giving of Public Notice under Section 223 of the *Local Government Act 1989* of the intention to declare the section of Wandong Avenue, as shown on Attachment 1, a public highway under Section 204(1) of the *Local Government Act 1989*. The Public Notice would be published in a local newspaper and on Council's website.
3. In accordance with Section 223 of the *Local Government Act 1989*, receive written submissions and hear from submitters at a meeting of the Community Questions and Hearings Committee.

The ownership and management of this land adjacent to the constructed road (Wandong Avenue) has long been the subject of uncertainty.

The proposal to declare the whole of the land (shown in Attachment 1) as a public highway would create certainty for future management of the land and the proposal has been advertised to the community by giving public notice and requesting submissions.

In recognition of the long-established use of the whole of the land by vehicle and pedestrian traffic, it is considered that the area under discussion and shown in Attachment 1 of this report is considered reasonably required for public use and it is a recommendation of this report that the area be declared a public highway.

PROPOSED DECLARATION OF PUBLIC HIGHWAY - PART WANDONG AVENUE (CONT.)

COMMITTEE RECOMMENDATION

MOVED: CR. R. SANDERSON

SECONDED: CR. B. CORNISH

THAT Council officers provide a report to Council in relation to the proposed declaration of public highway, part Wandong Avenue.

CARRIED UNANIMOUSLY

6 DEVELOPMENT AND INFRASTRUCTURE

6.1 PLANNING PERMIT APPLICATION PLP252/18 FOR INSTALLATION AND DISPLAY OF MAJOR PROMOTIONAL SIGNAGE AT 127A NORTHERN HIGHWAY KILMORE

Author: Amy King - Statutory Planner

File No: PLP252/18

Attachments: Nil

Property No.:	116852
Title Details:	Land in PC163005G (Volume 09702 / Folio 637)
Applicant:	Total Outdoor Media
Zoning:	Industrial 1 Zone
Overlays:	Nil
Objections Received:	3 objections received
Cultural Heritage Management Plan Required:	No. While the subject site is located within an area identified for cultural heritage significance, the proposed development is not a high impact activity thus negating the need for a Cultural Heritage Management Plan
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



Aerial image of subject site

PLANNING PERMIT APPLICATION PLP252/18 FOR INSTALLATION AND DISPLAY OF MAJOR PROMOTIONAL SIGNAGE AT 127A NORTHERN HIGHWAY KILMORE (CONT.)

SUMMARY

Planning permit application PLP252/18 seeks to obtain planning permission for the installation and display of a major promotional sign at 127A Northern Highway, Kilmore.

The site is zoned Industrial 1 and is not affected by Overlays. The site is located on the northern entry to the township. The subject site is affected by multiple easements.

The application was advertised by mail to adjoining properties as well as by placing a site on the site. Three objections were received to the application.

COMMITTEE RECOMMENDATION

MOVED: CR. B. HUMM

SECONDED: CR. A. GOBLE

THAT Council officers provide a report to Council in relation to Planning Application PLP252/18 for installation of a major promotion sign at 127A Northern Highway, Kilmore.

CARRIED UNANIMOUSLY

**6.2 38-50 MILL ROAD KILMORE PLP003/18 - STAGED MULTI-LOT
SUBDIVISION AND THE REMOVAL OF NATIVE VEGETATION**

Author: Amy King - Statutory Planner

File No: PLP003/18

Attachments: Nil

Property No.:	106182
Title Details:	Lot 1 on LP114531 (Volume 10774 / Folio 928)
Applicant:	Planright Australasia Pty Ltd
Zoning:	Low Density Residential Zone
Overlays:	Nil
Objections Received:	9 objections received (including one multi-signature objection containing 100 signatures).
Cultural Heritage Management Plan Required:	Yes. A Cultural Heritage Management Plan was supplied with the permit application as the site is located within an area identified for 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

38-50 MILL ROAD KILMORE PLP003/18 - STAGED MULTI-LOT SUBDIVISION AND THE REMOVAL OF NATIVE VEGETATION (CONT.)

SITE MAP



(Aerial image of 38-50 Mill Road, Kilmore)

SUMMARY

Planning permit application PLP003/18 was received by Council on 3 January 2018 for a multi-lot subdivision and the removal of native vegetation of land at 38-50 Mill Road in Kilmore. The application is in part retrospective as some vegetation has already been removed prior to consent being issued.

The land is zoned Low Density Residential with no Overlays applicable.

The application was publicly notified by mail to adjoining and nearby owners and occupiers and with multiple signs on site on each road frontage. Nine objections were received.

COMMITTEE RECOMMENDATION

MOVED: CR. A. GOBLE

SECONDED: CR. B. HUMM

THAT Council officers provide a report to Council in relation to Planning Application PLP003/18 for the use of the land for a staged multi-lot subdivision and the removal of native vegetation at 38-50 Mill Road, Kilmore.

CARRIED UNANIMOUSLY

6.3 PLANNING PERMIT APPLICATION PLP129/18 FOR BUILDINGS AND WORKS FOR THE CONSTRUCTION OF AN OFFICE BUILDING, 2-LOT RE-SUBDIVISION, REDUCTION OF CAR PARKING REQUIREMENTS AND ALTERATION OF ACCESS TO A ROAD ZONE - CATEGORY 1 AT 63 HIGH STREET BROADFORD

Author: Holly Sawyer - Senior Statutory Planner

File No: PLP129/18

Attachments: Nil

Cr F. Stevens left the meeting at 8.24PM

Property No.:	114967
Title Details:	Lots 1 and 2 on Title Plan 371602K Volume 06635 Folio 958
Applicant:	Archedge Design
Zoning:	Commercial 1 Zone
Overlays:	None
Objections Received:	Five objections received
Cultural Heritage Management Plan Required:	No, the site is not located within an area of Aboriginal cultural heritage sensitivity
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 PLP129/18 FOR BUILDINGS AND WORKS FOR THE CONSTRUCTION OF AN OFFICE BUILDING, 2-LOT RE-SUBDIVISION, REDUCTION OF CAR PARKING REQUIREMENTS AND ALTERATION OF ACCESS TO A ROAD ZONE - CATEGORY 1 AT 63 HIGH STREET BROADFORD (CONT.)

SUMMARY

The application is seeking approval for the development of the land for an office building, a two-lot re-subdivision, reduction of car parking and alterations to access to a Road Zone – Category 1. The land is located within the Commercial 1 Zone and not affected by any overlays.

The application was advertised via letters to adjoining landowners and occupiers, with a sign displayed fronting High Street. A total of five objections have been received.

COMMITTEE RECOMMENDATION

MOVED: CR. A. GOBLE

SECONDED: CR. R. ELDRIDGE

THAT Council officers provide a report to Council in relation to Planning Application PLP129/18 for the buildings and works for the construction of an office building, 2-lot re-subdivision, reduction of car parking requirements and alteration to access to a Road Zone – Category 1 at 63 High Street, Broadford.

CARRIED UNANIMOUSLY

Cr F. Stevens returned to the meeting at 8.59PM

6.4 PLANNING PERMIT APPLICATION PLP360/17 FOR A TWO LOT SUBDIVISION (DWELLING EXCISION) AT 40 WOODLANDS PLACE UPPER PLENTY

Author: Mathew Mertuszka - Principal Planner

File No: PLP360/17

Attachments: Nil

Property No.:	109272
Title Details:	Lot 1 on Title Plan 949012N
Applicant:	T&C Developments
Zoning:	Farming Zone
Overlays:	Bushfire Management Overlay Erosion Management Overlay
Objections Received:	No Objections have been 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 PLP360/17 FOR A TWO LOT SUBDIVISION (DWELLING EXCISION) AT 40 WOODLANDS PLACE UPPER PLENTY (CONT.)

SUMMARY

Council has received an application for a two lot subdivision of the land (dwelling excision) at 40 Woodlands Place, Upper Plenty. The proposal seeks to create one small lot being 2.08 hectares, containing an existing dwelling, and a larger balance lot being 44.61 hectares.

The land is located within the Farming Zone and is affected by the Bushfire Management Overlay and the Erosion Management Overlay.

The application was advertised by letter to surrounding properties. No objections were received.

COMMITTEE RECOMMENDATION

MOVED: CR. B. HUMM

SECONDED: CR. R. SANDERSON

THAT Council officers provide a report to Council in relation to Planning Application PLP360/17 for a 2 Lot Subdivision (Dwelling Excision) at Lot 1 on Title Plan 949012N, known as 40 Woodlands Place, Upper Plenty.

CARRIED UNANIMOUSLY

Cr B. Eldridge left the meeting at 9.01PM and did not return

7 SUBMISSIONS

8 QUESTION TIME

9 COMMUNITY PRESENTATIONS

10 DATE OF NEXT MEETING

The next Community Questions and Hearings Committee meeting is scheduled to be held on 12 March 2019 at the Mitchell Civic Centre, 113 High St, Broadford, commencing at 7.00pm.

11 CLOSURE OF MEETING

The meeting was declared closed at 9.05pm.

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Chairperson
Mayor, Cr Bill Chisholm