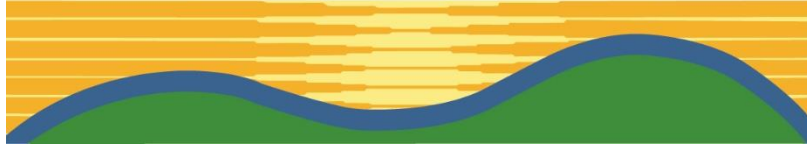


**MITCHELL SHIRE COUNCIL**



**COMMUNITY QUESTIONS  
AND HEARINGS COMMITTEE  
MINUTES**

**MONDAY 11 DECEMBER 2017**

## TABLE OF CONTENTS

| ITEM | SUBJECT   | PAGE NO |
|------|---|---------|
| 1    | GOVERNANCE DECLARATION .....  | 1       |
| 2    | APOLOGIES AND LEAVE OF ABSENCE .....  | 1       |
| 3    | DISCLOSURE OF CONFLICTS OF INTEREST .....   | 1       |
| 4    | CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS .....  | 2       |
| 5    | DEVELOPMENT AND INFRASTRUCTURE .....  | 3       |
| 5.1  | Planning Permit Application PLP228/17 For a 2 lot subdivision<br>At 6 Kooralinga Drive, Wandong .....   | 3       |
| 5.2  | Planning Permit Application PLP199/16 for the use and<br>development of part of the land for a transfer station and<br>associated earthworks, works within and alteration of access to<br>a road zone Category 1 and reduction of car parking at 100<br>Wandong Road, Kilmore ..... | 5       |
| 6    | SUBMISSIONS .....   | 7       |
| 7    | QUESTION TIME .....   | 8       |
| 8    | COMMUNITY PRESENTATIONS .....   | 17      |
| 9    | DATE OF NEXT MEETING .....  | 17      |
| 10   | CLOSURE OF MEETING .....  | 17      |

**MINUTES OF THE COMMUNITY QUESTIONS AND  
HEARINGS COMMITTEE OF THE MITCHELL SHIRE  
COUNCIL HELD AT MITCHELL CIVIC CENTRE, 113 HIGH  
ST, BROADFORD ON  
11 DECEMBER 2017**

**THE MEETING OPENED:** 7.00pm

**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 Niall Sheehy   | Acting Director Development and Infrastructure      |
| Ms Lidia Harding  | Governance and Corporate Accountability Coordinator |

---

---

**1 GOVERNANCE DECLARATION**

The declaration was read by Cr R. Eldridge

**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.*

Nil.

**4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

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

**COMMITTEE RECOMMENDATION**

**MOVED:** CR. R. ELDRIDGE

**SECONDED:** CR. A. GOBLE

**THAT** the Minutes of the Community Questions and Hearings Committee held 13 November 2017, as circulated, be confirmed.

**CARRIED UNANIMOUSLY**

## 5 DEVELOPMENT AND INFRASTRUCTURE

### 5.1 PLANNING PERMIT APPLICATION PLP228/17 FOR A 2 LOT SUBDIVISION AT 6 KOORALINGA DRIVE, WANDONG

**Author:** Mathew Mertuszka - Principal Planner

**File No:** PLP228/17

**Attachments:** Nil

|   |  |
|---|--|
| <b>Property No.:</b>                                | 108875   |
| <b>Title Details:</b>                               | Lot 29 on Plan of Subdivision 216408D  |
| <b>Applicant:</b>                                   | Priscilla Meli   |
| <b>Zoning:</b>                                      | Low Density Residential Zone   |
| <b>Overlays:</b>                                    | Nil  |
| <b>Objections Received:</b>                         | Three objections received  |
| <b>Cultural Heritage Management Plan Required:</b>  | No, not in an area of Aboriginal Cultural Heritage Significance  |
| <b>Officer Declaration of Conflict of Interest:</b> | No officers involved in the preparation of this report have any direct or indirect interest in this matter |

#### SITE MAP



PLANNING PERMIT APPLICATION PLP228/17 FOR A 2 LOT SUBDIVISION AT 6 KOORALINGA DRIVE, WANDONG (CONT.)

### **SUMMARY**

Planning Permit Application PLP228/17 proposes a 2 lot subdivision at 6 Kooralinga Drive, Wandong.

The application was advertised to surrounding properties and a total of three (3) objections were received. Objections in the main relate to loss of amenity and erosion of existing neighbourhood character should the application be approved.

### **COMMITTEE RECOMMENDATION**

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. A. GOBLE

**THAT** Council Officers provide a report to Council in relation to Planning Application PLP071/17 for a 2 lot subdivision at 6 Kooralinga Drive, Wandong

**CARRIED UNANIMOUSLY**

## 5.2 PLANNING PERMIT APPLICATION PLP199/16 FOR THE USE AND DEVELOPMENT OF PART OF THE LAND FOR A TRANSFER STATION AND ASSOCIATED EARTHWORKS, WORKS WITHIN AND ALTERATION OF ACCESS TO A ROAD ZONE CATEGORY 1 AND REDUCTION OF CAR PARKING AT 100 WANDONG ROAD, KILMORE

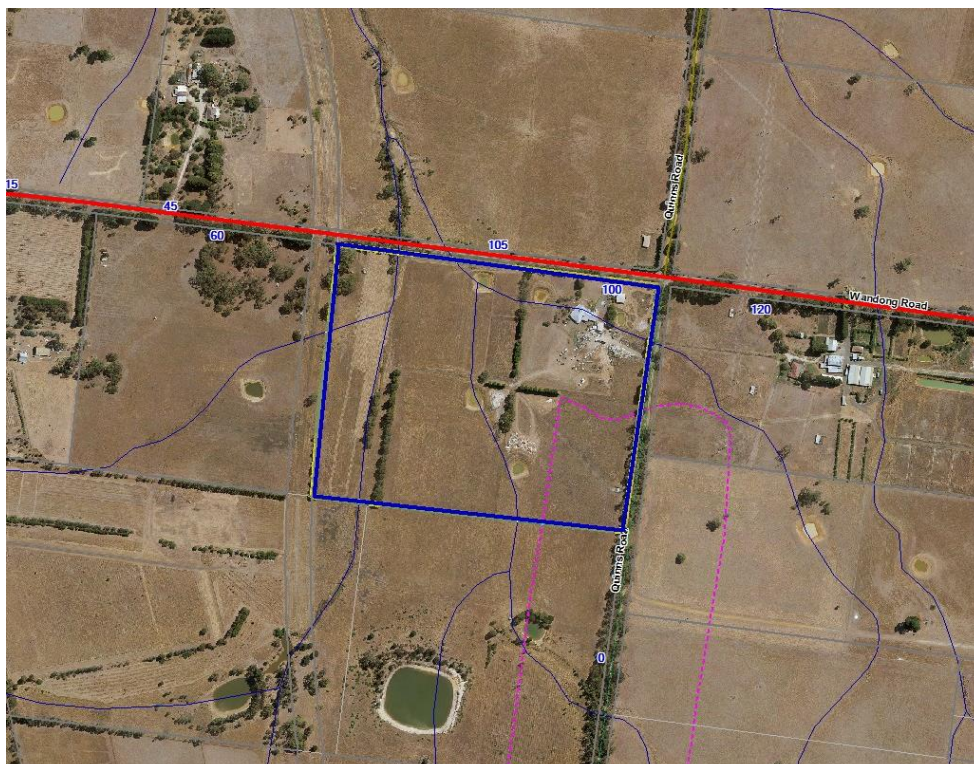
**Author:** *Bachir Tanios - Senior Statutory Planner*

**File No:** *PLP199/16*

**Attachments:** *Nil*

|   |  |
|---|--|
| <b>Property No.:</b>                                | 107330   |
| <b>Title Details:</b>                               | Land in Plan of Consolidation 353108X  |
| <b>Applicant:</b>                                   | T & C Development Services Pty Ltd   |
| <b>Zoning:</b>                                      | Farming Zone   |
| <b>Overlays:</b>                                    | Vegetation Protection Overlay – Schedule 1   |
| <b>Objections Received:</b>                         | Yes, one objection received  |
| <b>Cultural Heritage Management Plan Required:</b>  | No, the subject site is not located within an area of Aboriginal cultural heritage sensitivity             |
| <b>Officer Declaration of Conflict of Interest:</b> | No officers involved in the preparation of this report have any direct or indirect interest in this matter |

### SITE MAP





PLANNING PERMIT APPLICATION PLP199/16 FOR THE USE AND DEVELOPMENT OF PART OF THE LAND FOR A TRANSFER STATION AND ASSOCIATED EARTHWORKS, WORKS WITHIN AND ALTERATION OF ACCESS TO A ROAD ZONE CATEGORY 1 AND REDUCTION OF CAR PARKING AT 100 WANDONG ROAD, KILMORE (CONT.)

**EXTENSION OF SPEAKING TIME**

**MOVED:** CR. B. CORNISH

**SECONDED:** CR. D. LOWE

**THAT** an extension of speaking time be granted.

**CARRIED UNANIMOUSLY**

**COMMITTEE RECOMMENDATION**

**MOVED:** CR. D. ATKINSON

**SECONDED:** CR. D. LOWE

**THAT** Council Officers provide a report to Council in relation to Planning Application PLP199/16 for the use and development of part of the land for a transfer station and associated earthworks, works adjacent to the road reserve – category 1 and waiver of car parking requirements (reduction) at 100 Wandong Road, Kilmore.

**CARRIED UNANIMOUSLY**



## **6 SUBMISSIONS**

NIL.

## **7 QUESTION TIME**

### **TOM RYAN - QUESTION #1 AND #2**

- How do you propose to guarantee the biosecurity of my farm, when the whole purpose of your proposal is to allow unfettered access to people, horses, dogs and bicycles right through the middle of my property and what do you plan on doing about it when I can no longer operate my farm because of this?
- I have already indicated to the Shire and Councillors that after much thought and consideration, I cannot allow the trail to run through my property, what happens now?

Thank you for the question.

The Wallan to Heathcote Rail Trail project is still in the feasibility and investigation stage. The Project has not been endorsed by Mitchell Shire Council nor the City of Greater Bendigo and there will be further opportunities for more detailed consideration of site specific issues following release of the Feasibility Study.

There are no immediate plans to develop the trail.

If the project is ultimately endorsed by Mitchell Shire and the City of Greater Bendigo, State and Federal grants would be sought to construct the trail in phases, starting in areas where access to land 'generally good'.

Where access to land is very difficult or not possible, including where the landowner does not support the trial, we would consult with the landholder and adjacent landholders on possible alternate routes, bio security and the nature of trail use (for example, dogs and horses may not be allowed in some areas).

If the trail is developed, is not our intention to compulsorily acquire land.

### **MARLA STONE - QUESTION #1**

- Will Mitchell Shire Council accept (pending a decision to release the Feasibility Study and other documents at the December 18 Mitchell Shire Council Council Meeting) that directly contacting ratepayers whose land lies adjacent to, adjoining or will share any boundary with a future Wallan to Rail Trail is appropriate; so they too are well aware of the Feasibility Study, the planned route of the Rail Trail and the timing of a decision to be made by Council whether to proceed with the Rail Trail project?

Thank you for the question.

As the possible trail is 78kms long, we are unable to write to landholders that are adjacent or within vicinity. We are writing to landholders who are directly affected, and other landholders and rate payers who have asked for information to be sent directly. However, it is usual in these instances that non-directly affected landowners will become aware of the report and participate in the consultation process.

We invite any resident or ratepayer to contact us directly if they would like to discuss the feasibility study over the phone.

- If any landholders that live within vicinity of the possible trail reaches out for information to be sent (i.e. letters, summary document) then we will mail them.

## **MARLA STONE - QUESTION #2**

- Will Mitchell Shire Council endeavour to thoroughly inform all ratepayers about the Rail Trail project – possibly via the following and/or most cost-effective means:
  - Newspaper advertisements (including at least one before any final decision is made) informing of location of information on the Rail Trail and specifically advertise the timing of the decision to proceed with the Wallan to Heathcote Rail Trail
  - Regular updates to information via Mitchell Shire Facebook, Twitter, Engaging Mitchell webpages and the Mitchell Shire Council website
  - At least one public information night perhaps at Mitchell Shire Council Chambers in Broadford between now and before any decision might be scheduled regarding the Wallan to Heathcote Rail Trail?

Thank you for the question.

Our communications plan regarding the (possible release) of the feasibility study and community engagement report will be thorough.

A variety of channels and tools will be used.

CONSULTATION TOOLS AND CHANNELS including:

- Media release
- Letters and summary document; landholders and other community members with whom we've met with (1-1) or spoken to on the phone (10 people).
- Feasibility Study and Engagement Report available online and also for view at Broadford (200 pages)
- Summary Document available online; Engaging Mitchell
- Radio announcements (Seymour FM / OKRFM)
- Social Media; Mitchell and CoGB
- An Officer will be available to receive phone calls and answer emails (business hours)

## **GAIL ELLARD - QUESTION #1**

- Council Rates – Will Council Rates be increased to fund Mitchell Shire's portion of the costs for the Feasibility Study and set-up maintenance costs of the trail should it proceed or will other Shire services and maintenance be reduced or cut or does the Shire plan on taking on more debt to fund this.

Thank you for the question.

The Feasibility Study is complete. Mitchell Shire's contribution to the Study was \$20,000.

The Councils intention is that funding for its construction will come from external grants. Preparation of a detailed feasibility is a necessary first step before seeking grants. The Wallan to Heathcote Rail Trail project is still in the feasibility and investigation stage. The Project has not been endorsed by Mitchell Shire Council nor the City of Greater Bendigo. There are no immediate plans to develop the trail.

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.

The Feasibility Report indicates that it will cost approximately \$1,000 per kilometre, per year to maintain the trail. The possible trail is 78 kms long. As to who, will cover the costs of maintaining the trail, this is yet to be determined, however other models suggest minimal Council costs would be involved. Like the O'Keefe Rail Trail and others, maintenance is likely to be a collaborative effort between both Councils and the recreational groups that use the trail.

If the trail is developed, we do not expect any Shire services will be reduced or cut.

## **GAIL ELLARD - QUESTION #2**

- Who would be the responsible entity for the ongoing maintenance and running of the trail with regard to things such as:
  - Insurance (who pays for this, is payment subject to grant funding, what are the details/budget of the insurance)
  - Rubbish/vandalism/gates
  - Official and unofficial entry/exit points and facilities at these?
  - Safety issues – for trail participants and locals
  - Biosecurity issues

Thank you for the question.

### **Insurance**

The Wallan to Heathcote Rail Trail project is still in the feasibility and investigation stage. The Project has not been endorsed by Mitchell Shire Council nor the City of Greater Bendigo.

If endorsed, State and Federal government grants would be sought to construct the trail.

The trail would be covered by both Mitchell Shire Council and the City of Greater Bendigo's open space and public liability insurance, and subject to similar parameters.

Insurance and maintenance costs are separate to construction and development of the trail.

### **Maintenance**

As with other trails around Victoria and Australia, it is envisaged that trail maintenance (rubbish, mowing, weeds, etc) would be the responsibility of the Council, supported by recreational groups that use the trail.

**Safety Issues**

If the trail is developed, safety assessments (including the establishment of safe and appropriate entry and exit points, fire risk / management) would occur during the detailed design phase. This has been factored in as part of construction cost.

**Biosecurity**

Where access to land is very difficult or not possible – and there are many reasons for this - we would consult with the landholder and adjacent landholders on possible alternate routes, bio security and the nature of trail use (for example, dogs and horses may not be allowed in some areas).

**DAVID WAYE – QUESTION #1**

- Given that Mitchell Shire is the prime approving authority within its local government area for places of assembly, such as festivals. Would it be considered appropriate for a Council Officer to contact residents who are objecting to a planning application for a music festival with the intention to persuade them to withdraw their objections. If this behaviour is considered appropriate and is authorised by Council; please provide the Council policy or State legislation that provides the authority.

Thank you for the question.

Officers often contact objectors to clarify concerns or to provide additional information that may be pertinent to the issues identified by submitters. Sometimes concessions or amendments offered by permit applicants to address objections will also be conveyed to objectors by officers. This is undertaken respectfully, for the purpose of addressing the concerns of objectors. However, it is not the practice of officers to solicit the withdrawal of objections nor would that practice be condoned.

**DAVID WAYE - QUESTION #2**

- Regarding the Wallan Town Heart Project, specifically the Avenue of Honour memorial trees. Noting that the trees were planted on consecrated ground by the families of the fallen a century ago next year; if any trees are to be removed, can Council please describe plans to replace the trees;
  - a. On consecrated ground?
  - b. With the involvement of the RSL?
  - c. By making all endeavours to involve the descendants of the families of the fallen?

Thank you for the question.

- Council respects the significance of Wallan's Avenue of Honour and the fact that it is coming up to the one hundredth anniversary of the Avenue's planting
- There are currently around 6 trees missing from the original 53 that were planted.

- The Wallan Town Centre proposals provide for the Avenue is returned to its original number of 53 trees – consistent with the number of names on the Wallan Memorial
- Council is currently reviewing the process and plans for the Avenue of Honour in relation to the Wallan Town Centre works.
- This process is taking account of the Avenue's heritage significant, the relevant planning processes, and the social and historical significance of the Avenue
- Council has already engaged with RSL about the Wallan Memorial and the Avenue of Honour
- Council will continue to work with the RSL and where possible with the descendants of families; concerning any plans to remove one tree and replace the number of missing trees to return the Avenue of Honour to its original number

**LANCE MARKE – QUESTION #1**

- Will Mitchell Shire Council identify on a map the area of land it claims to be 'good quality land for grazing and livestock farming' that is west of Seymour Township?

Thank you for the question.

A map identifying Agricultural Quality within the Hume Region can be found on page 53 of the *Seymour Structure Plan: Consolidated Background Report (March 2016)*

## LAND QUALITY

The following Figure 27 shows the agricultural land quality in Seymour and Surrounds and the wider Hume region. There are some areas to the west of Seymour Township within the Seymour and Surrounds region that have moderate land quality, which is appropriate for livestock grazing. Land areas north of Seymour, within the 'Goulburn Valley Food bowl' contains the highest proportion of high quality agricultural land, which is utilised for fruit production and livestock farming (meat and dairy).

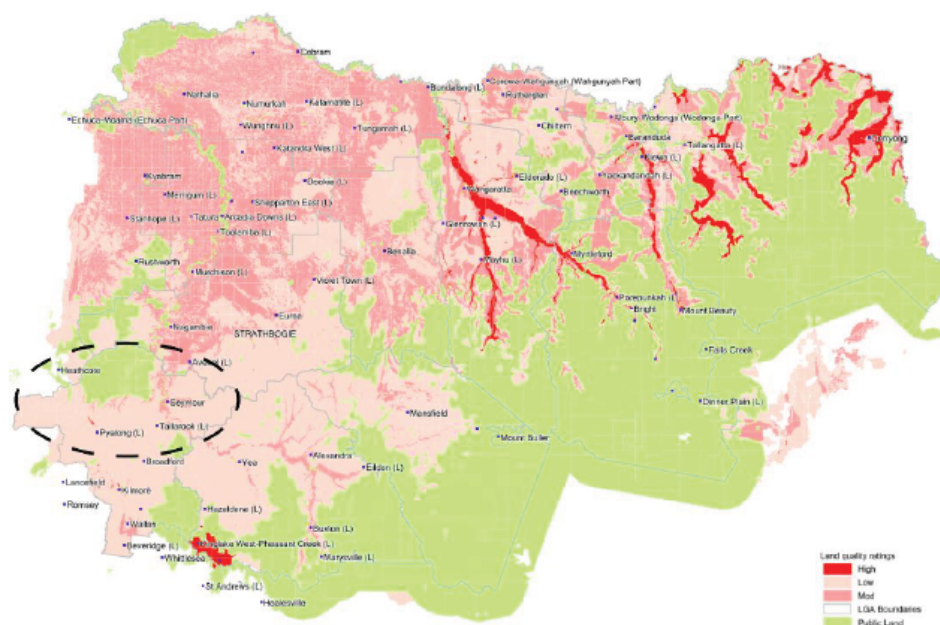


Figure 27. Agricultural Land Quality

Source: Urban Enterprise 2015

The document can be viewed below

<https://engagingmitchellshire.com/10863/documents/33618>

## LANCE MARKE - QUESTION #2

- Will Mitchell Shire Council identify on a map all areas of land it claims to be 'values agricultural areas' within the scope of the Seymour Structure plan?

Thank you for the question.

The settlement boundary is based on a consideration of the key natural attributes of Seymour such as topography, vegetation, slopes and flooding, as well as interfaces with existing infrastructure and land uses.



The reference 'valued agricultural areas' in the 5<sup>th</sup> paragraph on Page 37 of the Draft Seymour Structure Plan relates to the status of this location on the 'Agricultural Quality' map (see question 1).

This land is 'valued' due to its quality rating on the 'Agricultural Quality' Map which is on Page 53 from the *Seymour Structure Plan: Consolidated Background Report (March 2016)*

#### **BRIAN MAWHINNEY - QUESTION #1**

- What can residents and Council do to remove the fire hazard that is rapidly becoming the Northern Highway jungle? VicRoads only mow 3 or 4 feet from the roadside yet leave grass that is in some cases chest high all the way to the fence line. On top of that we have many dead trees, which residents are not allowed to remove, adding to the fuel load.

Thank you for the question.

Mitchell Shire Councils "Municipal Fire Management Committee" met in November of this year. VicRoads provided Council with their annual roadside slashing program, which was completed in Nov early Dec.

Vic Roads conduct slashing activities 3m behind the guide posts.

Mitchell have no enforcement provisions that require Vic Roads to conduct further slashing activities or remove fire hazards.

#### **BRIAN MAWHINNEY - QUESTION #2**

- Can Council install 'No through road' signs around Black Duck Crossing (at the end of Tootle Street) as large delivery trucks are trying to exit this development where there are no exits?

Thank you for the question.

Officers are of the opinion that the provision of 'No Through Road' signage is not considered essential in this instance. Delivery trucks entering this area are most likely related to construction activity in this new estate and in which case they will enter this subdivision to complete deliveries regardless of the 'No Through' nature of these roads.

This subdivision is progressing quite quickly and at the advice of the developer, the completion of the Black Duck crossing is expected within the next 6-12 months.

#### **RAYMOND WITTMER - QUESTION**

- Is Council aware of the traffic safety issues for student pick up/drop off for cars and busses at The Kilmore International School (TKIS) primary campus on Lumsden Street, Kilmore ?

- Is Council aware that TKIS is prepared to undertake works to improve the eastern end of Lumsden Street, Kilmore. around to Parade St at TKIS's expense?
- Is Council aware of any projected costings either for Council or TKIS attendant to above?
- Is Council prepared to consider above?

Thank you for the question.

Council are aware of some concerns that are held by the school for improvements to bus parking and pick up / drop off in this area. Some preliminary discussions have been held between officers and TKIS representatives as to what improvements can be made.

Council has been briefed and is aware of an offer made by TKIS to construct Lumsden Street through to its connection with Parade Street. Council has been clear that its support for this connection to be made would be subject to further community consultation to determine the level of support for such a connection to be made. Council has also communicated its minimum road construction standards that would need to be met in order for this road connection to be made. Should the community support this connection, further upgrades of Parade Street will also be required due to the projected increase in traffic using Parade Street due to this connection being made.

No costings of this proposal have been carried out by Council. TKIS will be required to prepare a detailed design of the proposed road construction works for Council's approval.

Due to the projected increase in traffic using Parade Street, Council's support for this connection to be made would be subject to further community consultation to determine the level of support for such a connection to be made.

**8 COMMUNITY PRESENTATIONS**

NIL

**9 DATE OF NEXT MEETING**

The next Community Questions and Hearings Committee meeting is scheduled to be held on 12 February 2018 at the Mitchell Civic Centre, 113 High St, Broadford, commencing at 7.00pm.

**10 CLOSURE OF MEETING**

The meeting was declared closed at 8.42 pm.

.....  
**Chairperson**  
**Mayor, Cr Rhonda Sanderson**