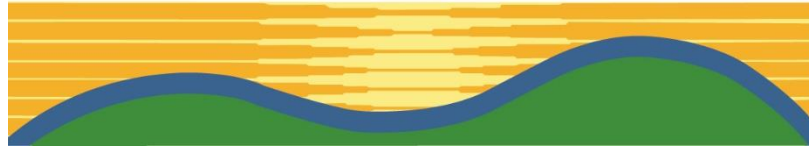


MITCHELL SHIRE COUNCIL



**COMMUNITY QUESTIONS
AND HEARINGS COMMITTEE
MINUTES**

TUESDAY 13 MARCH 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
13 MARCH 2018**

THE MEETING OPENED: 7.04pm

COUNCILLORS PRESENT:

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

Cr Bill Chisholm North Ward
Cr Fiona Stevens North Ward

Cr David Lowe South Ward (Chairperson)
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 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 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 D. Atkinson.

2 APOLOGIES AND LEAVE OF ABSENCE

COMMITTEE RECOMMENDATION

MOVED: CR. A. GOBLE

SECONDED: CR. D. ATKINSON

THAT the apology for this meeting received from Cr Rhonda Sanderson be accepted.

CARRIED UNANIMOUSLY

3 DISCLOSURE OF CONFLICTS OF INTEREST

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

Cr Goble declared an indirect interest in Item 6.1 Planning Permit Application PLP175/17 For 3-lot subdivision At 245 O'Sheas Road, Kilmore East as her property abuts 245 O'Sheas Road, Kilmore East.

Cr Chisholm declared an indirect interest in Item 6.1 Planning Permit Application PLP175/17 For 3-lot subdivision At 245 O'Sheas Road, Kilmore East and an indirect interest in Item 6.5 Planning Permit Application PLP084/17 For a 2 lot subdivision At 285 Gehreys Lane, Forbes as he has a current relationship with the consultant whose acting on behalf of the applicant.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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

COMMITTEE RECOMMENDATION

MOVED: CR. B. CORNISH

SECONDED: CR. B. HUMM

THAT the Minutes of the Community Questions and Hearings Committee held 12 February 2018, as circulated, be confirmed.

CARRIED UNANIMOUSLY

5 ADVOCACY AND COMMUNITY SERVICES

5.1 WALLAN TO HEATHCOTE RAIL TRAIL - FEASIBILITY STUDY AND CONSULTATIONS - HEARINGS COMMITTEE

Author: Chris Cheal - Economic Development Coordinator

File No: RE/06/008

Attachments:

1. Wallan to Heathcote Rail Trail - Feasibility Report Vol 1 (Oct 2017) [⇒](#)
2. WHRT Feasibility Study Community Engagement Report (Vol II, Report No 2) [⇒](#)
3. Submission Summary Table (Dec 2017 to Mar 2018) [⇒](#)
4. Corresponding submitter location maps (Local submitters; Dec 2017 – Mar 2018) [⇒](#)

SUMMARY

The purpose of this report is to provide a summary of the submissions received since the Wallan to Heathcote Rail Trail (WHRT) Feasibility Study was released for community consultation purposes, following the December 2017 Ordinary Meeting of Council; which involved:

- Placing the completed Feasibility Study and Technical Reports on public exhibition via the Engaging Mitchell website.
- Making copies of the Study and Technical Reports available at Council Customer Service Points, and
- Sending notice of the completion and public exhibition of the Feasibility Study and Technical Reports via direct mail to directly affected landholders.

The completed Feasibility Study and Technical Reports have been prepared by a consultant team led by RM Consulting Group in collaboration with specialist consultants and stakeholders and reviewed by Council officers.

In summary, eleven (11) submissions have been received. Seven (7) submissions were supportive of the trail and four (4) submissions have noted their objection to the either the rail trail in general terms or the proposed route as it interacts with their property.

COMMITTEE RECOMMENDATION

MOVED: CR. A. GOBLE

SECONDED: CR. F. STEVENS

THAT Council officers provide a report to Council in relation to the submissions received during the consultation period and present the findings of the Rail Trail Feasibility Study to Council for further consideration.

CARRIED UNANIMOUSLY

6 DEVELOPMENT AND INFRASTRUCTURE

6.1 PLANNING PERMIT APPLICATION PLP175/17 FOR 3-LOT SUBDIVISION AT 245 O'SHEAS ROAD KILMORE EAST

Author: Holly Sawyer - Statutory Planning Officer

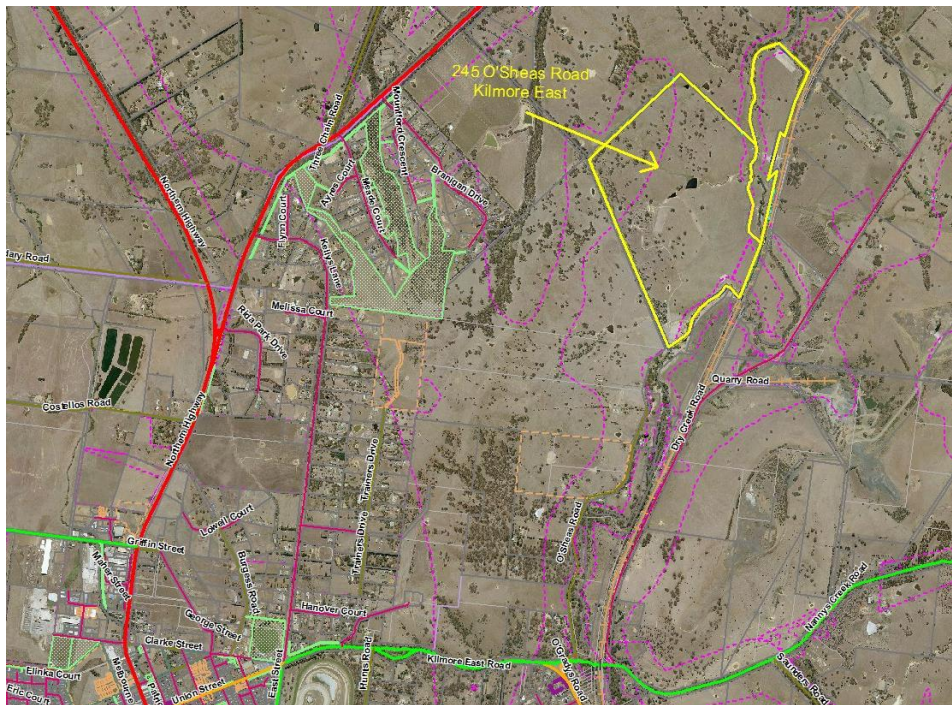
File No: PLP175/17

Attachments: 1. *PLP175/17 245 O'Sheas Road, Kilmore East - proposed plan of subdivision* [⇒](#)

Property No.:	108240
Title Details:	Lot 2 on Plan of Subdivision 614145A Volume 11046 Folio 101
Applicant:	Eric Salter Pty Ltd
Zoning:	Farming Zone
Overlays:	Erosion Management Overlay Environmental Significant Overlay – Schedule 3
Objections Received:	Nine objections received
Cultural Heritage Management Plan Required:	A CHMP is not required for the proposed three-lot subdivision, although a CHMP may be required for the construction of a road
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

PLANNING PERMIT APPLICATION PLP175/17 FOR 3-LOT SUBDIVISION AT 245 O'SHEAS ROAD KILMORE EAST (CONT.)

SITE MAP



SUMMARY

The application seeks approval for the subdivision of the land to create three lots, each in excess of 40 hectares in area. The land is affected by the Farming Zone, Erosion Management Overlay and Environmental Significance Overlay – Schedule 3.

The application was advertised to the adjoining landowners and a total of 9 objections were received. These objections consist of a petition with 8 individual objectors, with the ninth objection containing one signature.

Cr A. Goble and Cr B. Chisholm left the meeting at 8:17 PM.

COMMITTEE RECOMMENDATION

Moved: CR. D. ATKINSON

Seconded: CR. B. HUMM

THAT Council officers provide a report to Council in relation to Planning Application PLP175/17 for a 3-lot subdivision at 245 O'Sheas Road, Kilmore East.

CARRIED UNANIMOUSLY

Cr A. Goble and Cr B. Chisholm returned to the meeting at 8:44 PM.

6.2 DEVELOPMENT PLAN - 71 AND 81 DARRAWEIT ROAD AND 15 ROWES LANE, WALLAN

Author: *Simon Williams - Senior Strategic Planner*

File No: *PL/03/050*

Attachments: *Nil*

SUMMARY

In accordance with Clause 43.04 (Development Plan Overlay) of the *Mitchell Planning Scheme*, an application for Development Plan approval has been received from Bosco Johnson on behalf of Kingsman Project Directors Pty Ltd.

The Development Plan Overlay requires the approval of a Development Plan prior to the issue of any planning permits for the subdivision and development of land at 71 and 81 Darraweit Road and 15 Rowes Lane, Wallan.

The proposed Development Plan proposes a variety of lot sizes ranging from under 300sqm up to 1,000sqm, including two superlots that can facilitate future medium density housing and townhouse products. It is envisaged that approximately 157 lots will be delivered on the subject site.

Whilst no statutory public exhibition of the Development Plan is required, notification was provided to relevant State Agencies, Utility Agencies and surrounding land owners. In response to this notification, a total of 36 submissions were received.

COMMITTEE RECOMMENDATION

MOVED: CR. A. GOBLE

SECONDED: CR. B. CHISHOLM

THAT Council officers provide a report to Council in relation to a Development Plan Application for 71 and 81 Darraweit Road and 15 Rowes Lane, Wallan.

CARRIED UNANIMOUSLY

6.3 PLANNING PERMIT APPLICATION PLP244/17 FOR USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AT FOREMAN STREET, BEVERIDGE

Author: James McNulty - Acting Manager Development Approvals

File No: PLP244/17

Attachments: Nil

Property No.:	119480
Title Details:	Crown Allotment 19 Section 8 Township of Beveridge Parish of Merriang Volume 11303 Folio 202
Applicant:	William Zhuang
Zoning:	Farming Zone
Overlays:	None apply to the site
Objections Received:	Five objections were received
Cultural Heritage Management Plan Required:	No – the site is not located in an area of cultural 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

PLANNING PERMIT APPLICATION PLP244/17 FOR USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AT FOREMAN STREET, BEVERIDGE (CONT.)

SITE MAP



SUMMARY

The subject planning permit application is seeking approval for use and development of the land for a dwelling at the rear of 50 Minton Street, Beveridge.

The application was publicly advertised by way of posting notices to land owners and occupiers in proximity to the subject site and to VicRoads.

Following the notification period, a total of five objections were received from surrounding landowners with VicRoads providing conditional approval.

The objections to the proposal consisted of amenity, environmental, access, service and other general concerns relating to the use and development of a dwelling on the subject site.

Cr B. Humm left the meeting at 9.42PM.

PLANNING PERMIT APPLICATION PLP244/17 FOR USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AT FOREMAN STREET, BEVERIDGE (CONT.)

COMMITTEE RECOMMENDATION

MOVED: CR. B. CORNISH

SECONDED: CR. R. ELDRIDGE

THAT Council Officers provide a report to Council in relation to Planning Application PLP244/17 for the use and development of the land for a dwelling at Foreman Street, Beveridge.

CARRIED UNANIMOUSLY

Cr B. Humm returned to the meeting at 9.45 PM.

6.4 PLANNING PERMIT APPLICATION PLP073/17 FOR USE AND DEVELOPMENT OF THE LAND FOR A MOTEL, FUNCTION ROOM, CARE TAKERS RESIDENCE AND BUSINESS SIGNAGE AT 7 OLD HUME HIGHWAY, BEVERIDGE

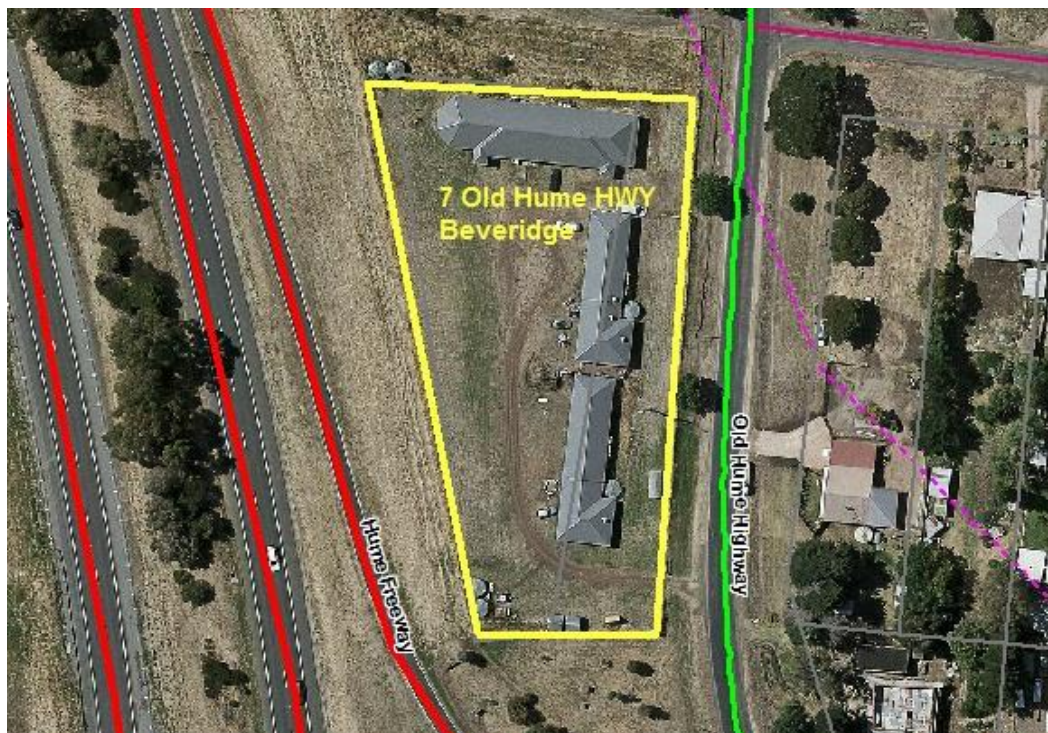
Author: Mathew Mertuszka - Principal Planner

File No: PLP073/17

Attachments: Nil

Property No.:	110043
Title Details:	Land in Plan of Consolidation 355064F
Applicant:	Stephen Oxley & Company
Zoning:	Township Zone
Overlays:	Vegetation Protection Overlay – Schedule 2
Objections Received:	Not advertised as it is considered that the proposal would not result in material detriment to any person
Cultural Heritage Management Plan Required:	No, the subject site is not within 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 PLP073/17 FOR USE AND DEVELOPMENT OF THE LAND FOR A MOTEL, FUNCTION ROOM, CARE TAKERS RESIDENCE AND BUSINESS SIGNAGE AT 7 OLD HUME HIGHWAY, BEVERIDGE (CONT.)

SUMMARY

The subject planning permit application is seeking approval for the use and development of the land for a motel, function room, caretaker's residence and business identification signage at 7 Old Hume Highway, Beveridge.

The application was not advertised as the proposed works are largely completed under a previous planning permit. This permit has since expired as the works were not completed within the required timeframe and no extensions of time were sought. Therefore, further permission is required to complete and formalise the works.

The application was referred to VicRoads owing to the future application of the Public Acquisition Overlay in the area to facilitate the construction of the Camerons Lane interchange.

COMMITTEE RECOMMENDATION

MOVED: CR. B. HUMM

SECONDED: CR. B. CHISHOLM

THAT Council Officers provide a report to Council in relation to Planning Application PLP073/17 for the use and development of the land for the use and development of the land for a motel, function room, care takers residence and business identification signage at 7 Old Hume Highway, Beveridge.

CARRIED UNANIMOUSLY

6.5 PLANNING PERMIT APPLICATION PLP084/17 FOR A 2 LOT SUBDIVISION AT 285 GEHREYS LANE, FORBES

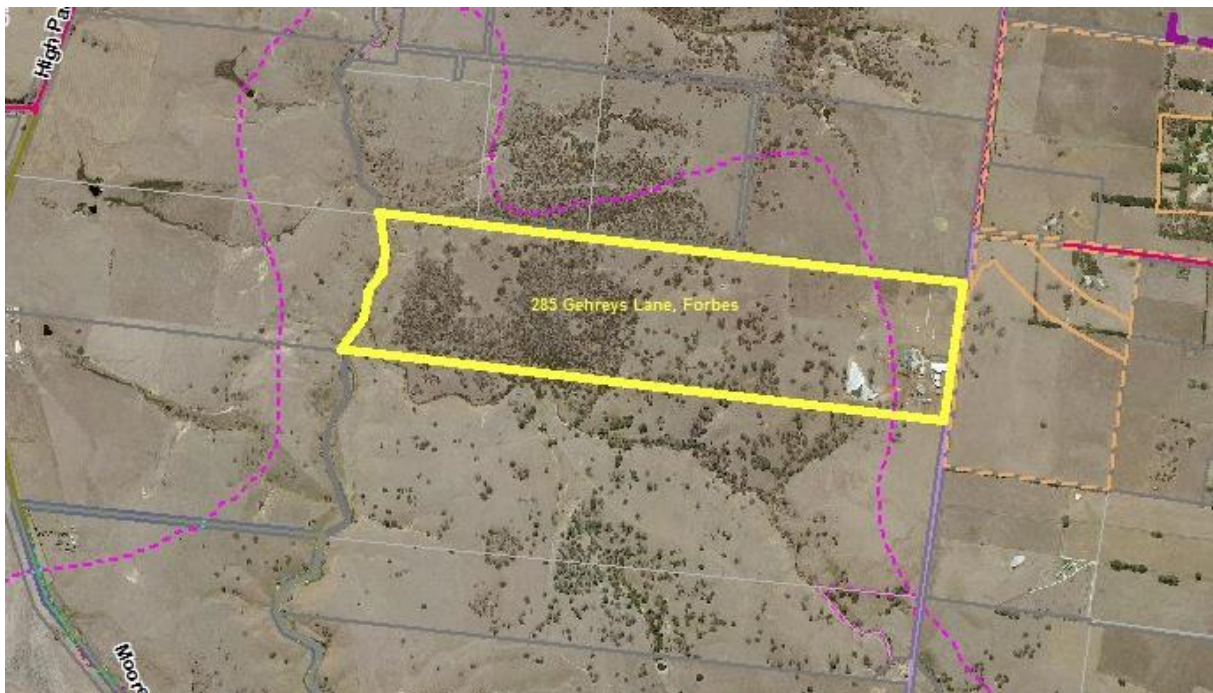
Author: Mathew Mertuszka - Principal Planner

File No: PLP084/17.01

Attachments: Nil

Property No.:	105902
Title Details:	Portion 55, Parish of Forbes
Applicant:	T & C Development
Zoning:	Farming Zone
Overlays:	Salinity Management Overlay Erosion Management Overlay Bushfire Management Overlay
Objections Received:	None
Cultural Heritage Management Plan Required:	No, the proposal is exempt from requiring 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



PLANNING PERMIT APPLICATION PLP084/17 FOR A 2 LOT SUBDIVISION AT 285 GEHREYS LANE,
FORBES (CONT.)

SUMMARY

The application is seeking to amend the proposed layout of an existing planning permit issued by Council at their Ordinary meeting in October 2017 to subdivide the land into two lots, excising the existing dwelling and equine use from the remainder of the site.

The amendment consists of changes to the proposed lot layout particularly between the adjacent government road reserve and north-east section of Lot 1, providing access to Lot 2. Consequently, the request to amend the plans to reflect this alternate layout will result in the deletion of Condition 1.

Due to the minor nature of the amendment the proposal was not required to be advertised as it would not result in material detriment to any person.

Cr B. Chisholm left the meeting at 10.01PM.

COMMITTEE RECOMMENDATION

MOVED: CR. D. ATKINSON

SECONDED: CR. B. HUMM

THAT Council officers provide a report to Council in relation to the request to amend Planning Permit PLP084/17 at 285 Gehreys Lane, Forbes.

CARRIED UNANIMOUSLY

Cr B. Chisholm returned to the meeting at 10.18PM.

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 9 April 2018 at the Mitchell Civic Centre, 113 High St, Broadford, commencing at 7.00pm.

11 CLOSURE OF MEETING

The meeting was declared closed at 10.21pm.

.....
Chairperson
Deputy Mayor, Cr David Lowe