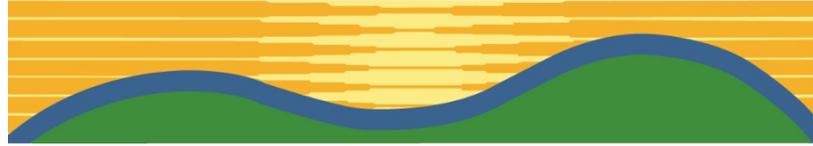


**MITCHELL SHIRE COUNCIL**



**ORDINARY  
COUNCIL MEETING  
MINUTES**

**MONDAY 16 MAY 2016**



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**MINUTES OF THE ORDINARY COUNCIL MEETING OF  
THE MITCHELL SHIRE COUNCIL HELD AT MITCHELL  
CIVIC CENTRE, 113 HIGH STREET BROADFORD ON  
16 MAY 2016**

**THE MEETING OPENED:** 7.00pm

**COUNCILLORS PRESENT**

Cr Rodney Parker	Central Ward
Cr Des Callaghan	Central Ward
Cr Ross Lee	Central Ward

Cr Bill Melbourne	North Ward
Cr Rhonda Sanderson	North Ward
Cr Bill Chisholm	North Ward

Cr Sue Marstaeller	South Ward	(Chairperson)
Cr Kevin Mulroney	South Ward	
Cr Bob Cornish	South Ward	

**OFFICERS PRESENT**

Mr Travis Heeney	Acting Chief Executive Officer
Mr Laurie Ellis	Director Corporate Services
Mr Jeff Saker	Director Engineering and Infrastructure
Mrs Nicole Maxwell	Manager Finance
Mrs Christine Beaton	Management Accounting Coordinator
Mrs Rosemary Scott	Coordinator Communications & Improvement
Mr Lee McSweeney	Governance Advisor

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**1 GOVERNANCE DECLARATION**

The declaration was read by Cr R. Lee.

**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.*

Cr S. Marstaeller disclosed a conflict of interest in agenda item 7.2 - 59 High Street - Heritage and Design Considerations. Please refer to page 35 for disclosure information.

### **4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. K. MULRONEY

**THAT** the Minutes of the Ordinary Council Meeting held 18 April 2016, as circulated, be confirmed.

**CARRIED**

### **5 PETITIONS AND JOINT LETTERS**

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

No petitions and Joint Letters received.

### **6 PRESENTATIONS**

*In accordance with Clause 65 of Local Law No. 4 – Meeting Procedures.*

No Presentations received.

## 7 SUSTAINABLE COMMUNITIES

### 7.1 POTENTIAL DEVELOPMENT SEQUENCING: NORTHERN GROWTH CORRIDOR

**Author:** *Liam Wilkinson - Strategic Planner*

**File No:** *PL/13/047*

**Attachments:** 1. *Potential Development Sequencing, Northern Growth Corridor, Mitchell Shire Council, April 2016*

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#### SUMMARY

Strategic Planning has prepared a development sequence for the Northern Growth Corridor (NGC) which details how the NGC will develop in the next 50 years. The development sequence has been prepared based on current development and population data and in consultation with the City of Hume, City of Whittlesea and the corridors key developers. The purpose of the analysis is to gain an understanding of how and where growth patterns are likely to occur. This will help Council to plan for future growth and assist Council to make informed planning decisions in the growth corridor. It is recommended that Council endorse the report.

#### RECOMMENDATION

**THAT** Council: endorse the 'Potential Development Sequencing, Northern Growth Corridor, Mitchell Shire Council, April 2016'.

#### BACKGROUND

The Northern Growth Corridor (NGC) is beginning to experience and will experience rapid change in and growth in population over the next 50 years. It is estimated that the NGC will accommodate an additional 80,000 homes by 2060 which equates to approximately an additional 250,000 people.

This growth requires significant investment in infrastructure in order to support the new communities being created.

Given that large areas of the NGC are rural communities and predominantly farmland, the existing infrastructure (ie: roads and schools) is mainly rural standard. As the corridor develops, the existing infrastructure will come under increased pressure as it tries to deal with growth that it was not intended for.

There is a need to understand where and when the growth will occur which will enable new infrastructure to be properly planned for.

The development sequencing analysis identifies when and where growth will occur across the entire NGC. This will assist in identifying when existing infrastructure will be at capacity and where key new infrastructure will be required to support future communities within the growth corridor.

POTENTIAL DEVELOPMENT SEQUENCING: NORTHERN GROWTH CORRIDOR (CONT.)

The analysis will help Council to plan for future growth and assist Council to make informed planning decisions in the growth corridor.

## ISSUES AND DISCUSSION

The development sequencing analysis considers a number of important factors which will influence the rate of growth and the location of development fronts in the corridor.

The analysis builds upon existing growth data in the NGC prepared by ID 'The Population Experts', 2015.

For future growth, the analysis makes a number of assumptions based on the best information available. Whilst, it is acknowledged that key assumptions include:

- Where PSP has been prepared (draft/approved), the Net Developable Area (NDA) figure has been taken from the associated land budgets,
- Where a PSP has not commenced, the NDA has been based on the land in either the NGC or Wallan Structure Plan,
- Projected yield calculation has been based on current State Government objective of achieving a density of 16 dwellings per NDA
- The projected population has been based on a rate of 3.1 persons per household,
- There will be multiple development fronts across the NGC,
- An average of 3,000 residential lots will be released per annum in the NGC. Growth rates and locations based on
  - ID 'The Population Experts' population data and projections for Hume, Mitchell and Whittlesea,
  - Melbourne Greenfield Market report prepared by Charter Keck Cramer, 2015, and
  - Information sourced directly from developers and landholders in the NGC.
- New development will leverage off existing communities and transport infrastructure.

The analysis calculates and maps the growth across the NGC in 'five (5) year periods' between 2015 and 2060. For the purpose of these calculations the analysis divides the NGC into three precincts: Wallan, Beveridge and Donnybrook/Kalkallo.

The analysis concluded in a number of key findings which include:

- By 2030:
  - Wallan will have an additional 12,500 residents
  - Beveridge will have an additional 13,500 residents
  - Donnybrook/Kalkallo will have an additional 52,500 residents
- By 2060 the NGC will be almost fully developed by which time (based on current population):
  - Wallan will have an additional 29,000 residents

POTENTIAL DEVELOPMENT SEQUENCING: NORTHERN GROWTH CORRIDOR (CONT.)

- Beveridge will have an additional 110,000 residents
- Donnybrook/Kalkallo will have an additional 113,000 residents

The analysis identifies when transport infrastructure will be needed including:

- Northern Highway upgrade
- Donnybrook Road upgrade
- New or upgraded Hume Freeway interchanges at Gunns Gully, Cameron Lane and Wallan.
- E-14 transport corridor linking Wallan, Beveridge and Craigieburn
- Train Stations at Beveridge and Cloverton (Lockerbie)

The above information is important for planning for the provision of infrastructure to these communities when it is needed and to inform planning decisions which will affect these future communities.

## CONSULTATION

The preparation of the development sequence has been undertaken in close consultation with a number of important stakeholders including:

- Internal departments particularly with Social Planning
- Neighbouring municipalities also located in the NGC: Hume City Council and Whittlesea City Council. Both municipalities have endorsed the assumptions used and are comfortable with the outcomes of the analysis.
- Key developers and landholders who have indicated their proposed development timelines and projections

Consultation with the above stakeholders has added rigor to the analysis and ensured that the outcomes are robust and sound.

## FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The preparation of the analysis has been covered by the resources allocated to Growth Area Planning in the 2015/16 budget.

## POLICY AND LEGISLATIVE IMPLICATIONS

### Council Plan 2013-2017

- Sustainable Growth and Development: Shaping the future of our community through forward planning and well built and maintained infrastructure

The analysis implements this strategic objective by providing the information to assist in forward planning and infrastructure delivery in the NGC.

### State Planning Policy Framework

The analysis supports strategies contained in Clause 11- Settlement in respect to providing for orderly planning and the sequencing of development.

POTENTIAL DEVELOPMENT SEQUENCING: NORTHERN GROWTH CORRIDOR (CONT.)

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The analysis assists Council in planning for future communities in the NGC which will improve the social sustainability of these communities.

### **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

A detailed analysis of the project development sequence of the Northern Growth Corridor (NGC) has been prepared. The analysis uses sound assumptions for project when and where growth will occur in the NGC. The analysis has been inputted and tested by key stakeholders including internal departments, developers, Hume City Council and Whittlesea City Council. This has resulted in a robust report which can be used by Council to plan for future infrastructure and to inform important planning decisions. It is recommended that Council endorse the 'Potential Development Sequencing, Northern Growth Corridor, Mitchell Shire Council, April 2016'.

*Mayor Cr. S. Marstaeller disclosed an indirect conflict of interest under section 79 of the Local Government Act 1989, in Item 7.2 - 59 High Street - Heritage and Design Considerations. Identifying the nature of the interest as conflicting duty – director of company who owns 59 High Street, Wallan.*

*Mayor Cr. S. Marstaeller left the meeting at 7.06pm, prior to the commencement of the debate.*

*Cr. D. Callaghan, Deputy Mayor took the role as Chair for this item.*

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## **7.2 59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS**

**Author:** Suzane Becker - Manager Strategic Planning

**File No:** PL/13/053

**Attachments:**

1. Structural Report, 59 High Street, Prepared by Beauchamp Hogg Spano Consultants, March 2016
2. Heritage Assessment, Prepared by Willys Keeble, March 2016
3. Examples of retention of historical facades in modern developments

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### **SUMMARY**

The purpose of this report is to advise Council that a planning permit application for the development of 59 High Street, Wallan has been received and that a formal resolution is required from Council should it wish to pursue heritage controls.

Prior to receiving this planning application, Council was advised at a Strategy Session on 22 February 2016 that the building at 59 High St, Wallan, had heritage value and was of local heritage significance. Direction was given to Council officers that prior to considering heritage controls for this site that Council officers consider a number of matters including (but not excluded to the following):

- Determining if retaining and restoring the heritage façade is practical and commercially viable, and if so how this can be incorporated into the Wallan Urban Design Framework (UDF) guidelines for the site,
- Consult with the landowner and involve them in key discussions,
- If retention of heritage elements of the building is not considered commercially practical and has the potential to undermine the overall urban design objectives for this site, that a report be prepared to Council to formally resolve not to pursue heritage controls based on this assessment.
- That the outcomes of this further assessment be report to Council for a formal resolution.

The above matters have been actioned and it is the view of the Wallan Town Centre Master Plan and Urban Design Framework for the Wallan town centre (hereafter, 'Wallan Town Centre Plan') consultant team that retaining and restoring heritage elements of the building are practical and commercial viable.

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59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS (CONT.)

The planning permit application seeks approval for the construction of a two (2) storey commercial premises with a reduction to the car parking requirements. This would result in the demolition of the heritage building which doesn't require a planning permit given that the site is not currently affected by a Heritage Overlay.

There is an opportunity for Council officers to consult further with the landowner through the processing of the planning permit application. However, without a Heritage Overlay on the site, there is no statutory requirement for the heritage significance of the site to be considered by the landowner.

Council officers recommend that Council resolve to seek interim heritage protection for 59 High St, Wallan to allow for the heritage significance of the building to be considered when making a decision on a planning permit application. This approach would ensure heritage matters are given due consideration and would also have the added benefit of allowing the Wallan Town Centre Plan to be finalized while the heritage significance of the building remains intact. This approach would also prevent demolition of the building prior to heritage matters being properly considered.

The proposed interim heritage controls for this site are important as they will be potentially linked to the proposed urban design outcomes for the redevelopment of this strategic site through the Wallan Town Centre Plan. The interim controls will protect the heritage building from immediate demolition risk until the justification of permanent controls have been assessed through a planning scheme amendment. The controls will only relate to the façade and side walls of the building on 59 High St, not the building on the adjoining 57 High St which has no heritage value.

## RECOMMENDATION

**THAT** Council:

1. Acknowledge local heritage significance of 59 High St Wallan and seek to introduce permanent and interim heritage controls
2. Seek authorisation from the Minister for Planning prepare and approve a Planning Scheme Amendment in accordance with section 8(1)(b) and section 35(1) of the Planning and Environment Act 1987, to include land at 59 High Street, Wallan within a Heritage Overlay.
3. Request the Minister for Planning prepare and approve a Planning Scheme Amendment in accordance with section 8(1)(b) and section 35(1) of the Planning and Environment Act 1987, to include land at 59 High Street, Wallan within an interim Heritage Overlay.
4. Request that the Minister for Planning exercise his powers under section 20(4) of the Planning and Environment Act 1987 by exempting the Planning Scheme Amendment to introduce interim heritage controls from the requirements of sections 17, 18 and 19 of the Planning and Environment Act 1987.
5. Continue to consult with the landowner and involve them in key discussions regarding heritage elements of the site and wider Wallan Town Centre Urban Design Principles relevant to the site.
6. Incorporate design and development criteria into the Wallan Town Centre Urban Design Framework to provide clear requirements for the redevelopment of the site.

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59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS (CONT.)

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. R. PARKER

**MOTION**

**THAT** Council:

1. Not pursue a planning scheme amendment for either interim or ongoing heritage controls over the site at 59 High Street Wallan.
2. Request Officers continue to liaise with the landowners of 59 High Street Wallan, in an attempt to ensure that the historical significance of the site is recognised as part of the redevelopment, and that the redevelopment has regard to the emerging urban design principles being developed.
3. Request Officers work with the land owner of 59 High Street Wallan to consider how they may support the implementation of the Wallan Town Centre Master Plan and Urban Design Framework.

The **MOTION** when put was

**LOST**

division was called by Cr. R. Parker.

The division resulted in 3 for and 5 against, as follows:

**For:**

CR. B. CHISHOLM  
CR. K. MULRONEY  
CR. R. PARKER

**Against:**

CR. D. CALLAGHAN  
CR. B. CORNISH  
CR. R. LEE  
CR. W. MELBOURNE  
CR. R. SANDERSON

**Abstained:**

The *Chair* announced the result of the Division and declared the **MOTION**

**LOST**

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59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS (CONT.)

## **COUNCIL RESOLUTION**

**MOVED:** CR. R. LEE

**SECONDED:** CR. B. CORNISH

## **MOTION**

**THAT** Council:

1. Acknowledge local heritage significance of 59 High St Wallan and seek to introduce permanent and interim heritage controls
2. Seek authorisation from the Minister for Planning prepare and approve a Planning Scheme Amendment in accordance with section 8(1)(b) and section 35(1) of the Planning and Environment Act 1987, to include land at 59 High Street, Wallan within a Heritage Overlay.
3. Request the Minister for Planning prepare and approve a Planning Scheme Amendment in accordance with section 8(1)(b) and section 35(1) of the Planning and Environment Act 1987, to include land at 59 High Street, Wallan within an interim Heritage Overlay.
4. Request that the Minister for Planning exercise his powers under section 20(4) of the Planning and Environment Act 1987 by exempting the Planning Scheme Amendment to introduce interim heritage controls from the requirements of sections 17, 18 and 19 of the Planning and Environment Act 1987.
5. Continue to consult with the landowner and involve them in key discussions regarding heritage elements of the site and wider Wallan Town Centre Urban Design Principles relevant to the site.
6. Incorporate design and development criteria into the Wallan Town Centre Urban Design Framework to provide clear requirements for the redevelopment of the site.

The **MOTION** when put was

**CARRIED**

## **BACKGROUND**

The Wallan Structure Plan identified 59 High St Wallan in the heritage analysis as “potentially having heritage value” (Part C, p. 9). No detailed heritage assessment of 59 High Street was undertaken as part of the Wallan Structure Plan. A key objective of the Wallan Structure Plan is to “retain and celebrate existing heritage places within Wallan”.

Council commenced the preparation of the Wallan Town Centre Master Plan and Urban Design Framework (hereafter, ‘Wallan Town Centre Plan’) in January 2016. A key consideration of the UDF consultant team has been the treatment of 57 - 59 High St. The current building line is located at the original road reserve edge / street frontage, and as a result appears to protrude from the current line of shop fronts – which are already at two inconsistent building lines. The poor pedestrian movement within the Wallan Town Centre has been identified as being caused by inconsistent building frontages, disconnected treatment of footpaths and unclear sight lines.

At the commencement of the Wallan Town Centre Plan process Council was advised by the landowner of their intentions to demolish the potential heritage building and

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59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS (CONT.)

develop the site for a commercial purpose (shops/office space) with angled parking at the frontage.

To determine the heritage value of the property Council commissioned a heritage assessment of the building which confirmed local heritage significance. The building is the last remaining original retail premises in the Wallan Town Centre, built in the 1860's, by the first Mayor of Wallan. The building was constructed at the time Wallan was establishing as a commercial township. Whilst altered over time (through the addition of faux brick cladding and removal of first floor), the integrity of the shop frontage remains intact.

Council was advised on 22 February 2016 in a briefing report that the site had heritage value, however prior to considering heritage controls it was recommended that Council officers undertake the following:

- An assessment be undertaken by the Wallan Town Centre Plan consultant team, Council's Heritage Adviser, and the internal project team to determine if retaining and restoring the heritage facade is practical and if so how can this be incorporated into UDF guidelines for the site.
- Consult with the landowner and involve them in key discussions
- If retention of the heritage elements of the building are considered commercially practical and do not affect the urban design outcomes for this site, prepare a report to Council to consider an amendment to the planning scheme to introduce heritage controls and incorporate design and development criteria into the Wallan Town Centre Master Plan and Urban Design Framework to provide clear requirements for the redevelopment of the site.
- If retention of heritage elements of the building is not considered commercially practical and has the potential to undermined the overall urban design objectives for this site, that a report be prepared to Council to formally resolve not to pursue heritage controls based on this assessment
- That the outcomes of this further assessment be reported to Council on the 21 March 2015 for a formal resolution.

To determine if retaining and restoring heritage elements of the building were practical and commercially viable, a structural engineer inspected the site (with landowner permission and attendance). The written assessment concluded that the retention of heritage elements (front and side walls only) was practical as part of any development of the site and that restoration of the building (removal of faux bricks, rendering the frontage and treatment of rising damp) was not cost prohibitive.

Council's UDF consultant team and heritage architect met with the landowner and their architect on 18 March 2016 to discuss the heritage elements of the site and the general direction of the Wallan Town Centre Plan's UDF principles.

The landowner presented a concept plan showing complete demolition of the heritage building, a modern two storey development with angled parking at the High Street frontage. The consultancy team presented a number of options to incorporate some heritage elements into the proposed modern building design.

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59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS (CONT.)

A copy of the Structural Engineer's report was provided to the landowner. From an urban design and structural engineering perspective the incorporation of heritage elements into a new design was considered practically achievable. A number of real examples of heritage façade treatments to modern redevelopments of heritage sites were provided to the landowner.

The proposed heritage controls for this site are important as they will be linked to the proposed urban design outcomes for the redevelopment of this strategic site.

Council officers are of the view that heritage elements could be incorporated into a proposed redevelopment of the site which respect the history of the 1860s shop front, but enable a modern development of the site. The proposed design within the planning permit application would result in the demolition of the building.

The benefits of commencing the process of introducing interim heritage controls on the site is that it would provide statutory weight for Council officers to seek the incorporation of heritage elements into the development proposal for the site as part of the assessment of the planning application which has recently been received by Council.

## **ISSUES AND DISCUSSION**

### **Heritage Considerations**

A heritage assessment was undertaken in January 2016 by a qualified heritage consultant. The heritage assessment included a more detailed review of the potential heritage value of the site based on architectural, social and cultural heritage criteria. The conclusion of the heritage assessment was that based on these criteria the site is considered to be of local heritage significance.

The property was built by Hugh Sinclair, a prominent landowner in Wallan, circa 1860. The store was one of the first commercial buildings established in Wallan as part of its early development as a township in the late 1850's. The Sinclair family ran the general store which also included the first post office and telegraph facilities for the Wallan township from 1860 – 1883. Hugh Sinclair was a very important resident of Wallan and served as the town's first mayor.

The store had many landowners over time. However by the mid 1970's the Segafredo family (owners of the time) were ordered by the Council Building Surveyor to demolish the first level as it was deemed unstable.

By the 1980's the store was bought by the Page family and then the Newell family in 1986, who were the landowners until its recent sale. It was during the 1980s that the 1860s building and adjacent 1920s building (rendered in red brick in the 1970s) were covered in faux stone tiles (not bluestone as suggested by the Wallan Structure Plan's preliminary heritage analysis).

The building has continuously operated as a retail business in Wallan Township for nearly 150 years. It is the earliest (and only) surviving commercial retail building currently in Wallan, and is the only lasting reminder of early commercial/retail settlement of Wallan Township in the 1850s-1860s. Its role as the town's general store and post office suggests its commercial importance to the Wallan Township and its early community.

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**59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS (CONT.)**

The position of the general store and post office at 59 High Street, opposite civic buildings such as the 1877 Wallan Library, 1914 Hall and WW1 War Memorial, strengthens its role as an integral part of the early establishment of Wallan as a town.

Architecturally the building retains the following key historical elements:

- The building is constructed of bricks consistent with a 1860s date
- The northern wall still has ashlar lined cement render – consistent of an 1860s date
- The door jam is original (however has been made smaller with another jam to fit a new door (originally would have been two doors).
- Shop windows are rare as they are completely intact. There is only one other building in the municipality, which has original circa 1860s shop front window frames (32 Sydney Street, Kilmore).
- The verandah was possibly replaced in the 1950s however is traditional to the 1860s style.

In summary the heritage assessment concludes:

*“..although the building has reduced architectural integrity with the removal of the upper floor, the lower level retains its original form as a rare example of an 1860s shop front.”*

#### Restoration Considerations Recommended by the Heritage Assessment

- All non-heritage elements of the building can be removed.
- The building located to the south (originally the 1920's weatherboard building) can be removed.

The faux stone tile veneer should be removed and original render finish repaired to the front and northern sidewall, which should be retained as part of redevelopment of the site.

#### Current Situation

The current planning application for the site places an immediate threat of demolition to the property at 59 High St.

In the absence of a Heritage Overlay, a planning permit is not required to demolish the existing heritage features of the site, as such, the impact of demolition on the heritage features is not a planning scheme requirement when assessing the application.

It is considered that there is sufficient heritage grounds to support a planning scheme amendment to apply heritage controls on the site. It is also considered that the protection of these heritage elements of the site do not compromise the emerging design principles of the Wallan Town Centre Masterplan and Urban Design Framework.

The recommendation to introduce heritage controls on this site would ensure that due consideration to the heritage significance of the building can be made as part of making a decision on the planning permit application.

To achieve this, in the current timeframe of assessing the planning application, Council would need to seek a request that the Minister of Planning places interim

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59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS (CONT.)

heritage overlay controls on 59 High Street. Alongside this process, Council would also seek authorization from the Minister for planning to prepare a planning scheme amendment to include permanent heritage controls for 59 High Street in a Heritage Overlay.

The proposed interim heritage overlay amendment process enables Council to be better positioned to seek consider outcomes on the site when considering the planning application – currently there are no controls and this can make it difficult when assessing the planning application when requesting that these matters be considered.

The heritage overlay amendment process would run alongside the planning permit assessment process.

Attachment 1: Heritage Statement of Significance 59 High St Wallan

### **59 High St – Structural Engineering Report – March 2016**

An inspection of the premises was carried out in early March 2016 by structural engineering company Beuchamp, Hogg and Spano. A report was prepared and submitted to Council. The report summarised the following:

1. The North façade and North and part South return wall of what is termed the original building appears to be robust, stable and sound and in reasonable to good condition and could be retained from a structural point of view.
2. Provided the recommendations contained in section 5 are followed, a competent engineer could provide technical building solutions consistent with normal building practices to ensure that the potential heritage listed North façade and North side wall could be incorporated into a new development in a manner that was not too onerous.

A copy of this report was provided to the landowner.

Attachment 2: Structural Engineering Report 59 High St Wallan

### **Wallan Town Centre Master Plan and Urban Design Framework (in preparation)**

The Wallan Town Centre Plan is currently being prepared and has yet to be finalised for consultation purposes.

---

**59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS (CONT.)**

- **Importance of the location**

Given its central “gateway” position in the town centre, located opposite Hadfield Park and the 1877 Free Library, the Wallan Town Centre Plan consultants have recognised the location of the 1860’s building at 59 High Street as part of the town centre’s “civic heart”.

The civic heart is being designed to include a proposed new public space in front of the 1877 Free Library and WW1 war cenotaph and public space in front of 59 High Street. Proposed pedestrian signals are being considered in this location to enable pedestrians to safely move from the east to the west across the Northern Hwy which currently divides the centre.

These heritage sites located east and west of the Northern Hwy are considered to be historical bookends and there is an opportunity to connect the bookends. This builds upon the strategic directions of the recent preparation of the National Stronger Regions Fund grant application for public realm improvements across the Wallan town centre.

Currently the physical location of the building at 59 High Street out of line with the current footpath and out of context with the surrounding built form. The proposed Wallan Town Centre Plan is likely to recommend the space in front of 59 High Street becomes part of the civic heart through the establishment of a new pedestrian plaza / civic space. This will require a road alignment, movement of the footpath so as to create a key focal point currently where the service road is located. The pedestrian signals will be located in this space.

Key principles and location considerations for the site through the UDF seek to achieve the following in the vicinity of 59 High St Wallan:

- Creation of a new civic space for Wallan, connecting the centre east and west of the Northern Hwy centrally located within the town centre.
- Create an attractive and inviting focal point for pedestrian, commercial and civic activity, linking the northern and southern parts of the High Street retail strip and the Free Library and other activities in Hadfield Park.
- Create a better connected north-south flow for shoppers through improvements to the public spaces along High St shopping precinct.

- **Importance of the building**

The restoration of the facade of 59 High St and incorporation into a modern development of the site is an opportunity for the landowner to recognise the town’s history which very little historical evidence in the built form remains. The redevelopment of 57-59 High St provides a unique opportunity to respectfully combine Wallan’s heritage within a new development.

Retaining the heritage elements of the building would support establishing a key focal point in front of 59 High Street. It is considered that the heritage elements would contribute to a distinguishing feature which would draw people into this space while also preserving the history of Wallan’s origin.

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**59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS (CONT.)**

The proposal as presented in the planning application shows a modern development with a forecourt with no relationship with the Free Library space. Heritage elements have been incorporated as reused bricks in the pavement space, showing the previous line of the demolished building. The concern for Council officers is that the proposal doesn't clearly demonstrate how this approach would respect the heritage of the site. However, if Council do not seek interim planning controls on the site, there will be lack of direction for Council officers assessing the current planning application. The application of a permanent heritage overlay on 59 High Street will also protect the heritage aspects of the building over the long term.

Key built form principles for the retention of heritage elements of the building seek to achieve the following:

- Retention of the historic building envelope (façade and side walls), and modern interpretation of historic elements
- Potential to open part of the northern or southern wall of the heritage building in the new design.
- Integration of the historic building façade with a new public square at its frontage – connected to the pedestrian crossing providing a corresponding bookend to the 1877 Free Library, cenotaph and proposed public spaces in Hadfield Park.
- Create a historic gateway to Wallan
- Create an east-west historic 'dialogue' with the 1877 Free Library through restoration of the front façade of the 1860's building at 59 High St.

Attachment 3: Examples of retention of historical façades in modern developments

## **CONSULTATION**

A workshop was held on 18 March 2016 with the Wallan Town Centre Plan consultants, heritage adviser and the landowner. This workshop allowed for discussions of the heritage elements of the site and the general direction of the Wallan Town Centre Plan's UDF principles. Background information such as a copy of the Structural Engineer's report was provided to the landowner.

Given that there is currently no Heritage Overlay on the site, any consideration for incorporating or preserving heritage elements within the building are completely voluntary on the landowner's behalf.

The recommended approach within this report would be to request interim heritage controls on the site. This would allow Council officers to consult on the heritage aspects of the building with the landowner during the planning application process. It would also enable statutory weight to be applied by Council officers when considering the heritage aspects of the application.

## **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

Following completion of any public exhibition of a planning scheme amendment and the consideration of any submissions received, Council may request the Minister for Planning to appoint a planning panel.

The full amount of Panel costs depends on the number of Panel Members required, the complexity of submissions and the length of hearing time. Council is usually

59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS (CONT.)

responsible for the payment of Panel costs, including hearing time, report writing time and expenses (e.g. accommodation and food).

Council's Strategic Planning operating budget includes an allocation of funds for Planning Panels. It is expected that any costs to Council (Officer time, consultants, legal representation, etc.) would be within this operating budget.

## **POLICY AND LEGISLATIVE IMPLICATIONS**

The Planning and Environment Act 1987 applies to the proposal.

1. Section 8(1)(b) and section 35(1) of the *Planning and Environment Act 1987*, to seek a planning scheme amendment to include land at 59 High Street, Wallan within a Heritage Overlay.
2. Section 20(4) of the *Planning and Environment Act 1987* by exempting the Planning Scheme Amendment from the requirements of sections 17, 18 and 19 of the *Planning and Environment Act 1987*, to seek interim heritage controls.

### State and Local Planning Policy Framework

It is considered that the proposal to implement an interim Heritage Overlay at 59 High St, Wallan is consistent with the State and Local Planning Policy Framework, including the following:

#### *Clause 15.03-1: Heritage Conservation*

The State Planning Policy for Heritage Conservation, as identified at Clause 15.03-1 of the *Mitchell Planning Scheme* has the following objective:

*To ensure the conservation of places of heritage significance.*

The implementation strategies to achieve the State Policy objective include the following:

- *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*
- *Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.*
- *Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*

#### *Clause 21.06-3: Heritage*

This Local Planning Policy contains an objective 'to recognise and protect places of heritage, cultural and social significance'. The strategies identified to achieve this policy objective include 'support the preservation of heritage places threatened by development or neglect' and 'conserve and enhance the heritage places that distinguish each town'.

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59 HIGH STREET - HERITAGE AND DESIGN CONSIDERATIONS (CONT.)

### Council Plan

The proposal to implement an interim heritage overlay at 59 High St, Wallan, is consistent with the objectives of the Council Plan 2013-2017, including the following:

Strategic Objective	Sustainable Growth and Development – <i>Shaping the future of our communities through forward planning and well built and maintained facilities and infrastructure.</i>
Four Year Focus	Build community pride by enhancing the look and feel for townships.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The protection of heritage is an important component of the social fabric of communities. The site has been recognised as being of local heritage value and has social connections with the development of Wallan as a township in the 1850s.

### **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

It is proposed that Council seek an amendment to seek interim heritage overlay controls for 59 High Street, Wallan from the Minister of Planning and to seek authorization to prepare a planning scheme amendment to include 59 High Street within a Heritage Overlay on a permanent basis.

The buildings front facade and side walls have been identified as being of local significance. The current planning application for the site presents an immediate risk of these element of the building being demolished.

The proposed approach of introducing interim heritage controls would enable the Council to require the applicant to address the heritage significance of the building and its location within the Wallan township as part of the development proposal and would assist Council when making a decision on a planning permit application.

The proposed interim heritage overlay amendment will enable Council to be better positioned to seek heritage outcomes for the site when considering the planning permit application given currently there are no heritage controls.

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*Mayor Cr. S. Marstaeller returned to the meeting at 7.29pm and resumed the Chair.*

### 7.3 VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION

**Author:** Paul Wood - Statutory Planning Coordinator

**File No:** CL/04/004

**Attachments:** Nil

#### SUMMARY

The following is a summary of planning activity before the Victorian Civil and Administrative Tribunal (VCAT) as well as a list of decisions on planning permit applications dealt with under delegated powers for the period detailed.

#### COUNCIL RESOLUTION

**MOVED:** CR. D. CALLAGHAN

**SECONDED:** CR. R. SANDERSON

**THAT** the report on the Victorian Civil and Administrative Tribunal Hearings and Activities carried out under delegation be received and noted.

**CARRIED**

#### Victorian Civil and Administrative Tribunal (VCAT) activity update.

##### Upcoming appeals

The following is an update of the upcoming VCAT appeals.

APPEAL DATE	REFERENCE NOS.	ADDRESS	PROPOSAL	APPEAL AGAINST
6 October 2016  Pre-hearing set for 24 June 2016*	P762/2016 PLP228/15	225 Mahady's Road, Upper Plenty	Use of part of the land for a depot (in association with an arborist business) and timber yard	Refusal to Grant a Planning Permit

\* A pre-hearing has been set by VCAT to determine whether a Cultural Heritage Management Plan is required for this use.

##### Recent appeals that are awaiting a decision

APPEAL DATE	REFERENCE NOS.	ADDRESS	PROPOSAL	APPEAL AGAINST
22 April 2016	P2177/2015 PLP217/14	15 Darraweit Road, Wallan	Multi dwelling development comprising the construction of 25 dwellings and a 29 lot	Refusal to Grant a Planning Permit

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

			subdivision	
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### Recent VCAT decisions

The following is a summary of recent VCAT planning decisions.

REFERENCE NOS.	P1965/2015 (VCAT) and PLP240/14 (Council)
ADDRESS	72 Sutherland Street, Kilmore
PROPOSAL	Use and development of a child care centre, display of advertising signage and a reduction in the car parking requirements of Clause 52.06 of the Mitchell Planning Scheme
VCAT DECISION	Issue permit (Council decision set aside)

- This matter considered the acceptability of developing a child care centre within the General Residential Zone. The site is not affected by any overlays.
- The Tribunal accepted categorically that the use is appropriate within this area particularly given the location of other school facilities. The tribunal set out that the key issues for consideration was whether the tandem car parking arrangement would be acceptable.
- The member agreed that the outcome was acceptable and provided the following comments:

*Finally, I similarly see the proposed on-site parking layout for the 11 cars as less than perfect but workable. With the tandem spaces, it is in order that the rear spaces are all staff spaces. With the other spaces which will be utilised by parents, it is not ideal that there is no dedicated footpath area to step straight on to. However parents may well arrive and leave on a somewhat staggered basis, rather than all spaces necessarily being used at once. Again I would expect parent drivers to be very cautious about moving in and out of this area and that parents on foot would be holding their child's hand and looking out for cars. I have some real sympathy for Mr Gray's oral submission that the situation will work itself out and when was the last time we heard about a child run over in a child care centre car park? (certainly I am not aware of any such reported incident).*

- In this respect the Member directed that Council's decision be set aside and for a permit to issue subject to conditions.

### **Activities Carried out Under Delegation**

A list of planning permit applications dealt with under delegated powers for the previous month is included below.

### **April 2016 delegated decisions**

## VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

REFERENCE NO.	ADDRESS	PROPOSAL	DECISION	DECISION DATE
<b>North Ward</b>				
PLP039/16	21 Watson Street SEYMOUR	Buildings and works including the construction of a dwelling	Planning Permit	14/04/2015
PLP329/15	5124 Northern Highway TOOBORAC	Construction of a dwelling and alteration of access to a Road Zone (category 1)	Planning Permit	18/04/2016
PLP338/15	68 High Street SEYMOUR	Construction of extensions to an existing dwelling and part demolition to a building in a heritage overlay	Planning Permit	19/04/2016
<b>Central Ward</b>				
PLP043/16	15 Costellos Road KILMORE	Removal of native vegetation	Planning Permit	1/04/2016
PLP042/16	111 Northern Highway KILMORE	Removal of native vegetation	Planning Permit	1/04/2016
PLP040/16	155 Ryans Road CLONBINANE	Construction of an extension to an existing emergency services facility	Planning Permit	6/04/2016
PLP328/15.01	97 Clarke Street KILMORE	Variation of easements (SPEAR: S077744P)	Amendment	5/04/2016
PLP201/14	7 Gipps Street KILMORE	VICSMART: Buildings and works for the construction of a carport and fence and part demolition of a front fence	Amendment	7/04/2016
PLP049/16	O'Gradys Road KILMORE EAST	VICSMART: Buildings and works within a heritage overlay including alteration to pedestrian gates	Planning Permit	12/04/2016
PLP067/16	East Street KILMORE	Buildings and works for the construction of a horse wash	Planning Permit	15/04/2016
PLP023/16	17 Anvil Avenue KILMORE	3 lot subdivision (SPEAR: S080644P)	Planning Permit	7/04/2016
PLP334/15	65 Millards Road KILMORE	Buildings and works comprising of a Dependant Persons Unit (DPU)	Planning Permit	19/04/2016
PLP012/16	135 Mia Mia Road BROADFORD	Buildings and works for the construction of a shed	Planning Permit	20/04/2016
PLP306/15	230 Kilmore East Sunday Creek Road KILMORE EAST	Use and development of a dwelling	Planning Permit	20/04/2016
<b>South Ward</b>				
PLP248/15	111-113 High Street WALLAN	Use of the land for a veterinary centre, alteration of access to a road in Road Zone Category 1 and display of advertising signage	Condition Plans	5/04/2016
PLP014/16	530 South Mountain Road UPPER PLENTY	Works for the construction a horse arena	Planning Permit	8/04/2016
PLP061/16	65 Beauview Drive WALLAN	Buildings and works for the construction of an	Planning Permit	15/04/2016

## VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

		agricultural shed		
PLP286/15	110 South Mountain Road UPPER PLENTY	Buildings and works including an extension to an existing dwelling	Planning Permit	19/04/2016
PLP013/16	36 Sir Leo Curtis Drive WANDONG	Building and works for the construction of extensions to the dwelling	Planning Permit	20/04/2016
P307126/12.0 1	3 Callistemon Place WALLAN	Buildings and works for the construction of a dwelling on a lot less than 300m2	Amendment	26/04/2016

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

## 7.4 MITCHELL SHIRE COUNCIL FOOD POLICY

**Author:** Jaala Freer - Health and Wellbeing Officer

**File No:** 1234

**Attachments:** 1. Mitchell Shire Council Food Policy

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### SUMMARY

Mitchell Shire Council has made a commitment to the community through its Municipal Public Health and Wellbeing Plan (MPHWP) 2013-2017, to improve access and consumption of healthy food across the municipality.

This report presents the Mitchell Food Policy for consideration.

### COUNCIL RESOLUTION

**MOVED:** CR. W. MELBOURNE

**SECONDED:** CR. D. CALLAGHAN

**THAT** Council: adopts the Food policy as the basis of introduction for members of the Mitchell community, staff, volunteers and visitors to allow the opportunity to access healthy food and drink choices when attending council operated facilities, workplaces and at council sponsored events.

**CARRIED**

### BACKGROUND

The MPHWP 2013-2017 has a purpose of identifying community priorities and seeking to build a healthier, more livable community through the delivery of improved services in strong partnership settings while reducing inequalities and disadvantage.

The Year Three Action Plan includes several actions under Priority 1: Creating Healthy and Active Communities, and in particular Strategy 1.2.2 Increase community awareness of healthy eating and related skills on how to access, store and prepare food for the best outcomes which are linked to the recently developed Food policy.

Local Government Authorities such as Mitchell Shire Council are well placed to positively influence the health behaviours of staff, volunteers and visitors, and to role model good health behaviours to the wider community by ensuring that all members of the community are able to access healthy food and drink choices when attending council operated facilities, workplaces and council sponsored events.

A review of other Local Government's food policies has been conducted as well as the 'Healthy Together: Healthy Eating policy and Catering Guide for Workplaces 2013'. As a result of this review a phased approach to implementing the changes proposed is outlined within the policy.

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MITCHELL SHIRE COUNCIL FOOD POLICY (CONT.)

## **ISSUES AND DISCUSSION**

In 2011 the VicHealth Indicators survey indicated that more than half of the Shire's populations are classified as being overweight or obese (56.3%) which is significantly higher than the Victorian average (48.6%). Mitchell also ranked higher than the Victorian average for soft drink consumption daily with 19.3% of adults compared to Victoria's 12.4% of adult's consumption according to VicHealth Indicators 2012.

Creating healthier environments both in the workplace and at Council events and facilities has benefits for both employers, employees and visitors including:

- Reduced absenteeism: successful health and wellbeing programs have been shown to reduce sick leave absenteeism on average by 25.3%.
- Reduced turnover: healthier workplaces are more likely to retain employees, with organisations that do not manage health and wellbeing four times more likely to lose employees in the next twelve months.
- Support to visitors attending events and facilities to make a healthier change.
- Avoidance of sugary drinks which lead to making a healthier change.
- Reducing the risk of chronic diseases such as obesity and Diabetes in the Mitchell community.

## **CONSULTATION**

The Food policy has been developed in close consultation with internal stakeholders including Leisure services, Youth services and the Internal Health and Wellbeing committee. The Youth Council have also been consulted and have highlighted the rapid consumption of soft drink amongst their peers. This consultation process allowed for a review of current initiatives and evaluation of the successes and challenges experienced with initiatives such as the H30 Challenge, Sugary drink free school holiday programs, healthy eating workshops and water only as beverage of choice at the community BBQ's.

## **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The implementation of the Food policy will be coordinated by the Health and Wellbeing Officer who will be responsible for working with internal council officers to monitor and report on progresses made in line with the food policy.

Loss of potential revenue for leisure services could be an implication as well as potential for wastage however preparation will be conducted prior to rolling Phase two of the policy out and therefore minimal if any implications should arise.

## **POLICY AND LEGISLATIVE IMPLICATIONS**

The Food policy is relevant to the Mitchell Shire Council Plan 2013-2017 priority 'Healthy and Vibrant communities'.

Mitchell Shire Council's commitment is evident also in the MPHWP 2013-2017 which sits alongside the Council plan. This includes strategies:

MITCHELL SHIRE COUNCIL FOOD POLICY (CONT.)

*1.2.1 Working in partnerships with internal and external stakeholders, agencies and networks to explore and implement localised, best practice food security initiatives.*

*1.2.2 Increase community awareness of healthy eating and related skills on how to access, store and prepare food for the best health outcomes.*

It is also consistent with other state endorsed food policies such as Healthy Choices: policy and Catering Guide for Workplaces and nationally recognised guidelines such as The Heart Foundation's Guide to Healthier Catering – A Healthier Serve.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The implementation of the Food policy will ensure the social sustainability of Mitchell's community is considered through the collaborative and community driven focus.

As part of the policy 'choosing tap water' will be a key initiative promoted in our centres where feasible as well as internally within the organisation as part of Phase 1. This initiative specifically address environmental sustainability and relates to Priority Three of the MPHWP 2013-2017.

### **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

The Food policy aims to build a healthier, more resilient, connected community as well as protect and enhance the natural environment. Specific outcomes to be achieved from this policy include a decrease in overweight/obesity as well as a decrease in the consumption of soft drinks for the Mitchell community.

Endorsement of the proposed Food policy demonstrates Council's continued commitment to creating a healthier and more vibrant community, as well as create a healthier workplace for both employees and employers.

## 8 CORPORATE SERVICES

### 8.1 COUNCIL PLAN ANNUAL ACTION PLAN 2016-2017

**Author:** Ellen McComish - Improvement Project Officer

**File No:** CM/15/004

**Attachments:** 1. Council Plan 2013-2017 Annual Action Plan 2016/17

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#### SUMMARY

Mitchell Shire Council has a four-year Council Plan. Each year, Council is required to prepare an annual action plan for the forthcoming financial year.

The Action Plan is prepared taking into consideration commitments in the four-year Council Plan, major and minor budget initiative commitments and any related adopted strategies or plans.

#### COUNCIL RESOLUTION

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. W. MELBOURNE

**THAT** Council adopts the Council Plan - Annual Action Plan for 2016/17.

**CARRIED**

#### BACKGROUND

The high level priorities and strategic objectives set out in the four year Council Plan 2013-2017 are delivered through a series of annual action plans. An Action Plan has been developed in preparation for the new financial year.

#### ISSUES AND DISCUSSION

The attached Annual Action Plan has been prepared against the background of the proposed budget and the new rate capped environment. It is also the final year of four year Council Plan which provides an opportunity for Council to consolidate and reinforce the Council Plan priorities.

The Annual Action Plan groups each action under a Council Plan Strategic Objective, and shows how each action contributes to an outcome prioritised in the Council Plan. Actions reflecting commitments in the Mitchell 2020 Community Plan are also highlighted.

#### CONSULTATION

Members of ELT, managers and relevant coordinators have been consulted in preparing this report. The community has been consulted in preparing the Council Plan. Once adopted by Council, the Annual Action Plan will be made available on Council's website.

COUNCIL PLAN ANNUAL ACTION PLAN 2016-2017 (CONT.)

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The financial, resource or asset management implications associated with this report will be incurred in the anticipated delivery of services over the forthcoming financial year, and are described in the separate budget and Strategic Resource Plan reports.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

The Council Plan Action Plan has been developed in accordance with the Council Plan Strategic Objectives.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

There are no social and environmental sustainability implications associated with this report.

### **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

The Annual Action Plan presents a program of activity and associated performance targets for the final year of the four-year Council Plan.

## 8.2 ASSET RECOGNITION POLICY UPDATE

**Author:** *Nicole Maxwell - Manager Finance*

**File No:** *GV/01/004-04*

**Attachments:** 1. *Asset Recognition Policy*

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### SUMMARY

The purpose of this report is for Council to consider the updated Asset Recognition Policy. This policy was last revised 30 June 2007 and is past due for review.

### COUNCIL RESOLUTION

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. R. SANDERSON

**THAT** Council adopt the revised Asset Recognition Policy.

**CARRIED**

### BACKGROUND

Council currently maintains a policy for Asset Recognition that was last revised 30 June 2007. This policy provides guidance in accordance with Australian Accounting Standards regarding financial thresholds that are to be applied when recognising assets. A summary of Council's current policy is set out within Note 1 to the Annual Financial Report, in particular Section (h) Recognition and Measurement of Assets.

### ISSUES AND DISCUSSION

The review and update of the Asset Recognition Policy has been listed on the Audit Committee Issues Monitor since May 2014 when it formed part of the 2013-2014 Final Management Letter. The issue being that this policy was past due for review. Currently it is not in line with either Note 1 of the Annual Financial Statements or current practice.

The revised policy as attached has been expanded to provide staff with further guidance in addition to now reflecting Note 1 of the Annual Financial Statements and current practice.

### CONSULTATION

The Executive Leadership Team, the Assets Team and the Finance Team have been consulted during this revision process.

### FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

There are no implications of a financial, resource or asset management nature associated with the recommendation.

ASSET RECOGNITION POLICY UPDATE (CONT.)

### **POLICY AND LEGISLATIVE IMPLICATIONS**

The policy has been revised in accordance with Australian Accounting Standards.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

There are no sustainability implications.

### **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

The revised Asset Recognition Policy is in accordance with Australian Accounting Standards and represents current practice. It is recommend that the revised policy be endorsed by Council.

### 8.3 LOAN BORROWING POLICY REVIEW

**Author:** Nicole Maxwell - Manager Finance

**File No:** GV/01/004-04

**Attachments:** 1. Loan Borrowing Policy

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#### SUMMARY

The purpose of this report is for Council to consider the updated Loan Borrowing Policy. This policy was created in August 2011 and is past due for review.

#### COUNCIL RESOLUTION

**MOVED:** CR. K. MULRONEY

**SECONDED:** CR. W. MELBOURNE

**THAT** Council adopt the revised Loan Borrowing Policy.

**CARRIED**

#### BACKGROUND

The Loan Borrowing Policy has not been formally updated since August 2011, however Council's borrowing intentions are revised and detailed annually within both the Budget and Strategic Resource Plan.

Loan borrowings are an external source of finance that Council is able to use to expand Council's infrastructure base that provide benefit across generations or to fund a future Superannuation Call where Council does not have the available cash to meet such a call.

Borrowings do not replace the need to generate adequate revenue but enable infrastructure to be delivered earlier where needed.

#### ISSUES AND DISCUSSION

Councils are able to borrow subject to the *Local Government Act, 1989* and report loan requirements annually to the relevant Minister.

The revised policy is attached and the changes proposed include policy objectives that limit borrowings to strategic capital projects and defined benefit superannuation calls. It also provides updated borrowing limits and ratios that are aligned with the Local Government Performance Reporting Framework guidelines introduced in 2014.

Note, the Essential Services Commission (ESC), in their recent publication "Rate Capping Framework Guidelines" recommend that the State government provide further guidance in relation to debt levels in local government to encourage the use of debt to increase fairness in rates burden across generations.

LOAN BORROWING POLICY REVIEW (CONT.)

### **CONSULTATION**

Consultation with the Executive Leadership was undertaken in the revision of this policy.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The revised policy seeks to limit borrowing costs where possible through best practice procurement and sets out the financial requirements in relation to future borrowings. There are no resource or asset management implications.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

This Policy is in accordance with the requirements of the *Local Government Act, 1989*.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

There are no sustainability implications.

### **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

The changes recommended within the Borrowing Policy ensure that future Council borrowings seek to obtain competitive interest rates, and borrowings are limited to specified strategic infrastructure with intergenerational benefit or defined benefit superannuation calls where these cannot be funded from Council's ongoing income. It is recommended that Council endorse the revised policy.

**8.4 FINANCIAL REPORT FOR PERIOD ENDING 31 MARCH 2016**

**Author:** Nicole Maxwell - Manager Finance

**File No:** FN/12/001-02

**Attachments:** 1. Quarterly Finance Report for 31 March 2016

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**SUMMARY**

This report along with the attachment allows Council to monitor its financial performance.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. D. CALLAGHAN

**THAT** Council receive the Financial Report for period ending 31 March 2016 and endorse Quarter 3 forecasts.

**CARRIED**

**BACKGROUND**

Section 136 of the *Local Government Act, 1989* (the Act) requires Councils to implement the principles of sound financial management and manage financial risk facing Council prudently. Section 137 of the Act requires Councils to set up a budgeting and reporting framework and Section 138 requires regular reporting. As well as meeting the requirements of the Act, Council planning and reporting should be timely and give a clear picture of financial performance and the current financial state.

**ISSUES AND DISCUSSION**

In an effort to prudently manage Council's financials in an open and transparent way and to meet the requirements of the Act, as outlined in the background, Council should report regularly. The attachment forms a package which gives a comprehensive picture of Council's financial performance and current financial state, both in comparison to the budget adopted by Council.

This report presents the forecast financial performance for 2015/16 financial year compared to the Quarter 2 budget estimates. The Quarter 3 budget review provides a formal opportunity to examine all income and expense areas to ensure they remain on target or where necessary revise estimates in line with known variations. The Quarter 3 forecast represents an improved operating result of \$862K compared to Quarter 2 estimates. This is as a result of:

- \$452K reduction in forecast employee costs due to staff vacancies (partially offset by increase of \$156K contract labour);
- \$130K reduction in forecast borrowing costs, due to deferral of borrowings to 2016/17;
- \$198K increase in other income (mainly \$140K interest on outstanding rates and \$50K bank interest);

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FINANCIAL REPORT FOR PERIOD ENDING 31 DECEMBER 2015 (CONT.)

- \$134K increase in operating grants;
- \$205K reduction in other expenses (including \$125K landfill levy, due to lower commercial use of landfill and \$63K grants paid, due to reduced uptake of environmental grants); offset by
- \$219K reduction in user fees estimate (mostly at the landfill).

It is important to note, costs of the current staff restructure have not been incorporated into the Q3 forecast as they are expected to fall after 30 June 2016. A substantial portion of these savings will be set aside to cover these costs.

### **CONSULTATION**

Officers have been consulted in the preparation of this report and the matter is not ready for Council consideration.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The attachment to this report outlines the financial implications.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

Council's Financial Planning Principles set parameters under which Council prepares its budgets. This report along with the attachment compares actual financial performance and state with that planned in the 2015/2016 Budget.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

Council's Financial Planning Principles include a principle of long-term sustainability.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

Council's Budget is prepared in accordance with Council's Financial Planning Principles. This report compares the actual financial performance and financial state with the Budget.

## 9 ENGINEERING AND INFRASTRUCTURE

### 9.1 SUTHERLAND STREET / CONWAY STREET, KILMORE - TRAFFIC INVESTIGATION

**Author:** Cameron Baird - Transport and Development Coordinator

**File No:** CL/04/001-03

**Attachments:** Nil

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#### SUMMARY

Council at its meeting of 15 February 2016 raised a Notice of Motion (No. 841) in relation to traffic speed and volume concerns on Sutherland Street Kilmore. The Motion requested that:

*“Council investigate options to reduce traffic volumes and speeds along Sutherland Street Kilmore, specifically from Green Street to Lancefield Road.”*

This report responds to this motion with some recommended actions to address the concerns.

#### COUNCIL RESOLUTION

**MOVED:** CR. R. PARKER

**SECONDED:** CR. B. CHISHOLM

**THAT** Council:

1. Review the speed zone signage locations and period of operation on Conway Street Kilmore in conjunction with VicRoads, with the intent to improve motorist awareness of the speed zone and consider implementation of a part time 40km/h zone through to Rutledge and Sutherland Street.
2. Review the speed zone signage locations on Sutherland Street in conjunction with VicRoads, with the intent to improve motorist awareness of the 40km/h permanent speed zone.

**CARRIED**

#### BACKGROUND

Council at its meeting of 15 February 2016 raised a Notice of Motion (No. 841) in relation to traffic speed and volume concerns on Sutherland Street Kilmore. The Motion requested that:

*“Council investigate options to reduce traffic volumes and speeds along Sutherland Street Kilmore, specifically from Green Street to Lancefield Road.”*

This report responds to this motion with some recommended actions to address the concerns.

SUTHERLAND STREET / CONWAY STREET, KILMORE - TRAFFIC INVESTIGATION (CONT.)

**ISSUES AND DISCUSSION**

Sutherland Street between Green Street and Rutledge Street runs in a north south direction. Sutherland Street stops at Rutledge Street, where Conway Street provides further connection from Rutledge Street through to Lancefield Road. A locality plan is provided in Figure 1.



SUTHERLAND STREET / CONWAY STREET, KILMORE - TRAFFIC INVESTIGATION (CONT.)

### Figure 1 – Conway Street / Sutherland Street locality plan.

Sutherland Street provides direct access and frontage to Assumption College on the west and includes residential frontage to the east on this length.

Conway Street provides direct access and frontage to St Patricks Primary School on the west and to the CFA on the East and has few other uses along its length.

Sutherland Street and Conway Street are both signed as permanent 40km/h zones along the frontage of the two schools while both the northern and southern ends of these roads revert to the urban default 50km/h speed zone.

### Road Hierarchy

Rutledge Street and Conway Street are identified in Council's road register as Collector roads within the road network. As part of ongoing Kilmore Structure Plan work, Rutledge Street and Conway Street are seen as being important "inner link" roads as part of a future Conway Street/John Street inner loop road around the Kilmore Township. This designation would continue to support their collector road status into the future. With the Collector Road status, increased traffic volumes and through trips are expected on Conway Street.

Sutherland Street in this area is identified as an access road within our road network. As such, direct access trips and reduced through trips would be expected for this road. It should be noted that with direct access to Assumption College, increased traffic volumes from that of a standard residential access road would be expected.

### Traffic Survey Data

Traffic speed and volume counts were conducted on Sutherland Street between Green Street and Rutledge Street over a nine (9) day period during 9 to 18 March 2016. The section of road is a 50km/h zone. The survey results are summarised in Table 1.

**Table 1. Sutherland Street Speed and Volume traffic survey summary.**

Sutherland Street	Time	Vehicles per hour (vph)	Vehicles per day (vpd)	85th Percentile Speed (km/h)
<b>Weekday Data</b>	<b>Weekday Avg.</b>		<b>1299</b>	<b>54.7</b>
<b>Weekend Data</b>	<b>Weekend Avg.</b>		<b>520</b>	
<b>AM Peak Data</b>	<b>8:00 - 9:00</b>	<b>262</b>		<b>51.1</b>
<b>PM Peak Data</b>	<b>15:00 - 16:00</b>	<b>210</b>		<b>51.5</b>

Similarly traffic speed and volume counts were conducted on Conway Street between Lancefield Road and Rutledge Street in April 2016. The section of road is a permanent 40km/h zone. The survey results obtained from 19 April to 28 April 2016 are summarised in Table 2.

**Table 2. Conway Street Speed and Volume traffic survey summary.**

Sutherland Street	Time	Vehicles per hour (vph)	Vehicles per day (vpd)	85th Percentile Speed (km/h)
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## SUTHERLAND STREET / CONWAY STREET, KILMORE - TRAFFIC INVESTIGATION (CONT.)

<b>Weekday Data</b>	<b>Tuesday</b>		<b>2707</b>	<b>59.4</b>
<b>Weekend Data</b>	<b>Weekend Avg.</b>		<b>1953</b>	
<b>AM Peak Data</b>	<b>8:00 - 9:00</b>	<b>292</b>		<b>51.1</b>
<b>PM Peak Data</b>	<b>15:00 - 16:00</b>	<b>242</b>		<b>47.2</b>

### Traffic Volume Data

The data for Sutherland Street highlights a traffic volume consistent with a Level 1 Access street designation, which agrees with the current road layout and designation with in the Council Road Register.

The peak hour volumes are a higher percentage of total daily volume than would normally be associated with a residential street. This is however in line with expectations for a road providing access direct to a school. The peak hour times also match expectations around a school environment.

The traffic data for Conway Street highlights a higher traffic volume more consistent with its higher order designation as a Collector Road in the Council Road Register.

The peak hour volumes at near 10% of total daily volumes are also more in line with this collector road designation, highlighting that more through trips are likely occurring on this link throughout the day. The average daily volume of 2,747 fits easily within volume expectations for a Collector Road, where most traffic management standards would suggest between 3,000 – 7,000 vehicle movements per day would be expected for this class of road.

### Traffic Speed Data

The survey on Sutherland Street was conducted within the existing 50km/h zone and generally shows a reasonable level of conformity to the speed zone with an 85<sup>th</sup> percentile speed of 54.7km/h over the entire 9 day survey period. A result in this range, whilst not ideal, is generally not considered a significant safety issue, being somewhat in the range of general vehicle speedometer error. Importantly during the busy school pick up and drop off periods the 85<sup>th</sup> percentile speed is around 51.1 to 51.5 km/h which is a good compliance result for these periods given the level of pedestrian and vehicle activity during these times.

The survey on Conway Street was conducted just within the existing permanent 40km/h zone and shows a concerning level of non-conformity to the speed zone with an 85<sup>th</sup> percentile speed of 59.4km/h. During the busy school pick up and drop off periods the 85<sup>th</sup> percentile speed is thankfully a little lower at around 51.1 to 47.2 km/h however this is still a concerning result given the level of pedestrian and vehicle activity during these times. It should be noted that the traffic survey location was north of the school frontage where the road widens and is of a more rural nature.

Observations highlighted that vehicles tended to travel faster once outside of the fully constructed road adjacent to the school.

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SUTHERLAND STREET / CONWAY STREET, KILMORE - TRAFFIC INVESTIGATION (CONT.)

### **Site Observations**

#### School pick up and drop off periods

Sutherland Street and Conway Street are typically busy during the school drop off pickup time. However no significant issues were identified in the operation of the network during site observations. In general, driver and pedestrian behavior was well controlled and safe through the busy pedestrian areas.

Vehicles travelling through the 40km/h zones generally appeared to be operating within the speed limit through the high activity areas and crossing activities were generally contained to the school crossings in both Sutherland and Conway Streets.

No significant through traffic movements were identified during these periods with most trips appearing to be to or from the schools.

#### Outside School pick up and drop off periods

Observations during these periods did not highlight any significant level of through traffic movements, although did highlight that through trips were occurring, primarily along Rutledge and Conway Street. This is understandable given the attraction that Rutledge/Conway and to a far lesser extent Green/Sutherland/Conway might have to motorists travelling between Lancefield Road and the Northern Highway.

The Conway-Rutledge route provides a convenient link for this movement, particularly given the traffic signals at Rutledge Street and the Northern Highway which provide better opportunity for traffic to enter or exit the Northern Highway. This is particularly helpful to facilitate gaps in the Northern Highway traffic flow for right turning or ahead traffic on Rutledge Street when the highway might be busy. Similarly the signals provide left turn access to Rutledge Street in the shadow of right turn movements from Rutledge Street. This may help attract vehicles headed to the west from the Northern Highway given the signals stop traffic on the Northern Highway at this time.

This intent to perhaps encourage some movement along this route is in line with the goals being considered as part of the Draft Kilmore Structure plan. With an intent to foster and develop the ultimate Conway / John Street link to help remove some vehicle trips from Sydney Road through the main shopping precinct.

The Green/Sutherland/Conway route on the other hand may provide some attraction to motorists however it is not considered as convenient a route as the Conway/Rutledge route.

Several traffic management devices are provided along Sutherland Street from Green Street to Rutledge Street. These include an island and threshold treatment at Green Street, a second threshold treatment at Lumsden Street and a raised pavement at the Sutherland Street school crossing. These treatments help to lower vehicle speeds in their vicinity which was evident from observations of motorist behavior. These types of treatments will generally help to discourage un-necessary through vehicle trips given they are seen as impediments to convenient through movement.

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SUTHERLAND STREET / CONWAY STREET, KILMORE - TRAFFIC INVESTIGATION (CONT.)

### **Existing Speed Signage**

Site observations highlighted that there was scope to consider some additional speed signage for implementation throughout the full time 40km/h zone on both Sutherland and Conway Street. Additional signage would give better speed zone advice to motorists. It is not currently always clear as to the speed zone you may be in given a lack of speed repeater signs in some key locations. It is proposed to review this matter and seek VicRoads approval to implement some additional speed zone signs to the area.

### **Potential Improvement Options**

Given the existing connector road classification of Conway Street and Rutledge Street and the long term objective to utilise this link as a practical inner township ring road in combination with a future Johns Street alignment it would not be appropriate to implement treatments on section of the roadway to discourage vehicle trips. However the generally high vehicle speeds on Conway Street outside of the immediate school frontage are seen as an area that warrants further review and attention.

Outside of school pickup and drop off times, Conway Street has few pedestrian attractors and the section of road to the north of the school has a more rural cross section and feel. As such the need for a permanent 40km/h zone in Conway Street may be difficult for motorists to observe and respect outside of the busy peak school periods particularly given the lack of speed zone repeater signage. This may help to explain the high 85<sup>th</sup> percentile speed evident.

The existing 40km/h speed zone provided on this street was consistent with previous VicRoads speed guidelines that used to require permanent 40km/h zones on 50km/h local streets and did not allow for part time (time based) school zone speed limits in these areas.

Since this time the VicRoads speed zone guidelines have been amended and now allow for part time school zone speed restrictions on local 50km/h streets. Given the limited active or residential development on this street, the limited activity and the prevailing traffic speed patterns particularly outside of school peak traffic periods, a part time 40km/h school speed zone (in lieu of the existing permanent 40km/h zone) is considered a reasonable proposition for Conway Street and Rutledge Street from a risk and motorist perception point of view.

This change along with better located and provisioned speed zone signage in general throughout the area may deliver better motorist conformity to the prevailing speed zone signage along these two roads.

### **Summary**

#### Sutherland Street

Investigations of the traffic operations and motorist behaviour on Sutherland Street between Green Street and Rutledge Street at various times did not highlight any significant concern with this section of road. Traffic counts did not highlight any unusual or unexpected traffic volumes for the road that might suggest significant through trips along this route.

Speed survey results highlighted an 85<sup>th</sup> percentile speed of 54.7km/h in the 50km/h zone which decreases to around 51km/h during the busy school peak period. This is

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SUTHERLAND STREET / CONWAY STREET, KILMORE - TRAFFIC INVESTIGATION (CONT.)

considered a good result for the section of road. On-site observations highlighted an apparent good conformance with the 40km/h speed zone adjacent to the school, with assistance from the existing traffic management devices in this area, however some additional speed zone signage may be warranted to better inform motorists.

### Conway Street

Investigations of the traffic operations and motorist behaviour on Conway Street at various times did not highlight any significant concern with this section of road. However the placement and provision of speed zone signage is considered poor and may be contributing to poor motorist conformance with the speed zones.

Traffic counts indicated the traffic volumes are consistent with the roads designation as a collector road. These counts also suggest that a reasonable number of through traffic trips are occurring along this road. Observations would support this.

Surveyed speed results highlighted an 85<sup>th</sup> percentile speed of 59.4km/h in the 40km/h zone north of the Primary School which decreases to around 51.1 – 47.2km/h during the busy school peak period.

Vehicle speeds directly adjacent to the school at drop off pick up times were generally observed to be lower than speeds to the north of the school where the traffic count was conducted. Vehicle speeds outside of these peak periods are very high for the existing speed zone and on-site observations outside of school periods also confirm this behavior.

The requirement for a full time 40km/h zone on this section of road is questionable and given the limited pedestrian activity and minimal active adjacent land uses outside of the peak time, it is considered that a 50km/h zone with a part time 40km/h school zone would be more appropriate and consistent with function, classification and motorist perceptions of this road.

## **CONSULTATION**

No consultation has been carried out at this time. Should the speed zone on Conway Street be sought to be changed to better reflect risks and motorist perceptions of this road, then the adjacent schools and VicRoads will be consulted.

## **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

There are no significant financial resource or asset management implications proposed as part of this report. Some signage manufacture and installation costs may be required. It is anticipated these would be captured through existing operating budgets.

## **POLICY AND LEGISLATIVE IMPLICATIONS**

There are no known policy or legislative implications from this report. Any speed zone change request or new speed signage would need the approval of VicRoads. Approval will be sought as required.

## **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

No social or environmental implications are envisaged as a product of this report.

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SUTHERLAND STREET / CONWAY STREET, KILMORE - TRAFFIC INVESTIGATION (CONT.)

### **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

An investigation into the traffic operations and motorist behaviour on Conway Street and Sutherland Street in Kilmore has been conducted. This investigation did not reveal any significant traffic management issues or general issues with motorist compliance with the Victorian Road Rules excepting a general vehicle speed concern on Conway Street particularly outside of school pick up and drop off periods.

There are a number of changes that could be made to speed zone signage to better improve driver compliance with speed zones including consideration of a part time (time based) 40km/h school speed zone in lieu of the existing permanent 40km/h zone in Conway and Rutledge Street to better reflect the classification, function and driver expectations/perceptions of these roads.

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## 9.2 REVIEW OF THE NATIVE VEGETATION CLEARING REGULATIONS

**Author:** Elyse Kelly - Environment Coordinator

**File No:** PL/04/040

**Attachments:** 1. Submission to the Native Vegetation Clearing Regulations Review Submission - Under Separate Cover

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### SUMMARY

The Department of Environment, Land, Water and Planning (DELWP) is currently conducting a review of the *Native Vegetation Clearing Regulations*.

Council officers have participated in the review process and have developed a response for Council consideration to submit as part of the consultation process.

### COUNCIL RESOLUTION

**MOVED:** CR. D. CALLAGHAN

**SECONDED:** CR. R. SANDERSON

**THAT:** Council notes the attached submission to this report on the review of the *Native Vegetation Clearing Regulations* and that it was submitted to DELWP on 29 April 2016.

**CARRIED**

### BACKGROUND

The Department of Land, Water and Planning (DELWP) is currently reviewing the State's native vegetation clearing regulations to ensure that they sensibly protect sensitive native vegetation.

In Victoria, a permit is required to remove, destroy or lop native vegetation. These regulations are known as the "*Native Vegetation Permitted Clearing Regulations*".

The removal of native vegetation is primarily regulated by the Victoria Planning Provisions. The regulations for native vegetation protection removal were last reviewed in 2013, with a planning scheme amendment being gazetted on 20 December 2013. These were statewide changes which changes all Municipal Planning schemes.

It is important to note that the current review is of section 52.17 of the Planning Scheme only. It does not impact Section 52.48 - Bushfire Protection Exemptions.

A permit to remove native vegetation also does not replace any requirements under the *Flora and Fauna Guarantee Act 1988* and the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*.

### ISSUES AND DISCUSSION

There are 29 proposed improvements for the system, which are categorised into the following five (5) main topics:

## REVIEW OF THE NATIVE VEGETATION CLEARING REGULATIONS (CONT.)

1. Permit process and decision making;
2. Biodiversity information tools used in decisions making and offset rules;
3. Offset delivery;
4. Exemptions; and
5. Compliance and Enforcement.

The proposed improvements are listed in the attachment, together with the suggested submission from Council. The key features of the proposed submission are as follows:

- Mitchell Shire Council supports the:
  - Reintroduction of the three step approach; Avoid > Minimise > Offset;
  - Simplification of the process;
  - Clarification of exemptions for clearing;
  - Securing of local sites for offset protection and revegetation;
  - Reintroduction of onsite revegetation for small scale clearance;
  - Qualitative measures for trees (i.e. Large old trees are more highly valued);
  - Use of Section 69 agreements under the Conservation, Forests and Lands Act 1987 for offsets;
  - Development of improved mapping; and
  - Increased DELWP assistance, especially for enforcement and compliance activities.
- General Comments on the consultation paper include:
  - Remove ambiguity;
  - Clarification on expectations on Local Government for monitoring and reporting;
  - Guidance documents and monitoring programs must be developed in close consultation with Local Government; and
  - Links to other environmental legislation needs to be made clear.

## CONSULTATION

DELWP commenced consultation on the review process in May 2015. This consultation included stakeholder and community workshops, surveys and one to one meetings.

Council's Environment Officers attended an information workshop on the review of the Native Vegetation Clearing Regulations facilitated by DELWP and organised by the Biodiversity Planning Network (LGPro special interest group).

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REVIEW OF THE NATIVE VEGETATION CLEARING REGULATIONS (CONT.)

Input from Council's Statutory Planning Department has been included in the drafting of this submission.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The only resource implication in developing this submission has been limited to Council Officer time.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

The review process, once completed will result in a Planning Scheme Amendment, which will be delivered statewide.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The Victorian Government is undertaking this review as part of their commitment to "...ensure that the regulations sensibly protect sensitive native vegetation."

### **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

The Department of Environment, Land, Water and Planning (DELWP) is reviewing the *Native Vegetation Clearing Regulations*. Submissions are currently open until 29 April 2016.

The submission that is presented to Mitchell Shire Council for endorsement will ensure that the process required to assess and monitor native vegetation clearance within the Shire is equitable, clearly understood and protects key environmental values.

### 9.3 KELLYS LANE KILMORE - TRAFFIC INVESTIGATION

**Author:** David Santhakumaran - Project and Investigations Engineer

**File No:** CL/04/001-03

**Attachments:** Nil

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#### SUMMARY

Recent investigations of the traffic operations and motorist behaviour on Kellys Lane between Broadford Kilmore Road and Union Street, Kilmore at various times of the day have highlighted a lack of conformance with the existing 60km/h speed zone throughout Kellys Lane. The data also suggests that the traffic volumes are below average for a local access road and that Kellys Lane is not being used as a "rat run".

The implementation of repeater 60km/h signage will improve driver awareness of the speed zone and improve conformance to the speed limit.

#### COUNCIL RESOLUTION

**MOVED:** CR. R. PARKER

**SECONDED:** CR. R. LEE

**THAT** Council:

1. Seek approval through VicRoads to install 60km/h repeater signs throughout Kellys Lane, Kilmore.
2. Council Engineers conduct a speed and volume count on Kellys Lane, Kilmore in six months' time to monitor the effect of the improved speed zone signage and report back to Council with the results of these counts.

**CARRIED**

#### BACKGROUND

Council, at its meeting of 15 February 2015 raised the following Notice of Motion (No. 839) in relation to traffic speed, dust and an increase in heavy vehicle volume concerns on Kellys Lane, Kilmore:

*"Council investigate options and potential mitigation measure to reduce traffic speeds, dust and the reported increase in heavy vehicle volumes."*

This report responds to the above mentioned motion.

#### ISSUES AND DISCUSSION

Kellys Lane is a local access road that runs in a north south direction located between Broadford Kilmore Road and Union Street, Kilmore. A locality plan is provided in Figure 1.

## KELLYS LANE KILMORE - TRAFFIC INVESTIGATION (CONT.)



**Figure 1 – Kellys Lane locality plan**

Kellys Lane is approximately 3.0km long and provides either direct or indirect access to around 100 rural residential lots as well as the JJ Clancy Reserve. The southern section of Kellys Lane road reserve width is 40m wide while the northern most section is a standard 20m wide. The entire length of Kellys Lane is a 60km/h speed zone.

Kellys Lane has a varying road carriageway width of between 6.0m – 8.0m between Union Street and Broadford Kilmore Road. The unsealed road section between Melissa Court and Bremner Place is approximately 1.3km in length with a crest just south of Melissa Court. The unsealed section of this road is graded four times per year in accordance with the Road Management Plan. This maintenance regime does not include measures for dust suppression.

## KELLYS LANE KILMORE - TRAFFIC INVESTIGATION (CONT.)

The unsealed section between Melissa Court and Bremner Place is treated with 'Gravel Road' and 'Dust Warning' signage at either end to warn motorists of the local road conditions.

"No truck" warning signage has been installed at the each end of Kellys Lane which prevents trucks greater than 4.5T from entering unless they have a local destination or genuine reason for accessing Kellys Lane, eg. a local resident who owns a horse transport vehicle. This type of signage is difficult to enforce and can only be enforced by Victoria Police.

The road is also used frequently by horse trainers who travel by horse between properties on and near Kellys Lane and the Kilmore Racecourse on East Street. For this reason, existing horse warning signage is installed on the southern section of Kellys Lane between Bremner Place and Union Street to provide warning to motorists of the increased horse traffic near the equine precinct.

### Road Hierarchy

Kellys Lane is identified in Council's road register as a local access road. Typical traffic volumes for this type of road are around 1000 - 2500vpd. For a road that provides access to up to 100 lots, around 1000 vehicle movements per day would be expected for Kellys Lane.

### Traffic Survey Data

Traffic speed and volume counts were conducted on the sealed section of Kellys Lane between Broadford Kilmore Road and Union Street over a week in April 2016. The survey results are summarised in Table 1.

**Table 1. Kellys Lane Speed and Volume traffic survey summary.**

Kellys Lane	Time	Vehicles per hour (vph)	Vehicles per day (vpd)	85th Percentile Speed (km/h)
Weekday Data	Weekday Avg		251	75.6
Weekend Data	Weekend Avg		234	
AM Peak Data	10:15 - 11:15	18		75.2
PM Peak Data	15:30 - 16:30	31		77.0

### Traffic Volume Data

The average daily traffic volume of 251vpd is below expectations for this road and falls well below the recommended maximum volumes for a local access road of 1000 – 2500 vehicles per day.

The traffic volume data indicates that the peak traffic volumes are occurring generally between 10:15am – 11:15am and 3:30pm – 4:30pm. With a weekday average of 18 vehicles during the morning peak and 31 vehicles during the afternoon peak. However it was noted that the peak traffic times varied between a reasonable range throughout the week.

Given that there are around 100 residential rural lots that require access to Kellys Lane on a daily basis, it can be said that a large portion of these vehicle volumes are made up of local residents accessing their properties. The traffic data does not support the presumption that this route is being used by non-local traffic.

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KELLYS LANE KILMORE - TRAFFIC INVESTIGATION (CONT.)

### **Heavy Vehicle traffic**

The vehicle data shows that 12% of all vehicle volumes using Kellys Lane is heavy vehicle traffic. For a typical local access road, heavy vehicle traffic would be expected to make up 5 – 6 % of all traffic. However, for a local access road in a rural living zone, heavy vehicle traffic would be expected to be higher (10 – 15%) due to the nature of the activities that occur on these lots. Eg. Horse ownership, private truck operators and school bus routes etc. With this in mind the percentage of heavy vehicle traffic is considered acceptable.

### **Traffic Speed Data**

The traffic speed data indicates a low level of compliance for the 60km/h speed zone with only 23% of all vehicles adhering to the posted speed limit of 60km/h. The 85th percentile (the speed at which 85% or more of vehicles are travelling) speed is 75km/h which is considered high.

This low level of compliance is possibly a reflection of motorist perceptions of this length of road. The road reserve is very wide, property fencing and dwellings are well setback from the roadway and driveways are well spaced which present motorists with a road environment that is more akin to a higher speed zone. Reinforcing the posted speed limit with additional signage is considered the most appropriate measure to correct this behavior.

A site inspection of Kellys Lane identified that there is scope to implement additional 60km/h speed signage within the unsealed section of road and also provide a duplication of some of the existing 60km/h speed signs.

### **Dust issues**

Kellys Lane is approximately 3.0km long, of which approximately 1.3km between Melissa Court and Bremner Place is unsealed. During drier periods with little or no rain, it is inevitable that unsealed roads throughout the Shire will lose moisture and have a tendency to deteriorate quicker and produce higher amounts of dust.

In an attempt to improve the longevity of Council's unsealed roads and reduce the grading effort required to maintain roads, Council's maintenance team has been using a higher quality road making material for the unsealed road grading program. This material also has a tendency to reduce the amount of dust created from these roads. This material has recently been applied and will continue to be used on Kellys Lane into the future.

### Stabilisation Options

Council Engineers have recently investigated synthetic products available on the market that can be mixed with road making materials to stabilize and improve the durability of unsealed road pavements with the added benefit of reducing dust levels.

However these additives also have a reliance on moisture to remain active and without regular rainfall, these additives can break down and lose their effectiveness.

## KELLYS LANE KILMORE - TRAFFIC INVESTIGATION (CONT.)

For a 1.3km road segment in Kellys Lane, a stabilisation treatment is expected to cost in the vicinity of \$25,000 - \$30,000 per application. Given that Kellys Lane is not a highly trafficked road this type of treatment is not considered warranted or viable.

**CONSULTATION**

No consultation has been carried out for the preparation of this report. VicRoads will need to be contacted regarding the proposed implementation of 60km/h repeater signs on the unsealed section of road. The residents of Kellys Lane will be notified at this time.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The implementation of extra signage has no significant financial implications for Council. It is anticipated that the purchase of extra signs will be captured in operating budgets.

**POLICY AND LEGISLATIVE IMPLICATIONS**

There are no known policy or legislative implications from this report. The installation of repeater signage must be approved by VicRoads before it can be implemented.

**SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

No social or environmental implications are envisaged as a product of this report.

**CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

**CONCLUSION**

An investigation of traffic volumes and driver behavior has been conducted on Kellys Lane, Kilmore. The investigation did not identify any traffic volumes that were above the recommended guidelines for local access roads however average vehicle speed was noted to be considerably higher than the posted speed limit through all hours of the day.

The implementation of repeater signage on Kellys Lane will improve awareness of the 60km/h speed zone and potentially reduce the number of speeding vehicles in Kellys Lane.

#### 9.4 PROTECTING VICTORIA'S ENVIRONMENT - BIODIVERSITY 2036 DRAFT SUBMISSION

**Author:** Elyse Kelly - Environment Coordinator

**File No:** ET/01/001

**Attachments:** 1. Draft Biodiversity Plan Submission - Under Separate Cover

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#### SUMMARY

As part of an election commitment, the Department of Environment, Land, Water and Planning (DELWP) is currently inviting submissions on the Draft Victorian Biodiversity Plan "*Protecting Victoria's Environment – Biodiversity 2036*" (the Draft Plan).

Council officers are participating in the consultation process and have developed a response for Council consideration to submit.

#### COUNCIL RESOLUTION

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. K. MULRONEY

**THAT** Council:

1. Endorses the attached submission to this report on the draft State Government document *Protecting Victoria's Environment – Biodiversity 2036* and submit to DELWP; and
2. Provides a copy of the submission to the Municipal Association of Victoria for their information.

**CARRIED**

#### BACKGROUND

The Department of Land, Water and Planning (DELWP) is currently reviewing the State's Biodiversity Plan "*Protecting Victoria's Environment – Biodiversity 2036*".

The Victorian Government's Draft Biodiversity Plan is a twenty-year plan for stopping the decline of Victoria's biodiversity.

The new Biodiversity Plan is part of a broader plan to restore and sustain Victoria's natural environment. It will be complemented by a review of the *Flora and Fauna Guarantee Act 1988*, *Climate Change Act 2010* and the *Native Vegetation Clearing Regulations*. Mitchell Shire Council has already made a submission on the latter.

#### ISSUES AND DISCUSSION

The vision of the Draft Plan is "*Victoria's biodiversity is healthy, valued and actively cared for*", this aligns well with the vision of the Mitchell Shire Environment Strategy 2014-2024 "*Our Community Supports a Healthy and Resilient Natural Environment*":

The Draft Biodiversity Plan aims to achieve the stated vision by fulfilling two goals:

- "*To encourage more Victorians to value nature*" and

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PROTECTING VICTORIA'S ENVIRONMENT - BIODIVERSITY 2036 DRAFT SUBMISSION (CONT.)

- *“To ensure that Victoria’s natural environment is healthy”.*

The Draft Plan focuses on actions and locations where the best, most cost-effective results for biodiversity can be achieved and has five (5) themes;

- A healthy environment for healthy Victorians;
- Linking our society and economy to the environment;
- Investing together to protect our environment;
- Better, smarter management of biodiversity; and
- Biodiversity leadership across government.

To assist in formulating a proposed submission from Mitchell Shire Council, Council officers have reviewed the draft document, reviewed the Municipal Association of Victoria’s draft submission and attended two (2) DELWP presentations.

The key features of the proposed submission attached to this report, are as follows:

Mitchell Shire Council:

- Supports the vision of the draft plan;
- Requests that the role of local government in biodiversity management is properly recognised;
- Supports the provision of accurate and shared information to enable informed decision making by Local Government in relation to the protection of biodiversity assets;
- Supports improvements to the regulatory and legislative framework for biodiversity;
- Requests the following matters are added to the plan;
  - the biodiversity values and management of rural roadsides; and
  - the threats to biodiversity posed by genetic modification and biosecurity breaches;
- Works undertaken by individual landholders and community groups, especially in rural areas, are adequately acknowledged;
- Recommends that the issues surrounding the control of pest plants and animals are properly addressed;
- Recommends that the encouragement of environmentally sensitive activities in our natural and culturally sensitive areas are encouraged;
- Supports the provision of adequate funding and the investigation of innovative funding models for biodiversity outcomes.
- Recommends that existing plans and studies are used in the development of the Regional Investment Plans; and
- Seeks clarification on the resource implications of the plan on local government and further involvement in the development of the Implementation Plan, measurable outcomes and the Regional Biodiversity Investment Plans.

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PROTECTING VICTORIA'S ENVIRONMENT - BIODIVERSITY 2036 DRAFT SUBMISSION (CONT.)

## CONSULTATION

Council's Environment Officers attended an information workshop on the review of the Biodiversity Plan facilitated by DELWP and organised by the Biodiversity Planning Network (LGPro Special Interest Group) and also a second regional workshop run by DELWP.

Unfortunately the consultation timetable for the Draft Plan does not coincide with the Council meeting timetable, with submissions due the day before the May Council meeting. Officers have sought a 24 hour extension to make a submission to enable this draft submission to be presented to Council.

## FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The draft submission seeks clarification on the resource implications of the plan for Local Government.

The only resource implication in developing this submission has been Council Officer time.

## POLICY AND LEGISLATIVE IMPLICATIONS

This report refers to a review of the State Government Plan. The implementation plan to be developed following the adoption of the Plan will detail further information about potential legislative changes that will affect Local Government, such as planning scheme reviews.

Mitchell Shire Council's participation in the review is supported by the *Mitchell Shire Environment Strategy 2014-2024*. The biodiversity chapter of the Environment Strategy has the following vision "*Protect, enhance and connect landscapes by increasing the extent and quality of native habitat*" and desired outcomes:

1. *Threatened flora and fauna species within the Shire are protected*
2. *Inappropriate development and/or land use within or adjacent to areas of high biodiversity value is avoided*
3. *Revegetation for improved connectivity across the Shire is increased*
4. *The condition of native vegetation and habitat on Council managed land and priority roadsides is enhanced*
5. *Implementation of sustainable land management practices on private land to improve the extent and condition of native vegetation and habitat is encouraged and supported.*

## SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The aims of the draft plan has both environmental and social benefits. This is the first time the plan has had a dual goal incorporating the natural environment and the human environment and the interaction between the two.

The vision of the Draft Plan is that "*Victoria's Biodiversity is healthy, valued and actively cared for*" and the goals are "*to encourage more Victorians to value nature*" and "*to ensure that Victoria's natural environment is healthy.*"

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PROTECTING VICTORIA'S ENVIRONMENT - BIODIVERSITY 2036 DRAFT SUBMISSION (CONT.)

### **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

The Department of Environment, Land, Water and Planning (DELWP) is reviewing the Draft Victorian Biodiversity Plan "*Protecting Victoria's Environment – Biodiversity 2036*". Submissions are currently open until 16 May 2016. Council has sought a 24 hour extension to allow this draft submission to be presented to Council for endorsement prior to submitting to DELWP.

The draft submission that is presented to Mitchell Shire Council for endorsement will highlight omissions in the draft document, raise the profile of the work local government and private landholders undertake in relation to biodiversity management and support the proposed focus on human interaction with biodiversity.

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## 10 EXECUTIVE SERVICES AND GOVERNANCE

### 10.1 ELECTION SIGNAGE POLICY

**Author:** Lee McSweeney - Governance Advisor

**File No:** GV/12/004

**Attachments:** 1. Election Signage Policy

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#### SUMMARY

This report presents a revised Election Signage Policy and recommends that Council continues its policy position as the landowner, that it not allow electioneering advertising on Council-owned land.

#### COUNCIL RESOLUTION

**MOVED:** CR. R. LEE

**SECONDED:** CR. R. SANDERSON

**THAT** Council adopts the *Election Signage Policy* detailed in Attachment 1.

**CARRIED**

#### BACKGROUND

In June 2012 Council adopted an *Election Signage Policy*. This policy outlined the importance that Mitchell Shire Council as an organisation be seen to be neutral in any election process by:

- its position on election signage in the Shire
- how it will respond to signage erected on
  - Council owned and managed land;
  - Public road reserves; and
  - locations that may pose a hazard to pedestrians or road users.

#### ISSUES AND DISCUSSION

A general election of Councillors for Mitchell Shire Council will be held on Saturday, 22 October 2016 and a Federal Government election is anticipated to be held in the second half of 2016.

During the election period for these two elections, electioneering advertising will be highly visible taking on many forms including handbill, pamphlet, posters and signage to promote election campaigns of individual candidates and political parties.

With respect to election signage Council has two roles; that of the responsible authority and that of landowner.

## ELECTION SIGNAGE POLICY (CONT.)

The Mitchell Shire Planning Scheme effectively provides that no planning permits are required to erect election signage. Council has no role as a responsible authority in managing the approval of this form of signage.

Council continues to have a role as a landowner in instances where individuals either seek permission to advertise on Council owned land or else erect signage on Council owned land without consent.

For this reason it is recommended that Council continue its policy position to be seen as neutral in any election process and not to be seen to be supporting or promoting any individual candidates or parties through signage on Council-owned land.

This policy position does not stop individual candidates from erecting electioneering signage on other private land not owned and managed by Council.

Should this policy position continue to be supported by Council, it is proposed to promote this decision widely and also undertake reactive removal of such signage should it be erected contrary to the policy and where appropriate, issue infringement and fines for breaches to this policy.

**CONSULTATION**

Members of the Executive Leadership Team and relevant Managers have been consulted in preparing this report.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

There are no significant financial implications associated with this report. Any signage erected in breach of the recommended policy position will be removed by Council's authorised officers.

**POLICY AND LEGISLATIVE IMPLICATIONS**

This report recommends that Council continues its policy position that, as landowner, it does not allow any form of election advertising on any land owned by Council to ensure there is no perception of bias or providing an unfair competitive advantage to individual candidates or political parties.

**SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

There are no environment or sustainability implications associated with this report.

**CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

ELECTION SIGNAGE POLICY (CONT.)

### **CONCLUSION**

To ensure there is no perception of bias or of providing an unfair competitive advantage to individual candidates or political parties, it is important that Mitchell Shire Council as an organisation continue its policy position and be neutral in any election process.

Endorsing the *Election Signage Policy* will complement Council's *Election Period 'caretaker' Policy* endorsed in March 2016.

## 11 NOTICES OF MOTION

### 11.1 NOTICE OF MOTION: NO. 855 - COLLABORATIVE PROCUREMENT - COMMITTEES OF MANAGEMENT

**Author:** Councillor Rodney Parker

**File No:** CL/04/001-03

**Attachments:** Nil

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I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 16 May 2016.

#### COUNCIL RESOLUTION

**MOVED:** CR. R. PARKER

**SECONDED:** CR. K. MULRONEY

**THAT** Council: fast track plans for investigating the cost benefit of collaborative procurement of Electricity, Gas, Insurance and other potential cost saving opportunities for Committees of Management and/or Council.

**CARRIED**

#### Councillor Comments:

Given our draft budget and the general belt tightening on finances, it is likely that some committees will come under increasing financial pressure.

One area where council may be able to assist is in securing larger volume contracts for some common costs faced by these committees.

Signed: \_\_\_\_\_



Cr Rodney Parker

Date: 06/05/2016

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**11.2 NOTICE OF MOTION: NO. 856 - COUNCIL LOOKS AT ALTERNATIVE APPROACHES TO DROUGHT UPGRADE INFRASTRUCTURE**

**Author:** *Councillor Bill Chisholm*

**File No:** *CL/04/001-03*

**Attachments:** *Nil*

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I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 16 May 2016.

**COUNCIL RESOLUTION**

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. B. CORNISH

**THAT** Council:

1. Develop a policy that defines the use of Council owned water bores and tanks and provides a report back to Council for consideration;
2. Establishes a prioritised program of works and upgrades required for all infrastructure associated with Council owned and managed water bores and tanks that support the community during periods of drought;
3. Advocates for external funding to implement the program of upgrade works as identified in the program.
4. Council will advocate to the CFA that they upgrade their bores and standpipes infrastructure.

**CARRIED**

Signed: \_\_\_\_\_

Cr Bill Chisholm

Date: 10 May 2016

**11.3 NOTICE OF MOTION: NO. 857 - VOLUNTEERS CLEARING UP THE ROADS****Author:** *Councillor Ross Lee***File No:** *CL/04/001-03***Attachments:** *Nil*

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I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 16 May 2016.

**COUNCIL RESOLUTION****MOVED:** CR. R. LEE**SECONDED:** CR. B. CHISHOLM**THAT** Council:

1. In accordance with Council's Draft Voluntary Personnel Policy, Council support volunteers in the clean-up of Council roads and streets and develop procedures as required.
2. This initiative will include provision of training and support requirements to mitigate risk and to protect Council and the community when undertaking this activity and will also include the provision of support for waste disposal as an endeavor to assist Council enhance the appearance of our roads and streets and to recognise the work of the volunteers.

**CARRIED**

Signed: \_\_\_\_\_

Cr Ross Lee

Date: 10 May 2016

**11.4 NOTICE OF MOTION: NO. 858 - THE VALUE OF CFA VOLUNTEERS IN OUR COMMUNITY**

**Author:** Councillor Des Callaghan

**File No:** CL/04/001-03

**Attachments:** Nil

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I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 16 May 2016.

**COUNCIL RESOLUTION**

**MOVED:** CR. D. CALLAGHAN

**SECONDED:** CR. B. CHISHOLM

**THAT** Council advises Local MPs Jaclyn Symes, Member for Northern Victoria and Danielle Green, Member for Yan Yean and Hon. Natalie Hutchins MP, Local Government Minister and the Hon. Jane Garrett MP, Minister for Emergency Services of:

1. Council's concern regarding the reporting of negotiations between the State Government and the United Firefighters Union, and the possible implications for Mitchell Shire where firefighters are primarily volunteer based.
2. The importance of CFA volunteer firefighters commitment to protecting our communities in townships and farming areas.
3. The value Council places on the contribution CFA volunteer firefighters make to our communities which include a combination of peri-urban and rural.

**CARRIED**

Signed: \_\_\_\_\_

Cr Des Callaghan

Date: 10/05/2016

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## 12 DELEGATES REPORTS

### 12.1 DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS - CR SUE MARSTAELLER

**Author:** Councillor Sue Marstaeller

**File No:** CL/04/001-03

**Attachments:**

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#### SUMMARY

This delegates report provides and update on activities and deliberations of groups and associations for which Cr Marstaeller is an appointed delegate and the Mayors monthly report

#### COUNCIL RESOLUTION

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. D. CALLAGHAN

**THAT** the Delegates Report on Overview and Update on Activities and Delegate Deliberation by Cr Marstaeller for period 11 April 2016 until 15 May 2016 be received and noted.

**CARRIED**

#### DISCUSSION

On 12 April I attended the Wallan Town Centre Masterplan meeting with our Strategic Planners.

On Friday 15 April I was privileged to be at Greenhill Reserve to accept the grant funding for the Pavilion which was announced by the Minister's office Ministers office by Danielle Green MP member for Yan Yean and with Jackyn Symes MP for Northern Victoria. This exciting announcement was then followed up with a "sod turn" for the commencement of works at the Hadfield Playspace at Hadfield Park in Wallan. I then attended the Commander's Cocktail party at Tobruk Barracks, Puckapunyal Officer's Mess.

On Monday 18 I was at our regular Kilmore radio gig. Followed by Council meetings.

Tuesday 19 I attended the Central Ranges Local Learning and Employment Network (CRLLEN) board meeting followed by a meeting with Kilmore and District Residents and Ratepayers' Association (KADRRA) representatives.

On Thursday 21 I was excited to be present at the sod turning of the Wallan Integrated Community Learning Centre with Jackyn Symes MP for Northern Victoria, it is great to see these works progressing quickly. Later that evening I attended the Funding and Service Agreement (FASA) workshop with community members.

Friday 22<sup>nd</sup> April saw the start of the ANZAC Day ceremonies, where I lay a wreath at the Wandong Primary School. I then represented Council at the 9am Service at

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DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS - CR  
SUE MARSTAELLER (CONT.)

Wallan, later attending the Beveridge and Wandong morning services and was very pleased with the turnout at all events, considering it was a long weekend.

Tuesday 26 April I was at the Wallan to Heathcote Rail Trail- Steering Committee Meeting and then officiated at the Citizenship Ceremony that was held that evening after Strategy session, where we welcome 32 new residents becoming Australians.

Thursday 28 I spoke at the regular Seymour radio show followed by attending the Statutory Planning Forum for the update on the action plan.

Saturday 30 April I attended the Country Women's Association (CWA) Craft and Art Exhibition which was for the Hume Goulburn CWA group and I opened the event which includes branches from Broadford, Seymour, Mansfield, Yaarch, Euroa to name a few and welcomed members from all branches to Broadford.

The evenings on 3, 4 and 5 May I attended the Budget Forums with community members.

On Wednesday 4 I gave the opening speech at the Goulburn River Valley Tourism Volunteers Event, then attended the MEYRG meeting at Nexus Primary health in Wallan.

On Tuesday 10<sup>th</sup> May I appeared for part of the Volunteer Luncheon then I will be chairing the Audit Committee meeting.

On Thursday 12 May I attended the Rural Councils Forum.

On Friday 13 May I represented Mitchell Shire Council at the Municipal Association of Victoria (MAV) State Conference with the Director Corporate Services.

**12.2 DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS - CR RHONDA SANDERSON**

**Author:** Councillor Rhonda Sanderson

**File No:** CL/04/001-03

**Attachments:** Nil

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**SUMMARY**

This delegate's report provides an update on activities and deliberations of groups and associations for which Cr Sanderson is an appointed delegate between 13 April and 10 May 2016.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. K. MULRONEY

**THAT** the Delegate's Report on Overview and Update on Activities and Delegate Deliberation by Cr Sanderson be received and noted.

**CARRIED**

**DISCUSSION**Seymour Structure Plan Steering Committee

18 April - Project progress update including a discussion of Vision and Principles, Issues and Options, and consultation.

9 May - Discussion regarding the emerging options.

Australian Light Horse Memorial Park (ALHMP) Inc - 20 April

The main topics discussed were signage for the Waler Paddock and Seymour Railway Station carpark, and an Open Day event planned for 29 May.

Wallan to Heathcote Rail Trail Steering Committee - 26 April

This committee met in Broadford to discuss a range of relevant issues including proposed routes in relation to township structure plans, economic development opportunities, and a communication strategy.

Audit Committee - 10 May

A separate report will be provided to Council.

King's Park Committee of Management - 10 May

The main topics of discussion were financial matters, upcoming events and proposed infrastructure developments.

Other meetings and events attended as a Council representative:

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DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS - CR  
RHONDA SANDERSON (CONT.)

- Zonta Club information evening, Kilmore

Zonta is an organisation supporting the empowerment of women. The Zonta Club of Kyneton held this second meeting to explore the possibility of forming a Zonta Club in Kilmore. It was decided to broaden the scope to create a Zonta Club of Mitchell with an event held in a different town each month eg Wallan, Broadford, Kilmore.

- Greenhill Reserve Interface Funding announcement by Danielle Green MP, Wallan

- Hadfield Park Playspace Project sod turning by project partners MSC, Bendigo Bank and State Government MPs, Wallan

- '2017 Supreme' event meeting between Seymour Working Sheepdog Club, King's Park COM reps and MSC

- Seymour Business and Tourism meeting

- ANZAC Remembrance Service, St Patrick's Primary School, Kilmore

- ANZAC Day Dawn Service, Seymour Memorial Hospital Gates

- ANZAC Day March and Service, Anzac Avenue Cenotaph, Seymour

- ANZAC Day ceremony, Memorial Garden, Pyalong

- MSC Planning Forum, Broadford

- MSC Budget Forums in Kilmore, Seymour and Wallan

- MSC and Nexus Primary Health Volunteer event, Broadford

- International Day Against Homophobia and Transphobia (IDAHOT) Flag Raising Ceremony, Broadford

## 13 GENERAL BUSINESS

*In accordance with Clause 30 of the Meeting Procedure Local Law.*

### 13.1 CONGRATULATIONS TO ACTING CHIEF EXECUTIVE OFFICER

Cr. Ross Lee

#### COUNCIL RESOLUTION

**MOVED:** CR. R. LEE

**SECONDED:** CR. W. MELBOURNE

#### MOTION

**THAT** Council thank Mr Travis Heeney for his excellent work as Acting Chief Executive Officer for the last four months during a challenging period of adjustment.

The **MOTION** when put was

**CARRIED**

## 14 URGENT BUSINESS

*In accordance with Clause 31 of the Meeting Procedure Local Law.*

No urgent business was received for this meeting

## 15 CONFIDENTIAL BUSINESS

#### COUNCIL RESOLUTION

**MOVED:** CR. D. CALLAGHAN

**SECONDED:** CR. W. MELBOURNE

**THAT** in accordance with Section 89(2) of the *Local Government Act 1989*, Council resolves to close the meeting to members of the public to consider the following items which relate to matters specified under Section 89(2), as specified below.

15.1 Confirmation of Minutes of previous Confidential Meeting

15.2 Tender Evaluation Broadford Youth Centre  
s89(2)(d) contractual matters.

15.3 Broadford Community Centre Neighbourhood House Co-ordination Program  
s89(2)(d) contractual matters.

15.4 Contract 132259 EPA Auditor for Mitchell Landfill sites  
s89(2)(d) contractual matters.

15.5 Contract No. 132301 - Quarry Material Supply

s89(2)(d) contractual matters.

15.6 Re-opening of Meeting to members of the public

**CARRIED**

*The meeting was closed to the members of the public at 8.12pm.*

**COUNCIL RESOLUTION**

**MOVED:** CR. B. CORNISH

**SECONDED:** CR. R. PARKER

**MOTION**

**THAT** the meeting be reopened to the members of the public.

The **MOTION** when put was

**CARRIED**

**16 DATE OF NEXT MEETING**

The next Ordinary meeting of Council is scheduled to be held on Monday 20 June 2016 at the Mitchell Civic Centre, 113 High Street Broadford, commencing at 7.00pm.

**17 CLOSE OF MEETING**

The meeting was declared closed at 8.14pm.

Confirmed this Monday, 20 June 2016

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**Chairperson**  
**Mayor, Cr Sue Marstaeller**