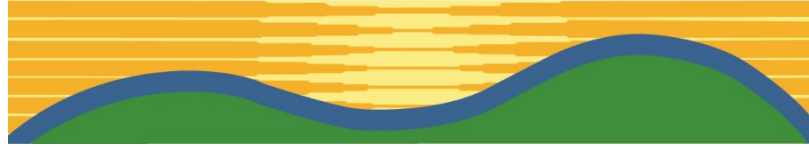


MITCHELL SHIRE COUNCIL



**ORDINARY
COUNCIL MEETING
MINUTES**

MONDAY 18 APRIL 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
18 APRIL 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
Ms Kristen Cherry	Acting Director Sustainable Communities
Mr Jeff Saker	Director Engineering and Infrastructure
Mr Julian Edwards	Manager Planning and Compliance
Mrs Nicole Maxwell	Manager Finance
Mrs Rosemary Scott	Coordinator Communications and Improvement
Mr Lee McSweeney	Governance Advisor

1 GOVERNANCE DECLARATION

The declaration was read by Cr. D. Callaghan.

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.

No disclosure of conflicts of interest were received by the *Chair*.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COUNCIL RESOLUTION

MOVED: CR. R. SANDERSON

SECONDED: CR. W. MELBOURNE

THAT the Minutes of the Ordinary Council Meeting held 21 March 2016 and the Minutes of the Special Council Meeting held 11 April 2016, as circulated, be confirmed.

CARRIED

5 PETITIONS AND JOINT LETTERS

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

5.1 INSTALLATION OF A SCHOOL CROSSING ON WHITE STREET KILMORE

Cr. Des Callaghan

Cr. Callaghan tabled a written petition containing 114 signatures and an electronic petition containing 220 which calls:

We the parents, guardians, staff and friends of the Kilmore International School, ask that the Council recognise the need for a school crossing at the school on White Street, and budget for it accordingly in the upcoming budget. We feel that the road is unsafe for pedestrians at school times and it is only a matter of time until tragedy happens.

A report in response to this petition will be prepared by Council Officers for consideration at a future Council meeting.

6 PRESENTATIONS

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

No presentations were received.

7 SUSTAINABLE COMMUNITIES

7.1 PLANNING PERMIT APPLICATION PLP191/15 FOR THE USE AND DEVELOPMENT OF THE LAND FOR EARTH AND ENERGY RESOURCES INDUSTRY (STONE EXTRACTION) AND THE CREATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1) AT 175 NORTHERN HIGHWAY, WALLAN

Author: Danielle Kos - Principal Planner

File No: PLP191/15

Attachments: 1. Site layout plans - Stages 1A and 1B
2. Site layout plans - Stages 2-8

Property No.:	110841
Title Details:	Lot 2 on LP006746 and Crown Allotment 34, Parish of Wallan Wallan (TP817291T)
Applicant:	Conundrum Holdings Pty Ltd
Zoning:	Farming Zone, Rural Conservation Zone and Urban Growth Zone
Overlays:	Salinity Management Overlay
Objections Received:	74 submissions (50 objections, 22 submissions in support and 2 submissions from authorities)
Cultural Heritage Management Plan Required:	No, the subject site is not within a mapped area of Aboriginal Cultural Heritage Sensitivity
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

PLANNING PERMIT APPLICATION PLP191/15 FOR THE USE AND DEVELOPMENT OF THE LAND FOR EARTH AND ENERGY RESOURCES INDUSTRY (STONE EXTRACTION) AND THE CREATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1) AT 175 NORTHERN HIGHWAY, WALLAN (CONT.)

SITE MAP



SUMMARY

This report recommends that Council issue a Notice of Refusal to Grant a Planning Permit for Planning Application PLP191/15, which seeks approval for the use and development of the land at 175 Northern Highway, Wallan for an earth and energy resource industry (stone extraction) and creation of access to a Road Zone (Category 1).

The proposal has been assessed against the relevant provisions of the Mitchell Planning Scheme (the Scheme) and the general planning principles set out in the Act, and is considered to be inconsistent with principles relating to urban growth. The proposal would prejudice the future use and development of the site and surrounding area for urban purposes and is not consistent with the relevant urban growth strategies for the area. The application is considered to be premature given that precinct structure planning in the area has not been completed as yet, and consequently it is considered that the proposal should not be supported.

SITE AND SURROUNDS

Subject Site Description

The subject site consists of two lots described as Lot 2 on LP006746 and Crown Allotment 34, Parish of Wallan Wallan (shown on TP817291T), and is located at 175 Northern Highway, Wallan. The two lots forming the subject site are part of a larger

PLANNING PERMIT APPLICATION PLP191/15 FOR THE USE AND DEVELOPMENT OF THE LAND FOR EARTH AND ENERGY RESOURCES INDUSTRY (STONE EXTRACTION) AND THE CREATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1) AT 175 NORTHERN HIGHWAY, WALLAN (CONT.)

land holding of approximately 631.5 hectares which extends to the north of the parcels in this application towards the township of Wallan.

The subject site itself covers an area of approximately 154 hectares and is located immediately to the west of the Northern Highway and the exit ramp off the Hume Freeway. The two parcels forming the subject site are separated by an unmade Government Road reserve (Hadfield Road) which runs east-west however does not currently provide access to the site. Access is provided via a crossover located off the service lane which runs adjacent to the Hume Freeway off ramp in the south eastern corner of the site.

The site is currently used for various agricultural activities such as animal grazing and crop raising. A small area of planted vegetation is located near the north east corner of the site, however the remainder of the site mainly comprises of pasture grass (where not used for cropping) due to the historical use of the site for agriculture, and is free of any development.

The topography of the site varies, with the northern part of the site being largely flat and the southern part undulating. The highest point of the site is located close to the Northern Highway to the east and contains the Spring Hill cones which are a dominant landscape feature and have a high aesthetic value. These cones were formed by volcanic activity on the site and have resulted in rocky outcrops and volcanic rock piles being present in the area.

Planning Background

Title/Restrictions/Agreements

The certificates of title for the subject site indicate that the land is not affected by any restrictive covenants, agreements or caveats and is not affected by any easements.

Surrounding Area

The subject land is located in an established farming area located to the south of the Wallan township and to the north of the Beveridge township. The site is approximately 1.8km to the south of the nearest residential development within the Woodlands Edge estate in Wallan and approximately 2.8km to the north of the Mandalay estate in Beveridge.

Land directly adjacent to the south of the site contains two established dwellings and is used for farming (cattle grazing). Land to the west is owned by Yarra Valley Water and is used for water treatment purposes. Land to the east is predominantly used for agricultural purposes however some dwellings also exist on larger lots. Some other larger lots with dwellings also exist to the west of the site, particularly along Old Sydney Road.

The northern Highway runs adjacent to the site providing access into Wallan and the Hume Freeway, connecting the township to Melbourne.

PLANNING PERMIT APPLICATION PLP191/15 FOR THE USE AND DEVELOPMENT OF THE LAND FOR EARTH AND ENERGY RESOURCES INDUSTRY (STONE EXTRACTION) AND THE CREATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1) AT 175 NORTHERN HIGHWAY, WALLAN (CONT.)

The subject site is predominantly within the Rural Conservation Zone due to the Spring Hill cone formations which form a feature of the site, however is also partially within the Farming Zone (to the north) and the Urban Growth Zone (to the south). The site is within the Urban Growth Boundary of Melbourne and is included within the Northern Growth Corridor.

PROPOSAL

This application seeks approval to use and develop the land for an earth and energy resource industry (stone extraction) and also seeks to create access to a Road Zone (Category 1). Details of the stone extraction operation as proposed in this application are as follows:

Site area and details of use:

- The part of the site to be used for stone extraction and associated operations is located on the western part of the lot known as Lot 2 on LP006746, to the south of the unmade road reserve of Hadfield Road.
- The work plan covers an area of 49.7 hectares, however the proposed extraction pit would disturb approximately 35.1 hectares of the site in stages.
- Staging of quarrying operations would occur with progressive extraction pits being opened within the extraction area generally south to north. Each completed stage would be rehabilitated following the exhaustion of stone resources in that particular extraction pit.
- The proposal would produce a maximum of approximately 700,000 tonnes of material at peak production per year, with the quarry expected to have a lifespan of approximately 40 years.
- Operations on the site would include stone extraction including blasting to extract material, on-site processing of material and sale of material.
- Hours of operation would be between the following hours:
 - Sales: Monday-Friday 6:00am-5:00pm, Saturday 7:00am-12pm noon.
 - Extraction: Monday-Friday 6:00am-6:00pm, Saturday 7:00am-12pm noon.
 - Processing plant: Monday-Friday 7:00am-4:00pm, Saturday 7:00am-11am.
 - Blasting: Monday-Friday 12:00pm– 5:00pm on an 'as needs basis'.
- The number of staff/contractors on the site would not exceed 34 at any one time during peak production.
- It is anticipated that once operating at full capacity, the proposed quarry would generate up to 29 vehicle movements in and out of the site (including staff and heavy vehicles) during the AM peak period and 30 vehicle movements during the PM peak period.

PLANNING PERMIT APPLICATION PLP191/15 FOR THE USE AND DEVELOPMENT OF THE LAND FOR EARTH AND ENERGY RESOURCES INDUSTRY (STONE EXTRACTION) AND THE CREATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1) AT 175 NORTHERN HIGHWAY, WALLAN (CONT.)

Buildings and works

- The construction of several buildings associated with the use of the site is proposed including a drivers room of 54sqm (3m x 9m) and a main site office of 541.7sqm (36m x 14.4m). These buildings would have a maximum height of 3.6m with a flat roof design.
- Two large water tanks (100,000L and 250,000L in capacity) would be provided on the site to provide water for the buildings as well as to be used during quarrying operations.
- Other site infrastructure associated with the use would be constructed in the northwest corner of the work plan area (approximately 350m to the west of the Northern Highway) including the main car park, sealed tarmac areas, fuel tanks storage areas, a service vehicle parking area, an emergency assembly area, two weigh bridges, a tip off point and CFA water access points.
- An effluent treatment system would be installed on the site to cater for the office buildings, and this would be located to the north of the buildings on the site and to the south of the Hadfield Road reserve.
- Various quarry infrastructure including heavy machinery and processing plant would be located within the proposed extraction pit and would be disassembled and relocated to the extraction pit of the next relevant stage of operation.
- Works occurring within the extraction pits would include those associated with the extraction of quarried stone resources as well as the construction of haulage benches which would allow two way traffic to enter and exit the extraction pits to remove quarried material. Various sediment retention areas would also be located within the extraction pits.

Access and car parking:

- It is proposed to create a new access point from the site onto the Northern Highway at a point 132m to the north of the Hadfield Road reserve. This would require the installation of a new signalised intersection in this location as well as some road widening to the Northern Highway to allow for turning movements in and out of the site.
- A sealed access road would be provided on the site and would provide access to the office areas, weigh bridges and car parking areas. This road would run off the Northern Highway to the east and through the part of the site known as Crown Allotment 34, Parish of Wallan Wallan before crossing through the Hadfield Road reserve and into the developed part of the site.
- An unsealed access track would be provided into the extraction pit from the northern part of the site. Haulage benches of approximately 20m in width would be cut into the site and constructed within the extraction pit to provide access to heavy vehicles.
- A total of 670m of internal roads are proposed on the site to accommodate the proposed use.

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- The site would contain a total area of 2,145sqm of car parking including a separate visitor and staff car park. Car parking spaces would be provided to meet the relevant Australian Standard.

Rehabilitation

- Rehabilitation following the completion of quarrying activities within the relevant stage would include filling the excavated benches and batters with low quality excavated material to produce a rehabilitated batter slope of 1v:2h. These rehabilitated faces would then be sown with grass. At the conclusion of all extraction activities on the site, two sediment retention basins would remain on the floor of the extraction pit area.
- Vegetation screen planting would be provided in various locations for the life of the proposed quarry, with additional planting to be provided around the site upon completion of extraction activities.

It should be noted that a statutory endorsed work plan for the stone extraction (WA1473) has been approved by the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) under the *Mineral Resources (Sustainable Development) Act 1990*. This work plan designates the part of the site that may be used for stone extraction activities and provides details of the operation of the proposed stone extraction use. It also includes a number of associated plans and reports, including an Environmental Monitoring Schedule, a Community Engagement Plan, a Dust Impact Assessment and details of site rehabilitation. Whilst this work plan has received statutory endorsement from DEDJTR, the proposed stone extraction industry also requires a planning permit to operate and therefore the current application has been made.

APPLICATION HISTORY

The application was submitted on 6 August 2015, with Council officers requesting further information on 1 September 2015. This information was provided on 15 December 2015. The application was publicly advertised and referred to the relevant referral authorities in January/February 2016.

A Hearings Committee of Council was held on 15 March 2016 and a number of submissions were presented to Council (both in favour of and against the proposal). Whilst the application was scheduled to be determined at the Ordinary Council Meeting of 21 March 2016, it was deferred to be determined at the Ordinary Council Meeting of 18 April 2016.

PLANNING PERMIT APPLICATION PLP191/15 FOR THE USE AND DEVELOPMENT OF THE LAND FOR EARTH AND ENERGY RESOURCES INDUSTRY (STONE EXTRACTION) AND THE CREATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1) AT 175 NORTHERN HIGHWAY, WALLAN (CONT.)

PLANNING SCHEME PROVISIONS

Zoning

Rural Conservation Zone

The subject site is partially within the Rural Conservation Zone. The purpose of the Rural Conservation Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To conserve the values specified in a schedule to this zone.*
- *To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.*
- *To protect and enhance natural resources and the biodiversity of the area.*
- *To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.*
- *To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.*
- *To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.*

Pursuant to Clause 35.06-1 of the Mitchell Planning Scheme, a planning permit is required for the use and development of the land for an earth and energy resource industry (stone extraction) on land in the Rural Conservation Zone.

Urban Growth Zone

The subject site is partially within the Urban Growth Zone. The purpose of the Urban Growth Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.*
- *To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.*
- *To contain urban use and development to areas identified for urban development in a precinct structure plan.*
- *To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.*

PLANNING PERMIT APPLICATION PLP191/15 FOR THE USE AND DEVELOPMENT OF THE LAND FOR EARTH AND ENERGY RESOURCES INDUSTRY (STONE EXTRACTION) AND THE CREATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1) AT 175 NORTHERN HIGHWAY, WALLAN (CONT.)

- *To ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.*

Pursuant to Clause 37.03-1 of the Scheme, a planning permit is required the use of land for earth and energy resources industry (stone extraction) on land in the Urban Growth Zone.

Farming Zone

The subject land is partially within the Farming Zone. The purpose of the Farming Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Pursuant to Clause 35.07-1 of the Scheme, a planning permit is required to use and development of the land for an earth and energy resource industry (stone extraction) on land in the Farming Zone.

Overlays

Salinity Management Overlay

The subject site is affected by the Salinity Management Overlay. The purpose of the Salinity Management Overlay is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify areas subject to saline ground water discharge or high ground water recharge.*
- *To facilitate the stabilisation of areas affected by salinity.*
- *To encourage revegetation of areas which contribute to salinity.*
- *To encourage development to be undertaken in a manner which brings about a reduction in salinity recharge.*

PLANNING PERMIT APPLICATION PLP191/15 FOR THE USE AND DEVELOPMENT OF THE LAND FOR EARTH AND ENERGY RESOURCES INDUSTRY (STONE EXTRACTION) AND THE CREATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1) AT 175 NORTHERN HIGHWAY, WALLAN (CONT.)

- *To ensure development is compatible with site capability and the retention of vegetation, and complies with the objectives of any salinity management plan for the area.*
- *To prevent damage to buildings and infrastructure from saline discharge and high watertable.*

Pursuant to Clause 44.02-1 of the Scheme, a planning permit is required for buildings and works on land affected by the Salinity Management Overlay.

Particular and General Provisions

The following particular provisions are relevant to the proposal

Clause 52.06 – Car Parking

The purpose of Clause 52.06 of the Scheme is:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

In accordance with the table found at Clause 52.06-5 of the Scheme, car parking for the proposed use must be provided to the satisfaction of the Responsible Authority.

Clause 52.08 – Earth and energy resources industry

The purpose of Clause 52.08 of the Scheme is:

- *To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.*
- *To ensure that mineral extraction, geothermal energy extraction, greenhouse gas sequestration and petroleum extraction are not prohibited land uses.*
- *To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.*

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Pursuant to Clause 52.08-1 of the Scheme, a permit is required to use and develop land for stone extraction unless this complies with Section 77T of the *Mineral Resources (Sustainable Development) Act 1990*. In this case, the proposal does not comply with this requirement as an Environmental Effects Statement (EES) has not been prepared, and therefore a planning permit is required.

Clause 52.09 – Stone extraction and extractive industry interest areas

The purpose of Clause 52.09 is to:

- *To ensure that use and development of land for stone extraction does not adversely affect the environment or amenity of the area during or after extraction.*
- *To ensure that excavated areas can be appropriately rehabilitated.*
- *To ensure that sand and stone resources, which may be required by the community for future use, are protected from inappropriate development.*

Clause 52.09-5 of the Scheme provides a number of decision guidelines that are relevant to the consideration of a proposal for stone extraction.

Clause 52.29 - Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

The purpose of Clause 52.29 of the Scheme is:

- *To ensure appropriate access to identified roads.*
- *To ensure appropriate subdivision of land adjacent to identified roads.*

Pursuant to Clause 52.29 of the Scheme, a planning permit is required to create or alter access to a road in a Road Zone (Category 1). Given that the proposal would create a new access road from the site to connect to the Northern Highway (which is within a Category 1 Road Zone), a planning permit is required.

Clause 65 – Decision guidelines

Clause 65.01 of the Scheme provides decision guidelines that must be considered as part of the assessment of an application. These guidelines are as follows:

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*

PLANNING PERMIT APPLICATION PLP191/15 FOR THE USE AND DEVELOPMENT OF THE LAND FOR EARTH AND ENERGY RESOURCES INDUSTRY (STONE EXTRACTION) AND THE CREATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1) AT 175 NORTHERN HIGHWAY, WALLAN (CONT.)

- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard*

State Planning Policy Framework

The policies within the State Planning Policy Framework of the Scheme that are relevant to the current application, together with the objectives of these policies, are listed below:

- Clause 11.02-1 – Supply of urban land

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

- Clause 11.02-2 – Planning for growth areas

To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create benefits for sustainability while protecting primary production, major sources of raw materials and valued environmental areas.

- Clause 11.02-3 – Structure planning

To facilitate the orderly development of urban areas.

- Clause 11.02-4 – Sequencing of development

To manage the sequence of development in growth areas so that services are available from early in the life of new communities.

- Clause 11.03-1 – Open space planning

To assist creation of a diverse and integrated network of public open space commensurate with the needs of the community.

- Clause 11.03-2 – Open space management

To provide for the long term management of public open space.

PLANNING PERMIT APPLICATION PLP191/15 FOR THE USE AND DEVELOPMENT OF THE LAND FOR EARTH AND ENERGY RESOURCES INDUSTRY (STONE EXTRACTION) AND THE CREATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1) AT 175 NORTHERN HIGHWAY, WALLAN (CONT.)

- Clause 11.04-1 – Housing choice and affordability

To provide a diversity of housing in defined locations that cater for different households and are close to jobs and services

- Clause 11.04-4 – Liveable communities and neighbourhoods

To create healthy and active neighbourhoods and maintain Melbourne's identity as one of the world's most liveable cities.

- Clause 11.04-5 – Environment and water

To protect natural assets and better plan our water, energy and waste management systems to create a sustainable city.

- Clause 11.04-6 – A State of cities

To maximise the growth potential of Victoria by developing a state of cities which delivers choice, opportunity and global competitiveness.

- Clause 11.04-7 – Green wedges

To protect the green wedges of Metropolitan Melbourne from inappropriate development.

- Clause 11.04-8 – Open space network in Metropolitan Melbourne

To create a network of metropolitan open space by creating new parks.

- Clause 12.04-2 – Landscapes

To protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.

- Clause 13.03-3 – Salinity

To minimise the impact of salinity and rising watertables on land uses, buildings and infrastructure in rural and urban areas and areas of environmental significance and reduce salt loads in rivers.

- Clause 13.04-1 – Noise abatement

To assist the control of noise effects on sensitive land uses.

- Clause 14.03 – Resource exploration and extraction

PLANNING PERMIT APPLICATION PLP191/15 FOR THE USE AND DEVELOPMENT OF THE LAND FOR EARTH AND ENERGY RESOURCES INDUSTRY (STONE EXTRACTION) AND THE CREATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1) AT 175 NORTHERN HIGHWAY, WALLAN (CONT.)

To encourage exploration and extraction of natural resources in accordance with acceptable environmental standards and to provide a planning approval process that is consistent with the relevant legislation.

- Clause 15.01-1 – Urban design

To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

- Clause 15.01-3 – Neighbourhood and subdivision design

To ensure the design of subdivisions achieves attractive, liveable, walkable, cyclable, diverse and sustainable neighbourhoods.

- Clause 16.02-1 – Location of residential development

To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.

- Clause 18.01-1 – Land use and transport planning

To create a safe and sustainable transport system by integrating land-use and transport.

- Clause 18.01-2 – Transport system

To coordinate development of all transport modes to provide a comprehensive transport system.

- Clause 18.02-4 – Management of the road system

To manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.

Local Planning Policy Framework (LPPF)

The policies within Mitchell Shire's Municipal Strategic Statement and Local Planning Policy Framework that are relevant to the current application, together with their objectives, are listed below:

- Clause 21.02-1 – Urban growth

To manage urban growth.

- Clause 21.03-2 – Significant environments and landscapes

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To protect and enhance the visual quality of rural and urban landscapes.

- Clause 21.04-3 – Soil degradation

To minimise land degradation.

- Clause 21.04-4 – Noise and air

To reduce noise and air pollution.

- Clause 21.06-1 – Urban environment

To enhance the presentation of towns and their main road entrances.

- Clause 21.08-1 – Economic growth

To facilitate new development and employment opportunities in business, industry and Tourism.

Other Considerations

North Growth Corridor Plan

Growth Corridor Plans are high level strategic documents which set the vision for how the areas located in Melbourne's outer regions will develop. These plans have been developed by the Metropolitan Planning Authority and provide a guide for the development and implementation of Precinct Structure Plans in Melbourne's growth areas.

Of relevance to the current application, the subject site is located within the area covered by the North Growth Corridor Plan. The North Growth Corridor Plan envisages urban development around the subject site, including a key transport link located to the west of the site, with a local neighbourhood located to the south. The Plan also identifies the site as having landscape values and designates the site as being potentially suitable for use as regional active open space.

Beveridge North West Precinct Structure Plan

The Metropolitan Planning Authority has commenced preparation of the Beveridge North West Precinct Structure Plan (PSP) and the Beveridge North West Development Contributions Plan (DCP). Whilst the Beveridge North West PSP has been drafted, this has not been finalised at this stage and therefore currently has no statutory weight. Notwithstanding, it is important to note that planning for urban growth in the area in which the site is located has commenced.

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Wallan Structure Plan

The Wallan Structure Plan has been recently adopted by Council and submitted to the Minister of Planning for incorporation into the Mitchell Planning Scheme. Whilst the Plan has not formally been incorporated as yet, it is a seriously entertained document and therefore should be given consideration.

The Wallan Structure Plan sets out a vision for the future development of the Wallan township, and designates land that is suitable for residential use, employment, community use and open space. Whilst the subject site sits outside of the main focus area of Wallan as identified in the Wallan Structure Plan, this Plan notes that the subject land adjoins an area to be developed for residential purposes.

PUBLIC NOTIFICATION (ADVERTISING)

The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987* by way of mail sent to the owners and occupiers of properties in the vicinity of the subject land as well as by the placement of a notice in the locally circulated newspaper. Two public information sessions were also held to provide the community the opportunity to discuss the application with Council officers.

Following public notification of the application, a total of 74 submissions were received, comprising of 50 objections to the proposal, 22 letters of support and 2 submissions from authorities (MPA & EPA). The concerns raised by objectors to the application encompass a range of matters and are summarised below:

Amenity concerns

- Noise from the proposed quarry would impact on surrounding properties and the community, and would have the potential to impact on health;
- Dust generated by the proposed quarry would impact on surrounding properties and the community, particularly due to the high winds that are prevalent in the Wallan area, and would have the potential to impact on health;
- The proposed use would have the potential to cause land, water and air contamination;
- The proposed quarry would have a poor visual appearance for surrounding properties and would not be able to be adequately screened with planting;
- Pets and livestock in the surrounding area would be disturbed and impacted by noise from the proposed quarry;
- The operating hours of the proposed quarry would impact on surrounding properties (due to early starting times), and shift workers would be disturbed by the noise associated with the quarry when trying to sleep during the day;
- The quarry could potentially be used for landfill once quarrying operations have ceased and this would cause impacts to the surrounding area;
- Additional traffic generated by the proposed use would result in pollution, noise and emissions in the area;

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- The proposed quarry would have a negative visual impact in the area and would be contrary to Council's vision for Wallan as 'green and welcoming';
- The proposal is at odds with the semi-rural character of the area and would reduce the peaceful nature of the area;

Traffic concerns

- Traffic entering and leaving the site would impact on the operation of the Northern Highway and may cause a hazard;
- The installation of traffic signals on the Northern Highway would exacerbate existing traffic issues along this road, including excessive traffic queues from the Hume Freeway into the Wallan township;
- Road infrastructure in the area is already overloaded and would not be able to accommodate the increased traffic generated by the proposed quarry;
- The proposed access to the site would complicate existing access arrangements from properties located on the Northern Highway;
- Additional traffic queuing on the Northern Highway would represent a safety hazard for road uses;
- The slower speed of heavy traffic would pose safety risks for other road uses (particularly when vehicles are making turning/merging maneuvers) given the current speed limit of 110km/h on the Hume Freeway and 100km/h on the Northern Highway;
- The heavy traffic generated by the proposed use on the road network would be at odds with the aim of the Kilmore-Wallan bypass to reduce heavy traffic passing through the area;
- Additional traffic on the road network would increase the deterioration of these roads and this would pose a safety risk;

Urban growth concerns

- The application is premature given that the Beveridge North West Precinct Structure Plan has not been subject to a statutory exhibition or Panel hearing process and therefore interested parties have not had the opportunity to submit to the Precinct Structure Plan approval process as yet;
- The proposed quarry use is not shown on the North Growth Corridor Plan and would be incompatible with the land use and transport objectives of this Plan;
- The proposed quarry use would be incompatible with the land use and transport objectives of the draft Beveridge Precinct Structure Plan;
- The proposed use would be incompatible with the purpose of the Urban Growth Zone in the absence of an approved Precinct Structure Plan, and is also incompatible with the purpose of the Rural Conservation Zone;
- The proposed use would cause a long term physical and social separation of the Wallan and Beveridge communities (including future communities within the Beveridge north west area);
- The proposed use would restrict a potential access option for development of land within the Beveridge North West Precinct Structure Plan area;

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- The proposed use would be incompatible with the development objectives of the adjacent landholder and would prejudice the orderly and proper development of the adjacent land as well as other properties within the Beveridge North West Precinct Structure Plan area;
- The proposed use relies on a buffer that directly impacts on adjacent land and would sterilize the land for an extended timeframe, thereby having a negative impact on the orderly planning and development of this land;
- The proposed quarry would diminish the prospect of urban expansion in the area and thereby impact on the community;
- The location of the proposed quarry borders an area identified as 'conventional residential' in the Wallan Structure Plan and therefore represents a fundamental land use conflict in this area;
- The proposed use would introduce an industrial character to the area which is at odds with the urban development objectives and preferred character of the area;
- The lifespan of the proposed quarry may result in future aspirations for the site (including the use of the land for open spaces purposes) remaining unrealised;
- The consideration of a long term land use in a broader growth area in the absence of wider strategic planning being completed for the area does not represent proper and orderly planning;
- The existence of a quarry in the area would lead to perceptions of the precinct being poor, and this would restrict investment and delay development of residential growth (including the provision of essential services and the provision of development contributions which would allow the precinct to be fully serviced);

Other concerns

- The proposed use would result in a devaluation of properties in the area;
- The proposed use would have environmental impacts including affecting native flora and fauna;
- Any potential future expansion of the proposed quarry would exacerbate its negative impacts;
- The information supplied with the application fails to adequately demonstrate that the offsite impacts of the proposed use can be appropriately mitigated (including noise, dust and details of the buffer area);
- Blasting operations associated with the proposed use would cause structural damage to surrounding structures including dwellings;
- Dust generated by the proposed quarry would damage surrounding buildings;
- Water use to mitigate the impacts of the operation of the use places an unreasonable demand on water sources;
- The proposed use would potentially impact on the watertable and would reduce the ability of surrounding properties to utilise this water supply for personal and agricultural use;
- The proposed quarry would not provide any benefit to the local community;
- Traffic delays resulting from road congestion in the area may result in Wallan being bypassed by tourists and future residents;

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- The subject site may have been used as a 'telegraph' by the Traditional owners and further investigation of this should be undertaken before approval is granted;
- The proposed land use would result in a permanent loss of farmland;
- The visual appearance of the quarry at the entrance to the Wallan township would deter visitors and future residents, and this would have a negative impact on the local economy;
- The proposed quarry may pose a safety hazard for potential trespassers falling into the pit;
- Fire risk in the area would be increased as a result of tree planting around the proposed quarry.

The letters of support received in respect of the application also include a range of matters and are summarised below:

- The business would create employment opportunities in the local community;
- Conundrum Holdings operate at a best practice level and in accordance with high operational, environmental and safety standards;
- Conundrum Holdings run their business in a professional manner and support their workers and the community;
- Conundrum Holdings support vocational training and offer a range of training opportunities;
- Mitchell Shire ratepayers and consumers would benefit from additional competition in the economic environment;
- The location of the quarry would offer transport efficiencies due to its proximity to the areas where the stone resources would be used;
- The site is suited to quarrying activities and the location of the proposed quarry would not impact on surrounding houses and would not devalue any properties.

In addition to the public notification described above, the application was also provided to the Metropolitan Planning Authority and Environmental Protection Authority for comment under Section 52 of the *Planning and Environment Act 1987*. A summary of the comments of these agencies is provided below:

Metropolitan Planning Authority (MPA)

The MPA provided a response which acknowledged the location of the site within the area covered by the North Growth Corridor Plan and noted that whilst the Beveridge North West Precinct Structure Plan currently holds no statutory weight (due to it having not yet been finalised), this PSP represented the most recent planning undertaken for the area. The MPA recommended that in assessing the application, Council should have regard to the following considerations:

- How the proposal aligns and accords with the purpose and objectives of the North Growth Corridor Plan;

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- How the proposal would impact on the capacity of the North Growth Corridor (and specifically Beveridge North West PSP and Wallan South PSP) to develop in an orderly and logical fashion;
- How the timing and life of the quarry would affect the planned development of the Beveridge North West PSP and Wallan South PSP;
- How the proposal would impact on the landscape and visual amenity of the area;
- How the proposal would impact on the future amenity of the area, and specifically the development of sensitive uses surrounding the proposed quarry site;
- Whether permit conditions could be included to mitigate potential amenity impacts related to the above.

In addition, the MPA specifically noted that the proposed closure date of 2057 for the quarry would conflict with and possibly limit the development of the north growth corridor, and recommended that any permission granted to operate a quarry on the land should consider limiting the lifespan of the quarry in order to limit this conflict.

Environmental Protection Authority (EPA)

The EPA advised that they had no concerns with a permit being issued for the proposed quarry, however recommended that a number of conditions be added onto any planning permit that may issue. These conditions relate to management of dust, noise and stormwater. The EPA also recommended that a separation distance of 500m be maintained between the proposed quarry and any sensitive receptor (such as a dwelling).

HEARINGS COMMITTEE

The applicant, objectors and submitters were invited to a Hearings Committee of Council on 15 March 2016 to make a verbal presentation in support of their submissions. It is noted that the applicant and one person made submissions in support of the proposal and seven objectors presented on their concerns.

REFERRALS

External

The application was referred to VicRoads as a determining referral authority under Section 55 of the *Planning and Environment Act 1987*. VicRoads initially requested further information from the applicant, however this request was made outside the statutory timeframe. In their correspondence, VicRoads identified a number of items of additional information that would be required for them to properly assess the application. This information included detailed plans showing the way in which access to the site would be provided and how the Northern Highway would be affected, a revised Traffic Impact Assessment Report, confirmation from a licensed surveyor that sightlines from the proposed access point on the site would provide appropriate sight distance for traffic and information regarding how the operation of

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the proposed quarry would impact on the future arterial road network nominated in the draft Beveridge North West Precinct Structure Plan and shown on the North Growth Corridor Plan.

Following this initial correspondence, an additional response was received from VicRoads which raised strategic concerns with the proposal. Importantly, VicRoads highlighted that the strategic integrity of the future arterial road highlighted in the North Growth Corridor Plan (Patterson Road link) must be protected as this road would be critical to support and alleviate capacity pressure on the Northern Highway and Hume Freeway. VicRoads identified that any proposed development abutting the Patterson Road link should not impede or restrict the future development of this road as a key arterial link.

It is understood that after receiving VicRoads initial request for further information, the permit applicant liaised directly with VicRoads to provide the additional detail in relation to the proposal. Whilst no additional documents or plans were formally submitted to Council, a third response was received from VicRoads based on the additional information supplied by the applicant. This response indicated that VicRoads had no objection to the proposal and provided conditions that should be included on a permit should Council regard the proposal favourably. It should be noted that the conditions related to the provision of additional information such as detailed plans, a road safety audit and a quarry staging plan which demonstrate that blasting activities on the site would not impact on VicRoads 'strategic need' to provide the future arterial road along the western boundary of the site.

Given the conflicting responses supplied from VicRoads, a fourth response was provided by this authority on 18 March 2016 to clarify VicRoads' position. The response provided some background considerations which informed the position of VicRoads, including that the strategic integrity of the arterial road network needs to be protected and the future development of Patterson Street as a key arterial link should not be restricted by any proposed development. VicRoads also noted that significant congestion pressures currently exist along the Northern Highway and new development should take into account planning for capacity improvements in this area. Notwithstanding these strategic considerations, the response stated that VicRoads have no objection to the proposal subject to conditions being added to any planning permit issued (as per the conditions previously provided).

Internal

The application was referred internally to a number of Council departments for comment. The comments of these departments are summarised below:

Environmental Health Unit

Council's Environmental Health Unit advised that they had no objection to the proposal provided a number of conditions be added to any permit that may issue. These conditions relate to the treatment and disposal of wastewater from the site,

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compliance with EPA noise requirements and the control of dust odour and other potential nuisances as required by the *Public Health and Wellbeing Act 2008*.

Transport Unit

Council's Transport Unit advised that they did not consider the proposal to be appropriate in the location proposed given the potential adjacent residential land and significant road infrastructure identified to be provided in the area in the future. A summary of the concerns of the Transport Unit is provided below:

- Blasting operations and the associated buffers and exclusion zones required around the proposed quarry would effectively prohibit the use and development of the Patterson Road link (an intended major arterial road link and principal public transport link), thereby adding pressure to the Hume Freeway, Northern Highway and intended E14 (which would run north-south further to the west of the site). Traffic modelling undertaken in association with the development of the draft Beveridge North West PSP which excluded Patterson Road from the wider road network was identified as a very poor outcome and was not a recommended option for the PSP to consider.
- The proposed quarry would impact upon the viability of surrounding land to be developed for urban purposes. This would result in isolated communities and key gaps in infrastructure delivery such as the local road network and drainage system.

Strategic Planning Unit

Council's Strategic Planning Unit have advised that they are not supportive of the proposal and have identified a number of concerns relating to the significant impact that the development and operation of the proposed quarry would have on the orderly development of the North Growth Corridor and the delivery of critical infrastructure to the developing communities in this area. The basis of the concerns identified by the Strategic Planning Unit are set out below:

- The proposed use of the land for extractive industry is inconsistent and incompatible with the approved North Growth Corridor Plan, which identifies the land for its landscape values.
- It is premature to support a land use which is inconsistent with the North Growth Corridor Plan and which may impact upon the development of the corridor prior to a Precinct Structure Plan being prepared for the precinct.
- The proposed use of the land will disrupt the orderly development of the northern growth corridor and could direct development to less suitable locations.
- The proposed use would significantly delay the delivery of important infrastructure and transport links (including the E14 transport corridor) which would isolate and separate communities for many years.
- The proposed use would result in a negative impact on community economic benefit.

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DISCUSSION

The relevant policies set out in the Mitchell Planning Scheme as well as the matters raised by referral authorities and submitters to this application cover a range of issues that are of relevance to the assessment of this application. Discussion of the proposal in the context of each of these relevant considerations is provided below.

Zoning considerations

The subject land is located across two parcels of land that are subject to three zones, namely the Farming Zone, the Rural Conservation Zone and the Urban Growth Zone. In relation to the purpose of the Farming Zone, it is noted that the portion of the land within this zone would contain only the access road which would connect to the Northern Highway, and would not contain any part of the extraction pit or associated buildings. This layout would ensure that the majority of this land would remain available for farming purposes and the established farming activities that currently occur on this part of the land would be reasonably able to continue. Given this, it is considered that the proposal is not at odds with the purpose of the Farming Zone as the proposal would not remove substantial land from the agricultural land base. Notwithstanding the above, it should be noted that whilst the land is currently within the Farming Zone, it is also within the Urban Growth Boundary and therefore is likely to be re-zoned for urban development purposes at some stage. Discussion of the proposal in relation to urban growth considerations can be found later in this report.

In relation to the considerations of the Rural Conservation Zone, it should be noted that this zoning has been applied to a portion of the site due to the volcanic cones which are located on the eastern portion of the subject land (Spring Hill). The purpose of this zone relates to the protection and enhancement of natural features as well as preservation of the character of non-urban landscapes, and therefore the impact of the proposal on the Spring Hill cones and the existing rural landscape is an important consideration.

The proposed quarry would be located to the north west of the volcanic cones on the site, in a location that is naturally lower than these raised cones. A series of sightlines and viewsheds have been submitted with the application which show the proposed quarry from a number of key vantage points in the surrounding area (including from the Hume Freeway, Northern Highway, Taylors Lane, Camerons Lane and Old Sydney Road), and these plans indicate that the visual impact of the quarry would not be significant from most vantage points. Notwithstanding, it is difficult to determine the true extent of visual impact that would result from the proposed use given that the topography of the surrounding area is complex and a number of elevated points exist (particularly within the Wallan township) which would provide views to the site. Plans which show the view of the site from other elevated points in the area (such as the Pretty Sally hill located to the north of Wallan or from the rises located to the west of Old Sydney Road) have not been provided however it is reasonable to expect that the site and surrounding area would be visible from these locations to some extent.

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Given this, and as the proposal relies on tree planting to partially screen the view of the proposed quarry (which would take some time to establish), it is considered likely that some visual impact is likely to result from the proposal, although the full extent of this is unclear. As the site is located directly adjacent to the Spring Hill cones however, the interruption of views to these cones would not positively contribute to the appearance of the area and may detract from the natural scenic beauty of the area. Given this, it is considered that the proposal does not adequately respond to the relevant considerations of the Rural Conservation Zone.

As noted above, the site is also located within the Urban Growth Zone, with the southern portion of the land falling within this zone. Discussion of the urban growth implications of the proposal can be found below.

Urban growth considerations

The Urban Growth Zone seeks to preserve land designated for urban development until such time as a Precinct Structure Plan is applied to guide the urban use and development of that land. To this end, the purposes and decision guidelines of this zone emphasise the importance of ensuring that any land use or development proposals made before the application of a Precinct Structure Plan do not prejudice the future implementation of such a Plan once this has been prepared.

It is important to note that the subject land is included within the Urban Growth Boundary set for metropolitan Melbourne, and falls within the area known as the North Growth Corridor. This area has been designated to accommodate the urban expansion expected to occur to the north of Melbourne over the next 40 to 50 years, and is anticipated to accommodate over 250,000 people. The North Growth Plan was approved by the Minister for Planning in 2012, and provides a high level strategic plan which is intended to guide the preparation and implementation of Precinct Structure Plans across the corridor. Based on the Plan, preparation of a Precinct Structure Plan for the area has commenced (the Beveridge North West Precinct Structure Plan) as part of an accelerated process under the former State Government, however the MPA has identified that this PSP is not final and will be subject to further clarification. As such, the Beveridge North West PSP currently holds no statutory weight.

Given that the Beveridge North West Precinct Structure Plan has not been approved, the detailed planning required to guide urban development of the area around the subject site has not been fully considered at this stage. The Urban Growth Zone specifically states at Clause 37.07 that some of the purposes of this zone are 'to manage the transition of non-urban land into urban land in accordance with a precinct structure plan', and 'to ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.' This clearly indicates that a precinct structure plan is a necessary tool to guide the delivery of the future urban form within a growth area, and that any development that occurs prior to the preparation of a precinct structure

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plan can only be considered if it can be assured that the future orderly development of the land for urban purposes would not be compromised.

In this instance it cannot be assured that the future orderly development of the precinct will not be compromised by the approval of the proposed quarry, as no precinct structure plan is in place which considers the impact of the proposed quarry in the area and the higher level planning that has been undertaken for the region (i.e. the North Growth Corridor Plan) nominates sensitive uses in the vicinity of the site which would be incompatible with the proposed quarrying operations. Given this, and in the absence of more detailed plans which consider and plan for the mitigation of the potential impacts associated with the proposed quarry, it cannot be assured that the proposal will not prejudice the future development of the land for urban purposes. As such, it is considered that the proposal is premature. It is considered that an application of this nature, which would potentially result in impacts to surrounding land and would have a long lasting impact within a growth area, should only be considered once a precinct structure plan is in place to guide the future urban development of the area in accordance with the relevant State policies of the Mitchell Planning Scheme and the objectives of Planning in Victoria.

Whilst the current application is considered premature, in the absence of a Precinct Structure Plan for the area, the relevant strategic document to assist in informing whether a proposal will prejudice the future development of the land for urban purposes is the 'North Growth Corridor Plan'. This Plan shows the subject land as being designated for regional open space due to its landscape values, and also anticipates a local neighbourhood centre being developed to the south of the site. The plan also highlights a key transport route to be located along the western boundary of the site.

The location of the proposed quarry within the area designated for regional open space is inconsistent with the North Growth Corridor Plan, and also provides a conflict with a key component of the Plan being the preservation of identified landscape values. As such, it is considered that the development of the site with a quarry would not allow for the implementation of a Precinct Structure Plan that has been prepared in accordance with the broader strategic framework for the area, and therefore would not allow for proper and orderly planning to occur. This is at odds with a number of considerations in the Scheme including the State Planning Policies at Clause 11, the decision guidelines at Clause 65 and the purpose and decision guidelines of the Urban Growth Zone.

Furthermore, whilst the development of the quarry in the location proposed is inconsistent with the identified use of the subject site set out in the Plan, it will also prejudice the development of the wider precinct and prevent the realisation of the urban form of the precinct as set out in the North Growth Corridor Plan from being achieved for an extended period of time. The proposed quarry would require a buffer area of 500m from the Work Plan area to any sensitive receptor (such as a dwelling) in order to meet legislative requirements in relation to protection from the impacts of the operation. This requirement is problematic in that the urban development of the surrounding properties, including a local neighbourhood located to the south of the

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site, would not be possible until the quarrying operations on the site had been completed. This outcome would delay the development of the area surrounding the site for approximately 40 years, if not longer, thereby locking up land required to accommodate the anticipated population of the area and delaying the provision of key infrastructure items that are needed to provide a fully functioning community. This would have an impact on not only the orderly development of the area surrounding the site, but would also have an impact on the orderly development of the entirety of the North Growth Corridor, as the proposal represents a departure from the logical pattern of development set out in the North Growth Corridor Plan.

Council's Strategic Planning Department have undertaken sequencing of the North Growth Corridor to determine when and where development is likely to occur until such time as the urban development in this corridor has been completed. The sequencing models that development of the land within the immediate vicinity of the proposed quarry under existing conditions would occur between 2035 and 2040, however should the quarry be established, it would be expected that development could not occur in the vicinity of the quarry until at least 2060 (i.e. based on a 40 year life span for the quarry). This outcome would have detrimental effects on the wider corridor resulting from a delay in investment in the precinct and a delay in the delivery of key infrastructure, including that:

- The delivery of the important E14 transport corridor between Wallan and Beveridge would be significantly delayed given that blasting operations and the associated buffers and exclusion zones required around the proposed quarry would effectively prohibit the use and development of the Patterson Road link located to the west of the subject site, and given that there would not be sufficient development contributions (or works and land in kind) collected from land immediately adjoining the proposed quarry to facilitate the delivery of key roads within the corridor.
- The delivery of regional active open space would be significantly delayed or potentially compromised given it would not have the development contributions (or works and land in kind) collected from land immediately adjoining the quarry site to facilitate its delivery.
- The activity centres of Wallan and Beveridge would be detrimentally affected by smaller levels of population within their immediate catchments as development is pushed to less suitable areas. This would detrimentally affect the viability and vitality of the centres.
- The ability to deliver important regional infrastructure items such as the railway station at Beveridge would be delayed without sufficient population within the immediate catchment of the station.

The significant delay of this infrastructure is likely to have detrimental social impacts on the residents of the corridor including that the delay in the provision of transport infrastructure would isolate and separate communities and inhibit equitable access to services for a many years. Furthermore, VicRoads have highlighted the importance of protecting the viability of the Patterson Road link (which would form part of the E14 arterial road network) so as to alleviate capacity pressure within the surrounding road network, however the location of the site directly abutting this future road has the

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potential to prejudice the development and future funding and use of this important arterial link. This does not represent orderly planning and would not advance the objectives of planning in Victoria.

Reducing the life the quarry as suggested as one possibility by the MPA would not address these concerns and would not address the long term visual implications as also noted of key importance within their submission. Given this, it is considered that the proposal is not appropriate when considered in the context of the urban growth which is envisioned for the area.

It should be noted that the above considerations have been raised in a number of objections to the proposal, particularly within objections that have been received from development proponents in the area. It is considered that the concerns of these objectors are reasonable and that concerns regarding the potential impact of the proposal on the development of the Beveridge North West precinct can be substantiated.

Traffic considerations

In addition to the strategic matters discussed above, assessment of the current application must also consider a number of operational matters of relevance to the proposal, including the matters of access and traffic. As part of this proposal, approval has been sought for a new access road to be created through the subject land and connect to the Northern Highway. This would create a signalised intersection which would allow heavy vehicles entering/exiting the site as well as staff and visitor vehicles to easily access the site from the Northern Highway.

Clause 52.29 of the Scheme relates to the creation of access to arterial roads such as the Northern Highway, and seeks to ensure that access is provided in an appropriate manner and does not compromise safety or the operation of the road. As part of the documentation submitted with the application, a Traffic Impact Assessment Report (TIAR) has been provided which provides recommendations as to the best way to manage the access arrangements for the proposed quarry. This report recommends that a signalised intersection be installed to provide access, as this would control traffic and allow heavy traffic to make safe turning movements into and out of the site. Furthermore, the installation of a signalised intersection could be integrated with the layout of the Northern Highway following duplication of this road when this is undertaken in the future.

Traffic modelling has been undertaken in the TIAR submitted and indicates that during the first ten years of operation of the proposed quarry, the anticipated traffic utilising the Northern Highway during peak AM and PM periods together with the anticipated traffic that would be generated by the use of the site would be in excess of the carrying capacity of the Northern Highway.

The issue with the operating capacity appears to be of concern to VicRoads who whilst advising that the application was acceptable, have sought mitigation measures to minimise the estimated queues on the Northern Highway caused by the signalised

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intersection and associated safety risks to vehicles leaving the Hume Freeway. This issue has also formed the basis of the majority of the objections where the community experience significant queuing during peak hours. It is considered that without mitigation measures, the proposal would exacerbate the issue to an unreasonable level resulting in approximately 1.7km of reduced queuing space where vehicles currently queue to Taylors Lane.

Whilst additional information about the site access has not been provided to Council, VicRoads' most recent response to the application does not raise concern with the location of the access road on the Northern Highway, however VicRoads have indicated that warning lights would need to be installed on the Hume Freeway to warn motorists of queuing ahead resulting from the proposed traffic lights to be installed in this location. This would be require further detailed modelling to understand where the warning lights would be located and the associated impacts on the Hume Freeway.

Given this requirement, it is clear that the operation of the Northern Highway would be impacted by the proposed traffic signals to be installed at the quarry entrance, and this would potentially have flow on effects which would impact the Hume Freeway. Whilst it is acknowledged that capacity issues already exist along the Northern Highway and VicRoads have nominated some measures that could be used to mitigate the potential impacts, the exacerbation of these issues by the proposal remains a concern. Consequently, it is considered that the proposal has the potential to detrimentally impact upon the safety and operation of the arterial road network.

Whilst the views of VicRoads as the road authority are relevant to the current proposal, Clause 52.29 of the Scheme states that the Responsible Authority being Council, must also have regard to the effect of a proposal on the operation of a road and public safety when determining an application which would alter access to an arterial road. The proposed access arrangements for the site and the associated impact on the adjoining road network are therefore relevant considerations in assessment of this application, and Council must be satisfied that any impact on the operation of the Northern Highway and Hume Freeway are acceptable.

It is considered that the impact on the road network is not an acceptable outcome given that the installation of a new set of traffic signals at the site entrance would delay the movement of vehicles along the Northern Highway and potentially result in queuing onto the Hume Freeway. Whilst these signals are considered necessary if the turning movements of vehicles exiting the site and laden with extracted material are to be undertaken safely, the installation of traffic lights would further exacerbate the queuing issue in the surrounding road network. Given that there are no immediate plans to resolve this issue by way of upgrades to the arterial road network, and such upgrades are beyond the scope of the quarry to provide as part of the current application, it is considered that the current road network cannot currently support the proposal without its operation being substantially impacted upon. This is a poor outcome for the community and other road users.

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Given that the proposal has the potential to detrimentally impact upon the safety and operation of the arterial road network it is considered that the proposal does not satisfactorily respond to the requirements of Clause 52.29 of the Scheme.

Site management and amenity considerations

Other matters pertaining to the operational aspects of the proposed quarry are also relevant to the assessment of the current application and must be considered. Operational aspects such as the control of noise, dust, blasting, contamination and site rehabilitation form the majority of issues raised in objections to the proposal (other than those concerns discussed previously), and represent a key concern in the community.

In relation to the dust generated by the proposal, a Dust Impact Assessment has been prepared for the proposed quarry operation and was submitted with the application documents. This assessment was conducted in accordance with the requirements of the *State Environment Protection Policy for Air Quality Management (SEPP-AQM)*, referenced guidelines and standards within the *EPA Protocol for Environmental Management (PEM) for the Mining and Extractive Industries*. The assessment also took into account local weather conditions including the higher wind levels that are prevalent in the Wallan area.

The assessment indicated that compliance with the relevant standards were predicted during the time that the quarry would be established with a processing plant near to ground level and with controls at their minimum; and when the quarry would be at the highest level of production with a widely disturbed surface area, provided that a number of dust control measures were put in place. These control measures (including use of wind breaks, buffers, water spraying and other dust suppression measures) have been incorporated into the Work Plan which has been statutorily endorsed by the Department of Economic Development, Jobs, Transport and Resources (DEDJTR), and therefore would be required to be implemented and maintained should the quarry become operational. Given this, it is considered that dust could be appropriately suppressed on site provided the obligations of the Work Plan are adhered to, and therefore would be unlikely to cause an impact outside of the site.

In relation to the noise generated by the proposal, it should be noted that a Noise Management Plan has been submitted with the application, and this Plan outlines a number of measures to demonstrate how the proposed quarry would meet the noise emission requirements set out in the EPA Guideline 'Noise from Industry in Regional Victoria' (publication 1411). These measures (which include construction of buffers, locating plant below the skyline, selection of processing plant and equipment which limits noise emissions, staff training and the implementation of a complaints process) are also set out in the Work Plan which has been statutorily endorsed by DEDJTR. Given that the quarry extraction pit and processing plant and equipment is located in excess of 600m from the nearest sensitive receptors (dwellings located to the south east and north east of the site), it has been identified that the requirements of EPA Guideline 'Noise from Industry in Regional Victoria' (publication 1411) would be met

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by the proposal. Furthermore, air and ground vibrations associated with the blasting operations proposed would be required to meet Australian Standard AS2187.2:2006 *Explosives – Storage and Use – Use of Explosives*.

Given the current conditions of the site and surrounding area, the noise management measures that would be put in place through the Work Plan for the proposed quarry would satisfactorily keep noise emissions from the site to acceptable levels, and therefore matters relating to the noise associated with general processing on the site, the proposed hours of operation and impacts associated with blasting activities are considered to present an acceptable outcome.

Other site management matters to be considered as part of the assessment of this application relate to fire risk, soil and water contamination, the potential for the proposal to result in salinity related land degradation issues and the ability of the site to be rehabilitated. In relation to fire risk, it should be noted that the nature of the proposed quarrying operation requires a significant amount of water to be kept on the site to be used for dust suppression purposes, and therefore the 290,000L water tanks that would be installed on the site would ensure that sufficient water would be available on the land for fire fighting purposes if the need arose.

In relation to contamination associated with the proposal, drainage and bunding on the site would be provided and would be designed to contain all runoff produced within any disturbed areas of the site. Sediment retention areas would be provided on the quarry floor, with silt traps to be utilised to remove any silt (including potential contaminants) before the run-off is directed to the drainage system. It is considered that these measures, as incorporated into the statutorily endorsed Work Plan, would be sufficient to ensure that potentially contaminated run-off could be controlled and treated so as to not to impact the surrounding area.

Given that the site is affected by a Salinity Management Overlay, consideration must be given to the potential impact of the proposed quarry on salinity related soil degradation issues. A Preliminary Hydrogeological Assessment of the site has been undertaken and indicates that there are no areas of salinity mapped within the general region of the site, and the quarrying operations would be unlikely to result in salinity risks greater than any other potential land use. Furthermore, advice from the Department of Environment, Land, Water and Planning obtained during the Work Plan approval process indicates that the proposal would not greatly increase the risk of salinity on site. Consequently, it is not considered that salinity would be a concern should the quarry proceed as proposed.

As the operational aspects of the quarry could be carried out without site contamination or significant environmental impacts, it is considered that the site could be suitably rehabilitated to allow for future uses. A Rehabilitation and Environmental Management Plan together with a plan which sets out how the extraction pit would be remediated following the completion of quarrying activities has been submitted, and shows that the benches within the quarry would be filled to a slope of 1:2 using overburden, clean fill, shot rock or low value processed material then covered with topsoil and planted with grass or shrubs. This process would occur in stages

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allowing rehabilitation of the site over time and establishment of vegetation. Given this, and as the final profile of the quarry face would allow for development (such as the construction of roads) to occur, it is considered that the site rehabilitation could be appropriately undertaken.

Visual impact and neighbourhood character considerations

Clause 21.06-1 of the Scheme identifies that development along highways and main roads is important for the character and streetscape presentation of towns within Mitchell Shire. Development at town entrances should be designed to respect the built environment, and sited and finished to enhance the overall appearance and character of the town and the town entrance. Given these considerations and the concerns raised by objectors in relation to the impact that a highly visible quarry at the entrance to Wallan may have on tourism and residents moving to the area, assessment of the proposal against the visual and neighbourhood character considerations of the Scheme must be undertaken.

The quarry would be located at the gateway to the Wallan township being located directly off the Northern Highway and in close proximity to the Hume Freeway. Furthermore, given the capacity pressure on the Northern Highway at this stage and the anticipated road network expansion that will occur as growth in and around Wallan and Beveridge increases, the future E14 would likely provide another entrance to the Wallan township in proximity to the proposed quarry, and Old Sydney Road would also have a lower order function as an entrance to Wallan in the future. The visual impact of the proposal from all of these roads therefore must be considered.

As discussed earlier in this report, the applicant has provided some visual imagery which shows the location of the proposed quarry in the landscape from a number of key vantage points, including the Northern Highway and Old Sydney Road. This imagery indicates that there would be some visibility to the quarry from Old Sydney Road, and though the plans provided indicate that the view from the Northern Highway and Hume Freeway would be largely obscured (due to the topography of the area), there are multiple points along the Hume Freeway in particular where the site may be visible but no visual assessment has been undertaken. It is unclear therefore what the extent of the visual impact of the site would be from this key road as well as from future roads such as the Patterson Road link (which is likely to run adjacent to the western boundary of the site in the event that this is provided).

Whilst the view of a quarry in a rural landscape may be acceptable in a more remote area, it is important to note that the subject land is within a growth area with the northern part of the site to form part of an inter-urban break that is nominated in both the North Growth Corridor Plan and the Wallan Structure Plan. The Wallan Structure Plan recognises the need to preserve this inter-urban break in order to strengthen Wallan's country town character, and to this end supports the development of a 'Landscape Values area' between Wallan and Beveridge North West which incorporates the hills and ridges south of Hadfield Road (including the Spring Hill cones and surrounding area). Given this, the potential visual impact of the quarry in

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this emerging landscape would be at odds with some of the key objectives in this Plan in relation to retaining key views and vistas to the surrounding landscape along key roads and maximising the benefits of the surrounding landscape.

Given the future urban character of Wallan and Beveridge, the importance of retaining the integrity of key landscape features in the area forms a central element of the strategic planning undertaken for the area, highlighted by the identification of the key landscape values of the site in both the North Growth Corridor Plan and Wallan Structure Plan. As such, a proposal which would potentially compromise the visual amenity of the area would not be consistent with the plans and policies which have been developed to guide the transition of Wallan into an urban area and would be at odds with orderly planning principles.

Economic considerations

The decision guidelines at Clause 65 of the Scheme require consideration of a proposal against the matters set out at Section 60 of the *Planning and Environment Act 1987*. These matters include, amongst other considerations, any significant economic effects which the Responsible Authority considers the use or development may have.

As discussed above, the location of the proposed quarry is likely to result in the slower development of the urban form envisioned for the urban area identified in the North Growth Corridor given the 40 year lifespan of the quarry and the need to maintain a 500m buffer around the Work Plan area in order to comply with legislative requirements. Whilst sequencing suggests that development would occur in the vicinity of the proposed quarry between 2035 and 2040, this would not occur until 2060 should the quarry become operational. This delay in the release of developable land in the vicinity of the site would have the effect of delaying the provision of development contributions from development proponents in the area and this would therefore delay the delivery of key infrastructure that would be anticipated to service both the precinct structure plan area and broader North Growth Corridor area.

It has been identified in objections received from development proponents in the area that this outcome would affect investment confidence in the area given that future development fronts and the rate of development in the area would be restricted and the ability to deliver the infrastructure required to support the growing community in the area may be restricted for an extended period of time. It is considered that this delay in development investment has the potential to have wide reaching economic impacts in the area including reducing employment potential and investment in local goods and services, and therefore would have an overall negative economic effect for the wider community that would outweigh any potential benefit that could be achieved through having local access to stone resources produced in the quarry. Whilst the development would provide for some economic benefit through the provision of stone and associated materials, local employment and supply chain benefits, these are considered to be minimal advantages in the context of the anticipated growth to occur in this part of Melbourne and the contribution that this growth would provide to housing affordability within Victoria.

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CONCLUSION

This application proposes the use and development of an earth and energy resource industry (stone extraction) and creation of access to a Road Zone (Category 1) at 175 Northern Highway, Wallan.

It is considered that the proposal should not be supported by Council on the basis of its impact on the future development of the growth corridor in which it would be located. The incompatibility of the proposed use with the sensitive uses (such as dwellings) that would form part of the future urban form of the area would effectively sterilise land within the required buffer area around the proposed quarry, and this would delay the full development of the precinct by 40 years. Should such an outcome occur, urban development would be pushed into other areas and it is likely that the community would be disadvantaged as key infrastructure and services required to support the emerging community would be delayed.

In the absence of more detailed plans being in place to guide the future urban development of the area, including the Beveridge North West PSP, it is considered that the application to use and develop the land as proposed is premature and would prejudice the future development of the site and surrounding area for urban purposes. This is at odds with orderly planning principles and therefore it is considered that support for the proposal should not be given.

COUNCIL RESOLUTION

MOVED: CR. B. CORNISH

SECONDED: CR. K. MULRONEY

THAT Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a Notice of Refusal to Grant a Planning Permit in respect of Application No. PLP191/15 for the use and development of an earth and energy resource industry (stone extraction) and creation of access to a Road Zone (Category 1) at Lot 2 on LP006746 and Crown Allotment 34, Parish of Wallan Wallan (TP817291T), known as 175 Northern Highway, Wallan, on the following grounds:

1. The application is premature given that the future urban form of the site and surrounding area has not been resolved through the precinct structure planning process despite the inclusion of the site and surrounds within the Urban Growth Boundary.
2. The proposal would prejudice the development and implementation of a Beveridge North West Precinct Structure Plan as a result of the incompatibility of the proposed use with sensitive urban uses.
3. The proposal is inconsistent with State and Local Planning Policies within the

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Mitchell Planning Scheme that relate to urban growth including Clauses 11 and 21.02 and is inconsistent with the purpose and decision guidelines of Clause 37.07 (Urban Growth Zone) as the proposal would prejudice the future use and development of the site and surrounding land for urban development purposes.

4. The proposal will have detrimental economic and social impacts to the surrounding community as:
 - a. The proposal would compromise the delivery of the future transport network in the area;
 - b. The proposal would sterilize land identified for urban purposes;
 - c. The proposal would prejudice the delivery of regional open space which would disadvantage existing communities as well as future communities within the North Growth Corridor Plan area; and
 - d. The proposal would prevent the urban development of the land which in turn would enable the delivery of infrastructure.
5. The proposal is inconsistent with the decision guidelines at Clause 65 of the Mitchell Planning Scheme as the proposal does not advance the objectives of planning in Victoria and would not result in orderly planning outcomes.
6. The proposal is inconsistent with the North Growth Corridor Plan, the purpose of Clause 35.06 (Rural Conservation Zone) and the policies at Clauses 12.04-2 and 21.03-2 of the Mitchell Planning Scheme as it would result in visual impact that is at odds with the scenic character of the area and would detract from the landscape values of the area.

CARRIED

A division was called by Cr Sanderson.

The division resulted in 7 for and 2 against, as follows:

For:	Against:	Abstained:
CR. D. CALLAGHAN	CR. W. MELBOURNE	
CR. B. CHISHOLM	CR. R. PARKER	
CR. B. CORNISH		
CR. R. LEE		
CR. S. MARSTAELLER		
CR. K. MULRONEY		
CR. R. SANDERSON		

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

CARRIED

7.2 DRAFT KILMORE STRUCTRE PLAN, DRAFT KILMORE TOWN CENTRE PLAN AND DRAFT WANDONG & HEATHCOTE JUNCTION STRUCTURE PLAN

Author: Sean Greer - Senior Strategic Planner

File No: PL/09/098

Attachments:

1. Draft Kilmore Structure Plan
2. Draft Wandong and Heathcote Junction Structure Plan
3. Draft Kilmore Town Centre Plan - Schematic Drawings

SUMMARY

The purpose of this report is to seek Council endorsement to release the draft Kilmore Structure Plan, draft Kilmore Town Centre Plan and the draft Wandong & Heathcote Junction Structure Plan (draft Plans) for community consultation. Consultation is planned for a four (4) week period which would occur during May 2016.

A Structure Plan sets out a roadmap for the future and assists decision making by Council. It considers the current situation, issues and opportunities and then develops ideas to influence future directions. In addition to being a planning document, a Structure Plan also acts as a prospectus for public and private investment.

The draft Plans have been informed by a range of technical investigations, consultation with stakeholders including community members, landowners, developers, State Government agencies and servicing authorities. This process commenced in December 2014.

The aim of the Kilmore Town Centre Plan project is to create a vision for the revitalisation of the town centre and steer a detailed future capital works program that will lead to significant improvement to both the function and appearance of Sydney Street and the immediate surrounds. Findings from the draft Kilmore Town Centre Plan have also informed the draft Kilmore Structure Plan to ensure consistency across the projects.

The feedback received during the proposed consultation period will guide the content and direction of the final Structure Plans and the Kilmore Town Centre Plan. A report that considers all submissions received during consultation along with an accompanied Council Officer response to submissions will be provided post consultation. Following consideration of submissions and the report, adoption of the finalised Plans will be sought (with / without changes resulting from the consultation). This is being scheduled for August 2016.

DRAFT KILMORE STRUCTRE PLAN, DRAFT KILMORE TOWN CENTRE PLAN AND DRAFT WANDONG & HEATHCOTE JUNCTION STRUCTURE PLAN (CONT.)

COUNCIL RESOLUTION

MOVED: CR. R. PARKER

SECONDED: CR. R. LEE

THAT Council:

1. Note and endorse the draft Kilmore Structure Plan, draft Kilmore Town Centre Plan and the draft Wandong & Heathcote Junction Structure Plan for consultation purposes;
2. Place the draft Kilmore Structure Plan, draft Kilmore Town Centre Plan and the draft Wandong & Heathcote Junction Structure Plan on public exhibition for a four (4) week period.

CARRIED

BACKGROUND

The purpose of this report is to seek Council endorsement to release the draft Kilmore Structure Plan, draft Kilmore Town Centre Plan and the draft Wandong & Heathcote Junction Structure Plan (draft Plans) for community consultation. Consultation is planned for a four (4) week period which would commence in May 2016.

Council, using the services of Mesh Planning, have lead the project team responsible for preparing the draft Structure Plans as part of the Kilmore 3764 Project and the Wandong and Heathcote Junction 3758 Project. The Kilmore Town Centre Plan project has been led by Council using the services of Outlines Landscape Architecture. The Kilmore Town Centre Plan project received funding of \$140,000 from Regional Development Victoria through the Putting Locals First Program (PLFP).

A range of background technical documents were prepared and are summarised in the *Context and Issues Paper* which are available on the respective project websites www.kilmore3764.com.au and www.whj3758.com.au. The outcomes of Stage 1 community consultation informed the preparation of the *Emerging Options Paper* which sought to gain more specific feedback during Stage 2 community consultation and to test principles and aspirations for the townships.

Undertaking this process has informed the preparation of the draft Plans which provide detailed directions and implementation recommendations which are ready to be placed on public exhibition.

To help assist in the preparation of the Structure Plans and the Kilmore Town Centre Plan, Community Liaison Groups (CLG's) were appointed to help provide necessary community input into the preparation of the strategic documents. Council Project Steering Committees were also established to help develop each project.

DRAFT KILMORE STRUCTRE PLAN, DRAFT KILMORE TOWN CENTRE PLAN AND DRAFT WANDONG & HEATHCOTE JUNCTION STRUCTURE PLAN (CONT.)

ISSUES AND DISCUSSION

Structure of the draft Structure Plans

- Section 1 – Introduction & Context
- Section 2 – The Vision
- Section 3 – The Structure Plan
- Section 4 – The Precincts
- Section 5 – Implementation

Section 1 – Introduction & Context

This section provides an overview of key drivers for change, policy context, community consultation findings and information regarding why a Structure Plan is needed to provide direction for the relevant townships.

Section 2 – The Vision

This section outlines the vision for each of the townships to guide long-term land use and future decision making. The vision within each draft Structure Plan is based on findings from technical investigations, community consultation and input from key stakeholders.

Section 3 – The Structure Plan

This section of the draft Structure Plans provides high level strategic planning direction which will ultimately inform recommendations of the draft Plans and guide future decision making. Objectives, strategies and actions are provided on core elements of land use planning such as residential development, open space, the movement network and heritage and culture, amongst others.

Section 4 – The Precincts

Strategic directions are provided in a spatial manner within this section through preferred character statements, design objectives and recommended actions outlined for each identified precinct.

The purpose of the precincts within the draft Kilmore Structure Plan is to ensure future development is guided on a precinct based approach and that each precinct contributes to the broader plan and vision for a connected Kilmore. There is also an individual precinct for the town centre to incorporate broad directions from the draft Kilmore Town Centre Plan to ensure that these strategic projects align.

The purpose of the precincts in the draft Wandong & Heathcote Junction Structure Plan is to provide emphasis towards design guidelines when considering incremental development.

Section 5 – Implementation

DRAFT KILMORE STRUCTRE PLAN, DRAFT KILMORE TOWN CENTRE PLAN AND DRAFT WANDONG & HEATHCOTE JUNCTION STRUCTURE PLAN (CONT.)

This section outlines the approach to implementation through providing recommendations and strategic directions for the relevant townships. This section also provides an implementation plan which addresses the types of actions, timeframes and resources required to achieve the strategic directions.

Structure of the draft Kilmore Town Centre Plan

The draft Kilmore Town Centre Plan incorporates findings from consultation with key stakeholders such as community members, traders and landowners, around possible streetscape improvements to the town centre.

Through this process the following initiatives have been identified as the five (5) priority projects to be the concepts designed through the overall project:

- Project 1 – Sydney Street, Bourke Street to Union Street (includes streetscape works for the Core Activity and Retail Strip),
- Project 2 – Sydney Street, Union Street to Clarke Street (includes streetscape works along the Northern Commercial Strip),
- Project 3 - Kilmore Waterfront & Town Heart (includes a meeting space and also includes designs for Victoria Parade car parking),
- Project 4 - Kilmore Creek, from Hudson Park to Clarke Street (includes designs for improving accessibility such as pathways and wayfinding signage); and
- Project 5 – Alternative parking locations (includes investigating the car parking area behind the Royal Oak Hotel and providing improved design connections with the Kilmore Town Hall on the opposite side of Sydney Street).

Revitalisation projects require stakeholder support and elements which can be embraced beyond capital works improvements. As such another aspect of the town centre plan is to help establish a branding identity for the town centre which is being exhibited as part of the draft Kilmore Town Centre Plan.

CONSULTATION

The draft Plans have been prepared with the benefit of two stages of community consultation which has entailed over eight (8) weeks of formal community engagement. A summary of the consultation process and key findings from each stage are provided below:

- Stage 1 (Context and Issues)

This consultation period took place between June – July 2015 and the purpose was to understand the communities' priorities and aspirations for the future of the townships, particularly from a planning perspective.

Key community consultation findings for the Kilmore Structure Plan during this stage included (but are not limited to) the following:

- Lack of connecting road networks between new housing estates,

DRAFT KILMORE STRUCTRE PLAN, DRAFT KILMORE TOWN CENTRE PLAN AND DRAFT WANDONG & HEATHCOTE JUNCTION STRUCTURE PLAN (CONT.)

- Opportunity to enhance recreational footpath routes with public open space and amenities,
- Support for new housing to accommodate a growing population, however, there should be diversity in housing types and sizes,
- Kilmore's town centre is run down and neglected but there is potential to improve it; and
- While not a matter that can be directly addressed by the Structure Plan process, the frequency of bus services and limited bus routes was frequently raised as a community concern.

Key community consultation findings for the Wandong & Heathcote Junction Structure Plan during this stage included (but are not limited to) the following:

- Wandong and Heathcote Junction has a 'village atmosphere' which should be preserved,
- Support for a diversity of housing and block options, however, these should be respective of the townships' character,
- Lack of pedestrian and cycling connections is a primary infrastructure concern (noting this is mainly around connections to the town centre, primary school and other key facilities); and
- While not a matter that can be directly addressed by the Structure Plan process, the impacts the proposed Kilmore-Wallan Bypass could have on the townships was frequently raised as a community concern.

- Stage 2 (Emerging Options)

Consultation for this stage occurred between November – December 2015 and the exhibited Emerging Options Papers sought feedback on exhibited principles and aspirations and also identified investigation areas with key questions. The investigation areas were considered to define the logical development areas, however, identifying an investigation area does not pre-empt the overall Structure Plan recommendations or that planning changes will occur. Submissions were not actively sought but were received during this process which have been considered in the preparation of the draft Structure Plans.

Key community consultation findings for the Kilmore Structure Plan during this stage included (but are not limited to) the following:

- General support for the proposals outlined in the Emerging Options Paper,
- 'Get the basics right first' is a widely-held sentiment about planning for the future of Kilmore,
- Ensure that development is delivered holistically, in a precinct, not a 'piece-meal' approach, with adequate infrastructure and services,
- Plan for and support a diverse community,
- Future development, both in the town centre and across Kilmore, should be sympathetic to the historical character of the county town; and

DRAFT KILMORE STRUCTRE PLAN, DRAFT KILMORE TOWN CENTRE PLAN AND DRAFT WANDONG & HEATHCOTE JUNCTION STRUCTURE PLAN (CONT.)

- The level of future development should maintain Kilmore as a country town.

Following consideration of the above consultation findings and detailed investigations, key proposals of the draft Kilmore Structure Plan include (but are not limited to) the following:

- Outlines a vision seeking to strengthen Kilmore's role as a regional hub with high quality community facilities and diverse employment and housing options,
- Identifies future settlement boundaries which need to be maintained for the life of the structure plan (20-30 year period),
- Outlines that immediate rezoning recommendations, following adoption of the structure plan should concentrate on resolving current zoning anomalies.
- Provides guidance and outlines pre-conditions which will need to be satisfied for future growth to occur. This approach requires any future proponent lead amendments seeking to rezone land demonstrating benefits to the broader area and consistency with the structure plan principles,
- Improvements to Kilmore Creek to provide a passive open space network through Kilmore, including connections to the town centre and natural environments with shared paths and seating. The passive open space network will be supported by additional open space corridors to link existing reserves with drainage lines and establish shared path connections to existing and new neighbourhoods across the township,
- Identifies strategic locations for future community uses and facilities such as possible future school sites and sports grounds which support precincts of high amenity and livability that link into the surrounding area,
- Plans for a more connected movement network (for vehicles, pedestrians and cyclists) that can be delivered gradually as development proceeds. Seeks to fix missing links and provide for easier movement across the township; and
- Designates land as future investigation areas which are to be safeguarded for future consideration and no rezoning is recommended in the life of the structure plan. These future investigation areas need to be carefully considered against the future population needs of a growing Kilmore.

Key community consultation findings for the Wandong & Heathcote Junction Structure Plan during this stage included (but are not limited to) the following:

- Many participants identified the need for more infrastructure and services in certain key locations (confirming findings from Stage 1 consultation),
- Some participants prioritised the 'rural living atmosphere' contributed to by elements such as informal infrastructure over comprehensive infrastructure,
- General consensus that any proposed development should ensure the town character is retained and housing follows appropriate design guidelines; and
- Fire risk management was frequently identified as a priority planning consideration.

DRAFT KILMORE STRUCTRE PLAN, DRAFT KILMORE TOWN CENTRE PLAN AND DRAFT WANDONG & HEATHCOTE JUNCTION STRUCTURE PLAN (CONT.)

Following consideration of the above consultation findings and detailed investigations, key proposals of the draft Wandong & Heathcote Junction Structure Plan include (but are not limited to) the following:

- Recommends that the current role and function of the townships be retained and envisages incremental population growth,
- Identifies future settlement boundaries which need to be maintained for the life of the structure plan (20-30 year period),
- Outlines controls and guidance for incremental development in the Wandong village and on undeveloped land parcels and seeks additional heritage protection for places and items with heritage significance,
- Encourages improved pedestrian links to access importance community facilities and the establishment of an open space node in Heathcote Junction along the existing Say G'Day Trail,
- Discourages future development outside the settlement boundaries which would impact on the landscape amenity and village character of the townships; and
- Limits further subdivision of allotments within the Low Density Residential Zone in Heathcote Junction due to bushfire risk, interface with the State Forest and potential impacts on existing character.

The Kilmore Revitalisation Emerging Options Paper placed possible initiatives into two (2) categories:

- Essential projects – the projects which the project team have identified as critical to the success of the overall revitalisation project, therefore, exhibited questions focused on informing elements of the project as opposed to the overall intent. The three (3) essential projects identified were:
 - Streetscape works for the Core Activity and Retail Strip (along Sydney Street between Bourke and Union Streets),
 - Streetscape works along the Northern Commercial Strip (along Sydney Street between Union and Clarke Streets); and
 - Improving car parking on Victoria Parade.
- Possible projects – eight (8) possible projects were placed on exhibition and there was the opportunity for community members and interested parties to nominate their preference. The eight (8) possible projects exhibited were:
 - Identification of strategic land for potential purchases to improve connections,
 - A vision for Hudson Park,
 - Activating Kilmore Creek,
 - Wallan-Heathcote Bicycle Rail Trail (noting this is separate to the feasibility study work, this project was focusing on additional detailed work to promote the alignment abutting Kilmore Creek),

DRAFT KILMORE STRUCTRE PLAN, DRAFT KILMORE TOWN CENTRE PLAN AND DRAFT WANDONG & HEATHCOTE JUNCTION STRUCTURE PLAN (CONT.)

- Kilmore Waterfront,
- Northern Link Bridge,
- Multi-purpose Shelter; and
- Off-street car parking.

Key feedback received from the community on the Town Centre Plan Emerging Options Paper included (but is not limited to) the following:

- Strong support for improving the town centre and the projects identified,
- Supported the notion that there needs to be greater presence of street trees along Sydney Street, there was a slight preference for a more formal (boulevard) street tree planting approach,
- Majority of participants supported the initiative of reducing the speed limit of Sydney Street to 40 km/per hour; and
- The two (2) possible projects which the community supported as priorities were 'Activating the Kilmore Creek' and the 'Kilmore Waterfront' project which will focus on the surrounding area including Patrick Street and Victoria Parade. Elements of some of the other possible projects will inform the more detailed work but were not identified by the community as priorities for the overall revitalisation project.

- Stage 3 (Draft Structure Plans & Draft Town Centre Plan)

The proposed Stage 3 community consultation is the subject of this report. Proposed engagement activities for this stage are as follows:

- Drop-in sessions open to the community to meet and discuss the draft Plans with members of the project team. This will be across a number of dates and times (both within and outside of business hours) to be confirmed and publicly advertised,
- Preparation of an information brochure which will provide a succinct overview of recommendations around key themes such as open space and community infrastructure,
- New web forum questions,
- Written notice to all previous submitters (from Stages 1 & 2) about the draft Plans; and
- Written notice to key agencies / authorities seeking formal review (this included VicRoads, Goulburn Broken Catchment Management Authority, Public Transport Victoria and the Department of Education and Training, amongst others).

Community Liaison Groups

A Community Liaison Group containing representatives from across the community have been formed for the Kilmore 3764 Project (also includes the Kilmore Town Centre Plan) and the Wandong and Heathcote Junction 3758 Project. The purpose

DRAFT KILMORE STRUCTRE PLAN, DRAFT KILMORE TOWN CENTRE PLAN AND DRAFT WANDONG & HEATHCOTE JUNCTION STRUCTURE PLAN (CONT.)

of these groups has been to provide input into the project to assist in delivering planning outcomes that are most valued by the community.

Feedback into the draft Plans has been discussed and incorporated, where appropriate, throughout the projects. Key recommendations of the draft Plans have been discussed and presented to the respective Community Liaison Groups prior to Council consideration.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The draft Plans are currently operating within Council's budget parameters for each project. Consultation activities for exhibiting the draft Plans are included within the allocated project budgets.

There will be longer term implications associated with implementing the recommendations within the draft Plans which will require sourcing from both private and public funds. An implementation plan for each of the draft Plans has been prepared which will provide direction for future implementation.

POLICY AND LEGISLATIVE IMPLICATIONS

Preparation of the draft Plans is consistent with the Mitchell Shire Council Plan 2013-2017 strategic objective of sustainable growth and development which seeks to "*shape the future of our communities through forward planning and well built and maintained facilities and infrastructure*" as well as the strategic objective of healthy and vibrant communities which seeks to provide and support "*programs and services to build vibrant and healthy communities where people are proud to live*". Moreover, the 2015-2016 Annual Action Plan identifies the development of the draft Plans as actions for the current financial year.

The draft Plans are being prepared in accordance with the community engagement principles outlined within the Mitchell Shire Community Engagement Framework 2014.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

There are no social or environmental sustainability implications directly associated with releasing the draft Plans for the purpose of public exhibition. The content of the draft Plans addresses matters which are considered will provide an overall social and environmental benefit for current and future communities within the relevant townships.

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.

DRAFT KILMORE STRUCTRE PLAN, DRAFT KILMORE TOWN CENTRE PLAN AND DRAFT WANDONG & HEATHCOTE JUNCTION STRUCTURE PLAN (CONT.)

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 draft Plans are the product of a range of background technical investigations as well as two rounds of community consultation.

The draft Plans are now ready to be endorsed for public consultation purposes (Stage Three) which would occur for a period of four (4) weeks. Feedback received during this time will assist in informing the content and actions of the final Structure Plans and the final Kilmore Town Centre Plan, due to be considered by Council for adoption in August 2016.

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:

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. K. MULRONEY

SECONDED: CR. B. CORNISH

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
13 April 2016	P1965/2015 PLP240/14	72 Sutherland Street, Kilmore	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	Refusal to Grant a Planning Permit
22 April 2016	P2177/2015 PLP217/14	15 Darraweit Road, Wallan	Multi dwelling development comprising the construction of 25 dwellings and a 29 lot subdivision	Refusal to Grant a Planning Permit

Recent VCAT decisions

No recent decisions since last update.

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

Activities Carried out Under Delegation

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

REFERENCE NO.	ADDRESS	PROPOSAL	DECISION	DECISION DATE
North Ward				
PLP303/15	155 Dysart Road HILLDENE	2 lot subdivision (re-subdivision) and removal of an easement (SPEAR: S076629B)	Planning Permit	10-Mar-16
PLP339/15	365 Upper Goulburn Road TALLAROOK	Construction of extensions to an existing building	Planning Permit	23-Mar-16
PLP008/16	1970 Lancefield Pyalong Road PYALONG	2 lot subdivision (re-subdivision)	Planning Permit	24-Mar-16
Central Ward				
PLP011/16	155 McDonalds Road BROADFORD	Use and development of a telecommunications facility	Planning Permit	15-Mar-16
PLP311/15	44 Hamilton Street BROADFORD	2 lot subdivision (SPEAR: S076823H)	Planning Permit	17-Mar-16
PLP002/16	11 Branigan Drive KILMORE	Buildings and works comprising the construction of a retaining wall	Planning Permit	17-Mar-16
PLP138/14.01	Englisms Road BROADFORD	Buildings and works for the purpose of constructing a dwelling	Amendment	17-Mar-16
P306247/10.0 1	22 Tomlinson Track WILLOWMAVIN	Use of the land for leisure and recreation (simulated field and game shotgun target range)	Amendment	15-Mar-16
PLP268/15	4 Waterway Court KILMORE	3 lot subdivision (SPEAR: S075119P)	Planning Permit	10-Mar-16
PLP200/15	86 Wallis Road SUNDAY CREEK	Use of the land for animal husbandry including the construction of fencing	Planning Permit	22-Mar-16
PLP009/16	765 Strath Creek Road TYAAK	Buildings and works for the construction of a shed	Planning Permit	22-Mar-16
PLP010/16	150B Jones Road BROADFORD	Buildings and works including construction of a carport and shed	Planning Permit	22-Mar-16
PLP293/15	875 Kilmore Glenaroua Road GLENAROUA	Buildings and works including the construction of a dwelling, shed and bridge crossing a waterway	Planning Permit	23-Mar-16
PLP023/15	45-53 Davidson Street BROADFORD	9 lot subdivision and the removal and creation of easements (SPEAR: S063052P)	Planning Permit	23-Mar-16

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

PLP026/16	30 Box Forest Road BROADFORD	Buildings and works for the construction of a shed	Planning Permit	24-Mar-16
PLP019/16	40 Highgate Road KILMORE	Removal of native vegetation	Planning Permit	29-Mar-16
PLP045/15	10 Reservoir Road BROADFORD	68 lot subdivision and removal of native vegetation	Planning Permit	31-Mar-16
PLP296/14	20 Coopers Road WILLOWMAVIN	Buildings and works for the construction of an extension between two dwellings	Planning Permit	31-Mar-16
South Ward				
PLP169/15	517 Wandong Road WANDONG	Multi-lot subdivision, removal of vegetation and the creation of access to a road in a Road Zone (Category 1)	Planning Permit	15-Mar-16
PLP329/14	125 Rows Lane WALLAN	Multi lot residential subdivision (SPEAR: S058406B)	Planning Permit	15-Mar-16
PLP246/15	156 Wellington Street WALLAN	Use and development of a child care centre and display of business identification signage	Planning Permit	24-Mar-16

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

8 CORPORATE SERVICES

8.1 APPOINTMENT OF CHAIR TO AUDIT COMMITTEE

Author: Laurie Ellis - Director Corporate Services

File No: CM/08/003

Attachments: Nil

SUMMARY

This report recommends the reappointment of Mr. Michael Ulbrick as Chair of the Mitchell Shire Council Audit Committee for the 2016 year and for the first Audit Committee meeting in 2017.

COUNCIL RESOLUTION

MOVED: CR. R. SANDERSON

SECONDED: CR. R. PARKER

THAT Council endorse the reappointment of Mr. Michael Ulbrick to the role of Chair, Independent Audit Committee, for the 2016 year and for the first Audit Committee meeting in 2017.

CARRIED

BACKGROUND

Council's Audit Committee is established under Section 139 of the *Local Government Act 1989* and is formally established and appointed as an independent advisory Committee of Council, responsible to the Council.

The primary objective of the Committee is to assist Council in the effective conduct of its responsibilities for maintaining reliable systems of internal control, financial reporting and management of risk, and to support Council's approach to good governance and sustainable long term asset and financial management.

At the Ordinary Council meeting of 16 February 2015 Council reappointed Mr. Ulbrick for a full second term, concluding February 2017. At that meeting, Council further endorsed Mr. Ulbrick's appointment as Chair of the Audit Committee for the 2015 year. It should be noted that the Charter provides for Council to annually appoint an Independent Member as Chair of the Audit Committee.

ISSUES AND DISCUSSION

The skill and experience requirements of Independent Members were strengthened in the 2013 Charter review in order to ensure the robustness of financial advice to Council. The Charter now requires that the members, taken collectively, have a broad range of skills and experience relevant to a complex business environment and the operations of a growth Council.

APPOINTMENT OF CHAIR TO AUDIT COMMITTEE (CONT.)

Mr. Ulbrick was appointed to the Audit Committee in February 2011 and completed his first term in February 2014. Prior to this completion date Council at its Ordinary Meeting of 14 October 2013, reappointed Mr. Ulbrick for a further term of twelve months, leaving a balance of two years to complete a full second term. At its Ordinary Council meeting of 16 February 2015 Council reappointed Mr. Ulbrick for a full second term, concluding February 2017.

CONSULTATION

Appropriate internal consultation has taken place in the preparation of this report.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The Audit Committee plays a key role in advising Council on sound systems of financial management and good governance.

Council pays each independent member a fee of \$1,250.00 per meeting attendance to a minimum of \$5,000.00 per year. Should an independent member be appointed the Chairperson of the Audit Committee, an additional amount of \$1,000.00 is paid. These fees are included within the approved Council Budget and are consistent with industry norms for a Council of Mitchell's size.

POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy implications of this proposal.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

There are no sustainability implications identified.

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 reappointment of Mr. Michael Ulbrick as Chair of the Mitchell Shire Council Audit Committee for the 2016 year and for the first Audit Committee meeting in 2017 will provide added continuity for the Committee.

8.2 DRAFT 2016/2017 BUDGET AND REVISED STRATEGIC RESOURCE PLAN

Author: Nicole Maxwell - Manager Finance

File No: FN/09/022

Attachments: 1. Revised Strategic Resource Plan - Under Separate Cover
2. Draft 2016/17 Budget - Under Separate Cover

SUMMARY

This report recommends that Council resolves to undertake an annual review of the Strategic Resource Plan (SRP) and to prepare a Draft 2016/17 Budget in accordance with Sections 126 and 127 of the *Local Government Act 1989 (the Act)*. Council is required to give public notice of these documents pursuant to Section 129 of the Act.

COUNCIL RESOLUTION

MOVED: CR. R. LEE

SECONDED: CR. R. SANDERSON

THAT Council resolves to endorse:

1. The revised Strategic Resource Plan 2017-2020 and Draft 2016/17 Budget, included as an attachment – circulated separately and annexed to the Minutes, be the revised Strategic Resource Plan 2017-2020 and the Draft 2016/17 Budget prepared by Council for the purposes of Sections 126(3) and 127(1) of the *Local Government Act 1989*.
2. The Chief Executive Officer be authorised to:
 - (a) Give public notice of the revised Strategic Resource Plan 2017-2020 and the Draft 2016/17 Budget in accordance with Section 129(1) of the *Local Government Act 1989* noting the dates for public notice are from Wednesday, 27 April 2016 to Tuesday, 24 May 2016.
 - (b) Invite submissions on any proposal contained in the revised Strategic Resource Plan 2017-2020 or the Draft 2016/17 Budget in accordance with Section 129(2) of the *Local Government Act 1989*.
 - (c) Effect any minor administrative changes which may be required to the revised Strategic Resource Plan 2017-2020 or the Draft 2016/17 Budget.

THAT Council resolves to note:

3. Submissions will be considered at a Hearings Committee meeting of Council to be held on Monday, 6 June 2016 at 7.00pm in the Council Chamber, 113 High Street, Broadford.
4. Subject to changes to either document after consideration of all submissions, the revised Strategic Resource Plan 2017-2020 and the Draft 2016/17 Budget will be presented for adoption as Council's Strategic Resource Plan 2017-2020 and Budget for 2016/17, in accordance with Sections 126(3) and 130(1) of the *Local Government Act 1989*, at an Ordinary Meeting of Council to be held on Monday, 20 June 2016 at 7.00pm in the Council Chamber, 113 High Street, Broadford.

CARRIED

BACKGROUND

Annual review of Strategic Resource Plan (SRP)

Pursuant to Sections 125 and 126 of the Act, Council is required to annually review its Council Plan which comprises two sections. The first focuses on strategies and objectives to deliver the vision for the Shire and the second (the SRP), identifies resources required to achieve those objectives.

Council will consider the first section of the Council Plan at its meeting on 18 April 2016.

Draft 2016-17 Budget

Under Section 127 of the Act, Council is required to prepare a Budget. This describes how Council intends to allocate resources to deliver services and invest in key infrastructure.

Council will make these documents available to the public pursuant to Section 129 of the Act and invite submissions pursuant to Section 129(2).

ISSUES AND DISCUSSION

Council has an obligation to manage its finances in line with the Act by implementing the principles of sound financial management. Like most Councils, Mitchell faces a range of short term and long term financial challenges.

The revised SRP and the Draft 2016/17 Budget seek to balance the demand for services and infrastructure with revenue while rebuilding Council's cash position, in the short term. These plans continue to take corrective measures commenced by Council in recent years to improve long term financial sustainability.

Annual budgets and SRPs are formed using a combination of confirmed factors and assumptions. The key assumptions reviewed are:

- overall increase in rates and charges income including the level of growth and supplementary rates;
- the level of borrowings and linkage to projects;
- expected capital revenue linked to capital projects;
- expected movements in income and expenses;
- services provided;
- Council's cash holdings; and
- overall financial sustainability indicators.

The key challenges addressed in the revised SRP include:

- **Rate Capping** – The 2016/17 rates are to be capped at 2.5% and Mitchell Shire Council will not be seeking an exemption. This is a 2% reduction each year compared with the previous SRP where 4.5% was planned for. To ensure this reduction in rates revenue does not compromise the work to improve long term

DRAFT 2016/2017 BUDGET AND REVISED STRATEGIC RESOURCE PLAN (CONT.)

financial sustainability, a reduction of \$633K in operating costs in 2016/17 has been undertaken. The remaining three years within the SRP have also been reduced to an assumed 2.5% cap.

- **Population growth** – Mitchell Shire comprises both rural and urban areas with continued strong growth expected, particularly in the South. This brings with it a requirement to plan appropriately, build new infrastructure for our new communities as well as the provision of additional and appropriate services to these communities. Challenges in this area include having sufficient capacity to plan for and provide the infrastructure and services to these growing communities within the timeframes and levels expected.
- **Underlying Operating Deficits** – Ongoing underlying operating deficits are not financially sustainable in the long term. The previously adopted SRP expected an adjusted underlying result of -\$4.1M in 2016/17 and Council has reduced this result to -\$2.1M in the Draft 2016/17 Budget, a \$2M improvement. A further \$2M is planned to be reduced in 2017/18. This is to assist in reducing ongoing deficits and provide increased funding for capital. Council has commenced critically reviewing all assets and services and will continue to work with the Community to set revised priorities that are developed within a financially sustainable framework. Council will of course continue to advocate to other levels of government for increased funding to support its operational and investment requirements.
- **Replenishing cash reserves** – Council's current cash holdings are inadequate to cover all reserves in addition to day to day business commitments, meaning Council has a number of notional reserves which are not cash backed at this time. Council should hold \$10M in cash holdings at a minimum in addition to the value held for reserves to ensure we can fund all works during periods of high expenditure and low income. The SRP remains focused on returning some of Council's cash from operations towards improving cash balances.
- **Investment in Infrastructure** – The capital works budget is insufficient at this time to meet all capital demands, however the capital works funds available has improved from the previous SRP with the redirection of \$4M over two years to Capital. The past SRP forecast \$25.6M in Capital works expenditure whereas the revised SRP over those same three years, excluding carry forwards, forecasts \$43M. There is now a declining gap between what needs to be spent and what is being spent on renewing our assets as well as building new assets. This improvement has been a priority area for Council and is improving over the long term.
- **Borrowing for long term benefit** – Future borrowings will continue to be linked to capital projects that provide cross generational benefits. Borrowings have been identified in the SRP for strategic land purchases in the South of the Shire in order to provide future community infrastructure, planning and construction of Seymour's flood levee and Council's contribution towards community infrastructure obligations resulting from new residential developments.
- **Cost Shifting** – Councils are continually being required to respond to changes in available funding for the provision of services within the State Government portfolio. This reduces what can be achieved through specific purpose grants that do not keep pace with the rising cost of service provision.

DRAFT 2016/2017 BUDGET AND REVISED STRATEGIC RESOURCE PLAN (CONT.)

Key areas included in the revised SRP and Draft 2016/17 Budget are as follows:

Services (Operational Budget)

Council has scrutinised its operational budgets and achieved efficiencies to turn things around and redirect \$2M towards Capital and work within the 2.5% rate cap.

Recurrent operating budgets for Council services have been adjusted to reflect changes in costs, including inflation and contracted prices. In many cases operating costs for specific items have been reduced and overall operating costs (excluding depreciation) have been reduced by 2.43% when compared with the 2015/16 Forecast.

Staffing levels will reduce with a restructure that will see employee costs reduced by \$40K compared to the 2015/16 forecast, this may seem small but it shows that Council has contained the 3% EBA increase as well as other staff entitlement changes. This reduction is achieved through an FTE reduction of 5 compared to the 2015/16 forecast, a reduction of 20 FTE when compared to the 2014/15 Actuals. Council will continue to review vacancies and ensure that staffing structures are efficient and fit for purpose.

Rates and Charges

Council's long-term sustainability relies on its ability to raise sufficient income to deliver services, maintain and renew existing assets and build new assets and infrastructure to cater for growth.

The Budget proposes an overall increase in total rates and charges revenue to be collected. The proposed increase in revenue is 2.5%, an assumed rate cap for the four years and will be subject to the annual notification. The 2.5% is less than projected in Council's past SRP, which identified a 4.5% increase for the 2016/17 financial year and beyond.

Capital

Council's Draft 2016/17 Budget supports a new capital works program of \$16.92M and a total program of \$26.02M which includes 2015/16 carry forward projects. The program will be funded from a combination of government grants, proceeds from sale of assets, council operations and borrowings. Council has included \$7.41M in borrowings to support strategic land purchases, the Seymour Flood Levee project and the Mandalay Community Centre.

Meeting the asset renewal challenge

The challenge to fund the appropriate renewal of existing assets (roads, drains, buildings, etc.) is one that Mitchell Shire shares with many other municipalities. For our Shire the challenge is an urgent one as much of our infrastructure was built in the 1960s and is beginning to reach the end of its useful life.

The Draft 2016/17 Budget assigns \$7.972M to the renewal of Council assets. This amount will increase each year with renewal funding continuing to be Council's first priority for capital works.

DRAFT 2016/2017 BUDGET AND REVISED STRATEGIC RESOURCE PLAN (CONT.)

Borrowings

Provision has been made for \$7.41M in new borrowings during 2016/17. \$5M is to fund a strategic land purchase in the South of the Shire which is carried forward from the 2015/16 Budget. These funds will be drawn down when the purchase is ready to proceed. \$0.91M relates to Stage 2 of the Seymour Flood Levee project and \$1.5M towards the Mandalay Community Centre.

CONSULTATION

Councillors and Executive have worked together in the development of this Budget over a number of briefing and discussion sessions.

In accordance with Section 129 of the Act, the revised SRP and Draft 2016/17 Budget will be exhibited for public consultation through a public notice and will be available for inspection at the following locations:

- Council's Libraries and Customer Service Centres:
 - Broadford – 113 High Street
 - Kilmore – 12 Sydney Street
 - Seymour – 125 Anzac Avenue
 - Wallan – 9/81-99 High Street
- Council's website – www.mitchellshire.vic.gov.au

A period of 28 days is provided for the public to lodge submissions which are required to be lodged with Council by 5.00pm on Tuesday, 24 May 2016.

Council will consider all submissions and will offer those requesting it, the opportunity to present to a Hearings Committee meeting in support of their submission. The Hearings Committee is scheduled to be held at 7.00pm on Monday, 6 June 2016 in the Council Chamber, 113 High Street, Broadford.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Financial, resource and asset management implications associated with the Draft 2016/17 Budget and revised SRP have been detailed in the body of this report and the attached documents.

The costs of preparing these documents, such as public notices, are funded from operating budget allocations.

POLICY AND LEGISLATIVE IMPLICATIONS

The Draft 2016/17 Budget has been prepared in accordance with the requirements of the *Local Government Act 1989* Section 125.

The revised Strategic Resource Plan has been prepared in accordance with the requirements of the *Local Government Act 1989*, Section 126.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

DRAFT 2016/2017 BUDGET AND REVISED STRATEGIC RESOURCE PLAN (CONT.)

The Shire's sustainability relies on its ability to raise sufficient income to deliver required services, maintain and renew existing assets and build new assets and infrastructure to cater for growth.

There are no environmental or social implications associated with the preparation 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

The Draft 2016/17 Budget and revised SRP frame how Council will allocate resources to services and projects and have been prepared within tight financial constraints and with regard to agreed strategic policy directions and objectives.

Council believes the draft documents strike a reasonable balance between ensuring the continuing provision of the operational services and infrastructure investment that support the community while meeting the rate cap.

It is recommended that Council exhibits the Draft 2016/17 Budget and Revised SRP for public comment.

8.3 RATING STRATEGY REVIEW

Author: Nicole Maxwell - Manager Finance

File No: RA/13/001

Attachments: 1. Rating Strategy

SUMMARY

As part of the Strategic Resource Plan review and preparation of the draft 2016/17 Budget, a review of the current Rating Strategy was undertaken. An update to the policy is recommended in which all existing rating categories remain as they are, and a new differential category for Vacant Commercial or Industrial Land is introduced and the Municipal Charge reduced.

COUNCIL RESOLUTION

MOVED: CR. B. CHISHOLM

SECONDED: CR. R. SANDERSON

THAT Council resolves:

1. To endorse the revised Rating Strategy included as an attachment, and
2. The Chief Executive Officer be authorised to:
 - (a) Give public notice of the revised Rating Strategy noting the dates for public notice are from Tuesday, 19 April 2016 to Monday, 23 May 2016.
 - (b) Invite submissions on any proposal contained in the revised Rating Strategy.
 - (c) Effect any minor administrative changes which may be required to the revised Rating Strategy.

CARRIED

BACKGROUND

A rating strategy is the method by which Council systematically considers factors of importance that collectively result in the level of rates and charges imposed on each rateable property. It does not influence the total amount of money to be raised, only the proportions to be raised from (a) each type of rate or charge and (b) each rateable property.

The Mitchell Rating Strategy was last reviewed in 2013/14. Each year the principles contained within have been reviewed and tested with Council and no changes recommended, however in 2015/16 Council did resolve to hold the Municipal Charge at \$299 in place of the maximum allowable limit of 20%.

RATING STRATEGY REVIEW (CONT.)

ISSUES AND DISCUSSION

As part of the 2016/17 Budget and Strategic Resource Plan preparation, Rate Strategy changes have been discussed and the strategy modified to reflect the changes.

The revised strategy is attached and the two changes are detailed below.

1. Differential Category

Council's current differential categories and ratios are;

Differential Category	Ratio
General Land	1.00
Vacant Land	2.00
Rural Agricultural Land (40ha-100ha)	0.90
Rural Agricultural Land (greater than 100ha)	0.80
Subdivisional Land	2.00

The revised strategy seeks to add a new differential category of Vacant Commercial or Industrial Land at a ratio of 2.1 in 2016/17, and increasing by 0.1 each year until the category reaches a cap of 2.5.

Proposed differential categories are;

Differential Category	Ratio
General Land	1.00
Vacant Land	2.00
Vacant Commercial or Industrial Land	2.10
Rural Agricultural Land (40ha-100ha)	0.90
Rural Agricultural Land (greater than 100ha)	0.80
Subdivisional Land	2.00

The Vacant Commercial or Industrial Land Differential Rate applies to land situated in a planning zone in which commercial or industrial development is encouraged and supported. As vacant land valuations are typically one half of developed land, the ratio applied to this rate represents an equalisation factor between the Vacant Commercial or Industrial Land Differential Rate and General Land Differential Rate, this is in addition to a factor then applied to encourage development of vacant commercial or industrial land and to discourage land banking.

In addition to discouraging vacant commercial or industrial land, the secondary objective of the Vacant Commercial or Industrial Land Differential Rate is as per the Vacant Land Differential, to ensure that land makes an equivalent contribution towards the services and facilities invested in by the Council, as there is an expectation that these services and facilities will be immediately available upon development of the land.

RATING STRATEGY REVIEW (CONT.)

2. Municipal Charge

Council's current Rating Strategy proposes that the amount of the municipal charge be calculated at the maximum allowable limit of 20% of the sum total of the general rate and municipal charge revenue, divided by the number of applicable charges.

In 2015/16 the Municipal Charge was held at the rate of \$299 and was therefore 17% of the general rate and municipal charge revenue. This was a conscious decision to lower the rate burden on properties of lower value.

The revised Rating Strategy proposes that the amount of the municipal charge be calculated at approximately 17% of the sum total of the general rate and municipal charge revenue, which is less than the maximum allowable limit of 20%. This will be an increase of the sum total of the general rate and municipal charge revenue in the 2015/16 charge of \$299, but will keep the amount lower than the maximum allowable limit thereby holding the rate burden steady within the Shire.

The principle of equity is supported and the need to balance a municipal charge with relativity is recognised, lowering the municipal charge to 17% slightly reduces rate rise impacts on the 'generally' lower socio economic groups within the Shire. The municipal charge is a regressive tax that disadvantages lower valued properties.

CONSULTATION

Councillors and Executive have worked together in the revision of this Strategy over a number of briefing and discussion sessions.

The revised Rating Strategy will be exhibited for public consultation through a public notice and will be available for inspection at the following locations:

- Council's Libraries and Customer Service Centres:
 - Broadford – 113 High Street
 - Kilmore – 12 Sydney Street
 - Seymour – 125 Anzac Avenue
 - Wallan – 9/81-99 High Street
- Council's website – www.mitchellshire.vic.gov.au

A period of 28 days is provided for the public to lodge submissions which are required to be lodged with Council by 5.00pm on Monday, 23 May 2016.

Council will consider all submissions and will offer those requesting it, the opportunity to present to a Hearings Committee meeting in support of their submission. The Hearings Committee is scheduled to be held at 7.00pm on Monday, 6 June 2016 in the Council Chamber, 113 High Street, Broadford.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The costs of preparing the Rating Strategy, such as public notices, are funded from operating budget allocations. There are no resource or asset management implications.

RATING STRATEGY REVIEW (CONT.)

POLICY AND LEGISLATIVE IMPLICATIONS

To comply with the Local Government Act (1989) Section 161, Council will continue to use the Capital Improved Value system to calculate general rates, therefore permitting the continued use of differential rating. The categories of differential rates are defined by land class and land use and complies with Ministerial guidelines.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The revised Rating Strategy will have two social impacts:

1. Increasing the rate burden to those properties classified as Vacant Commercial or Industrial Land and lowering the burden to all other properties; and
2. Slightly increasing the rate burden to those higher valued properties as opposed to lower valued properties. However it should be noted that the 2015/16 Municipal Charge of \$299 already shifted the secondary impact to 17% and the revision will update the strategy with current practice.

There are no environmental implications associated with the preparation 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

The revised Rating Strategy introduces a new differential category to encourage development in Commercial and Industrial Land and lowers the Municipal Charge in line with 2015/16 practice. Council endorsement is recommended for public display and comment.

9 ENGINEERING AND INFRASTRUCTURE

9.1 PROPOSED SALE OF LAND IN CONWAY STREET KILMORE

Author: Teresa Hendy - Property Officer

File No: CP/05/029

Attachments: 1. Conway Steet Subdivision

SUMMARY

To provide an update to Council and seek support for the sale of Council owned property located on Conway Street in Kilmore.

COUNCIL RESOLUTION

MOVED: CR. R. PARKER

SECONDED: CR. R. LEE

THAT Council:

1. Authorise the Chief Executive Officer and/or delegate to continue the necessary legislative processes required in accordance the *Local Government Act* 1989 to enable the sale of the part of the land currently known Lot 2 on TP14526U, Volume 10463 Folio 443 and which, with the completion of the subdivision, will see the land more particularly identified as Lot 1 on Plan of Subdivision 747382R, located at Conway Street Kilmore.
2. Upon the completion of the processes required under the *Local Government Act* 1989, Authorise the Chief Executive Officer and/or delegate to commence the sale of the part of the land currently known Lot 2 on TP14526U, Volume 10463 Folio 443 and which, with the completion of the subdivision, will see the land more particularly identified as Lot 1 on Plan of Subdivision 747382R located at Conway Street Kilmore.
3. Authorise the signing and sealing of all forms and legal documentation required to complete the registration, sale and transfer of the part of the land currently known Lot 2 on TP14526U, Volume 10463 Folio 443 and which, with the completion of the subdivision, will see the land more particularly identified as Lot 1 on Plan of Subdivision 747382R, located at Conway Street Kilmore.

CARRIED

BACKGROUND

Council was briefed on 9 November 2015 and 7 December 2015 regarding consideration of the sale of part of Conway Street in Kilmore. At both of these briefings, Council conferred support for the continuation of the steps towards the sale.

The land proposed to be sold is a section of land which makes up the land title for the southern section of Conway Street. The land does not form part of the road and is not being used for a Council or community purpose.

PROPOSED SALE OF LAND IN CONWAY STREET KILMORE (CONT.)

ISSUES AND DISCUSSION

Conway Street, between Kilmore Lancefield Road and Sutherland Street, is made up of two parcels of land, being Lot 1 and Lot 2 on TP14526U. The subdivision of the land to separate the land proposed to be sold from the land to be retained within the road reserve is in the process of being completed.

The subdivision plan is shown on Attachment 1. The land in the northern section of Conway Street, Lot 1, has also been included in the process, which will result in the whole of Conway Street being vested within a single road reserve.

Should Council support the sale, there are some further steps to be undertaken including obtaining a valuation of the 888m² parcel of land within the six months prior to the sale. Expressions of interest will be obtained from local real estate agents to act on behalf of Council for the sale. Should one of the neighbours wish to purchase the land, this may be able to be negotiated and settled directly. Legal representation will be required for the settlement and land transfer.

CONSULTATION

The public notice for the proposed sale of the land was given on 23 February 2016 for a period of 30 days, with no submissions being received in response to the advertising.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Council would benefit monetarily from the sale of the land, particularly as the land is not reserved for a public or municipal purpose.

Council does not gain any benefit from retaining the land and carries a burden of risk associated with the ownership of the land.

As previously indicated, a restricted desktop assessment to value the land described above has been completed by Council's Valuer. The valuation was considered on the basis that the land is not serviced and would require upgraded road access for residential development. Other factors included that the land is slightly irregular in shape and that it has the capacity to accommodate a dwelling or, subject to planning approval, residential units. Purchasers of the property would be likely to take into account the costs to provide services to the property for residential use, to upgrade the road access from Conway Street and to prepare the site for development including clearing of any redundant site works and removal of trees. The valuation of the land has been given in the range of \$85,000 and \$95,000.

POLICY AND LEGISLATIVE IMPLICATIONS

The sale of the land at Conway Street is consistent with Council's new and reviewed policies, including *Council's Asset Disposal Policy 2014*, *Asset Management Policy 2010 – Revision 2015* and *Asset Management Strategy 2010 – Revision 2015*.

The sale of the land at Conway Street is consistent with the *Local Government Act 1989* clauses for Council to:

- *3C(a) to promote the social, economic and environmental viability and sustainability of the municipal district;*

PROPOSED SALE OF LAND IN CONWAY STREET KILMORE (CONT.)

- *3E1(a) advocating and promoting proposals which are in the best interests of the local community;*
- *3E1(e) raising revenue to enable the Council to perform its functions;*

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

Income from the sale of the Conway Street Kilmore land would contribute to Council's funds towards meeting its commitments to our local 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

The land at Conway Street Kilmore, part of the land currently known Lot 2 on TP14526U, Volume 10463 Folio 443 and which, with the completion of the subdivision, will see the land more particularly identified as Lot 1 on Plan of Subdivision 747382R, is not required for Council or community purposes and is therefore considered to be surplus to requirements.

There have been no submissions objecting to the sale, either from within Council or from the community.

There does not appear to be any pragmatic basis upon which to base the retention of the land and therefore it is recommended that support be given for the sale of the land as described above.

9.2 PROPOSED SALE OF LAND 169 HIGH STREET SEYMOUR

Author: Teresa Hendy - Property Officer

File No: CP/05/031

Attachments: 1. Subdivision Plan

SUMMARY

To provide an update to Council and seek support for the sale of Council owned property located at 169 High Street Seymour.

COUNCIL RESOLUTION

MOVED: CR. W. MELBOURNE

SECONDED: CR. R. SANDERSON

THAT Council:

1. Authorise the Chief Executive Officer and/or delegate to continue the necessary legislative processes required in accordance the *Local Government Act* 1989 to enable the sale of the part of the land currently known Lot 4 on LP44416, Volume 8257 Folio 347 and which, with the completion of the subdivision, will see the land more particularly identified as Lot 1 on Plan of Subdivision 747391Q, located at 169 High Street Seymour.
2. Upon the completion of the processes required under the *Local Government Act* 1989, Authorise the Chief Executive Officer and/or delegate to commence the sale of the part of the land currently known Lot 4 on LP44416, Volume 8257 Folio 347 and which, with the completion of the subdivision, will see the land more particularly identified as Lot 1 on Plan of Subdivision 747391Q, located at 169 High Street Seymour.
3. Authorise the signing and sealing of all forms and legal documentation required to complete the registration, sale and transfer of the part of the land currently known Lot 4 on LP44416, Volume 8257 Folio 347 and which, with the completion of the subdivision, will see the land more particularly identified as Lot 1 on Plan of Subdivision 747391Q, located at 169 High Street Seymour.

CARRIED

BACKGROUND

Council was briefed on 1 February 2016 and 11 April 2016 regarding consideration of the sale of land at 169 High Street Seymour. At both of these briefings, Council conferred support for the continuation of the steps towards the sale.

The land proposed to be sold is located on the corner of High Street and Redbank Road in Seymour, the south west corner of which is under road. The land proposed to be sold is vacant unimproved land which is not being used for a Council or community purpose.

PROPOSED SALE OF LAND 169 HIGH STREET SEYMOUR (CONT.)

ISSUES AND DISCUSSION

The subdivision of the land, to separate the residential land proposed to be sold from the land to be contained within the road reserve, is close to completion. The subdivision plan is shown on Attachment 1.

Should Council support the sale, there are some further steps to be undertaken including obtaining a valuation of the 491m² parcel of land within the six months prior to the sale. Expressions of interest will be obtained from local real estate agents to act on behalf of Council for the sale. Should one of the neighbours wish to purchase the land, this may be able to be negotiated and settled directly. Legal representation will be required for the settlement and land transfer.

CONSULTATION

The public notice for the proposed sale of the land was given on 16 March 2016 for a period of 30 days, with no submissions being received in response to the advertising.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Council would benefit monetarily from the sale of the land, particularly as the land is not reserved for a public or municipal purpose.

Council does not gain any benefit from retaining the land and carries a burden of risk associated with the ownership of the land.

POLICY AND LEGISLATIVE IMPLICATIONS

The sale of the land at 169 High Street is consistent with Council's new and reviewed policies, including *Council's Asset Disposal Policy 2014*, *Asset Management Policy 2010 – Revision 2015* and *Asset Management Strategy 2010 – Revision 2015*.

The sale of the land at High Street is consistent with the *Local Government Act 1989* clauses for Council to:

- *3C(a) to promote the social, economic and environmental viability and sustainability of the municipal district;*
- *3E1(a) advocating and promoting proposals which are in the best interests of the local community;*
- *3E1(e) raising revenue to enable the Council to perform its functions;*

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

Income from the sale of the land at 169 High Street, Seymour would contribute to Council's funds towards meeting its commitments to our local 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.

PROPOSED SALE OF LAND 169 HIGH STREET SEYMOUR (CONT.)

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 land at 169 High Street Seymour, the land currently known Lot 4 on LP44416, Volume 8257 Folio 347 and which, with the completion of the subdivision, will see the land more particularly identified as Lot 1 on Plan of Subdivision 747391Q, is not required for Council or community purposes and is therefore considered to be surplus to requirements.

There have been no submissions objecting to the sale, either from within Council or from the community.

There does not appear to be any pragmatic basis upon which to base the retention of the land and therefore it is recommended that support be given for the sale of the land as described above.

9.3 DRAFT KERBSIDE COLLECTION POLICY

Author: Narelle Liepa - Waste Management Coordinator

File No: WM/05/001-01

Attachments:

1. Broadford Garbage Collection Route
2. Hidden Valley Garbage Collection Route
3. Kilmore Garbage Collection Route
4. Pyalong Garbage Collection Route
5. Tallarook Garbage Collection Route
6. Tooborac Garbage Collection Route
7. Waterford Park (Clonbinane) Garbage Collection Route
8. Beveridge Garbage Collection Route
9. Wallan Garbage Collection Route
10. Seymour Garbage Collection Route
11. Wandong Heathcote Junction Garbage Collection Route
12. Garbage Collection Route Connector Roads
13. Draft Kerbside Collection Policy

SUMMARY

This report outlines the Draft Mitchell Shire Council Draft Kerbside Collection Policy. The Policy has been developed in order to provide strategic guidance for the provision of Council's kerbside garbage and recycling collection services. It defines compulsory collection routes and criteria for extensions and exemptions of services, refusal of services, resident obligations, collection times and the application of the associated waste service charges.

Council adopted the *Mitchell Shire Council Waste Management Strategy 2016-2021* in December 2015. A key goal of the WMS is to provide kerbside waste and recycling services across the shire in an efficient, reliable and sustainable manner. The development and subsequent adoption of a Kerbside Collection Policy for kerbside waste collection services is included as an action of the Waste Management Strategy.

COUNCIL RESOLUTION

MOVED: CR. K. MULRONEY

SECONDED: CR. R. SANDERSON

THAT Council: adopt the Draft Kerbside Collection Policy.

CARRIED

BACKGROUND

Waste management including kerbside garbage and recycling collection is a core and essential service provided by local government to the community. Currently

DRAFT KERBSIDE COLLECTION POLICY (CONT.)

Mitchell Shire Council does not have an endorsed Kerbside Collection Policy to guide its kerbside collection service delivery and compulsory waste collection zones. Approximately 80% of Council's residential/rural tenements receive a kerbside collection service with no formal policy guiding the service delivery. The development of the Draft Kerbside Collection Policy seeks to formalise the current service delivery process and compulsory waste charge routes thus enabling the policy to be utilised as a guiding document for service delivery.

Council adopted the *Mitchell Shire Council Waste Management Strategy (WMS) 2016-2021* in December 2015. A key goal of the WMS is to provide kerbside waste and recycling services across the shire in an efficient, reliable and sustainable manner. The development and subsequent adoption of a Kerbside Collection Policy for kerbside waste collection services is included as an action of the WMS.

Compulsory kerbside collection routes are defined existing service routes, which primarily include townships within the shire and major roads that connect townships.

The compulsory kerbside collection township zones include the following towns:

Seymour, Broadford, Pyalong, Tooborac, Tallarook, Waterford Park (Clonbinane), Kilmore, Hidden Valley, Wallan, Beveridge, and Wandong/Heathcote Junction.

In addition to the townships, key connecting road routes are also identified as compulsory collection zones.

A series of township kerbside collection route maps have been developed as appendices to the Draft Kerbside Collection Policy. These maps outline all current compulsory township collection zones. Collection zones are made compulsory in order to streamline administration of the service delivery, maximise economies of scale for the provision of waste services and to alleviate confusion for collection service providers. It is currently not feasible to support a kerbside collection service in all areas of the shire due to its geographical size and the topography of some roads.

The Draft Kerbside Collection Policy includes provisions for requests for extensions to services by residents and the criteria for which applications are to be assessed. The draft policy also outlines resident's obligations when receiving the service, circumstances when collection will be refused and the service inclusions. The draft policy also includes a reference to review and update the policy content should a Food Organics Green Organics (FOGO) Kerbside collection service be introduced to the shire in the future.

CONSULTATION

During the development of the Draft Kerbside Collection Policy officers have consulted with waste colleagues from Goulburn Valley Waste Resource Recovery Group member Council's regarding the content of their respective Council Kerbside collection policies. The action to develop a Draft Kerbside Collection Policy has also been included in the Mitchell Shire Council Waste Management Strategy 2016-2021 which was released for public consultation during 2015.

DRAFT KERBSIDE COLLECTION POLICY (CONT.)

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The adoption of the Draft Kerbside Collection Policy will assist in ensuring that the maximum number of properties are contributing to the breadth of waste management services provided by Council to the community and assist in maximising the economies of scale for service delivery. The provision of kerbside collection services is fully funded through the waste services charge.

POLICY AND LEGISLATIVE IMPLICATIONS

Under the Australian Constitution, State and Territory governments are primarily responsible for managing waste. The *Local Government Act 1989* requires Council to plan for and provide waste management services and facilities for the local community. The *Public Health and Wellbeing Act 2008* also requires Council to maintain municipal districts in a clean and sanitary condition.

The development of the Draft Kerbside Collection Policy is supported by the *Mitchell Shire Council Waste Management Strategy 2016-2021* of which a key goal is to ensure that kerbside garbage and recycling collection services are provided across the shire in an efficient, effective and sustainable way. More specifically Theme 3 Kerbside Waste Collection Service and *Action 3.1 Develop and adopt a compulsory waste charge zone* and *Action 3.2 Develop clear guidelines for the expansion of the kerbside collection service* support the requirement to develop the Draft Kerbside Collection Policy.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The Draft Kerbside Collection Policy has been developed to meet the goals of the *Mitchell Shire Council Waste Management Strategy 2016-2021* which seeks to structure and deliver waste services that reduce waste to landfill and improve the environment while being economical, equitable and accessible to members of our community.

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.

DRAFT KERBSIDE COLLECTION POLICY (CONT.)

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 Draft Kerbside Collection Policy has been developed in accordance with the recommendations and actions of the *Mitchell Shire Council Waste Management Strategy 2016-2021* and formalises the current kerbside collection service offered to residents of Mitchell Shire. The policy documents the compulsory waste collection zones within the shire and provides strategic guidance for the provision of Council's kerbside garbage collection services into the future.

9.4 PROPOSED MITCHELL ENVIRONMENT ADVISORY COMMITTEE MEMBERSHIP

Author: Elyse Kelly - Environment Coordinator

File No: ET/03/003

Attachments:

Reference: CM13/164

SUMMARY

This report details the advertising process for community membership on the Mitchell Environment Advisory Committee, summarises the applications received and recommends Council endorse six (6) community members for the Committee.

COUNCIL RESOLUTION

MOVED: CR. K. MULRONEY

SECONDED: CR. B. CORNISH

THAT Council endorses the following individuals as members of the Mitchell Environment Advisory Committee (MEAC):

- Carlo De Martinis;
- Geoff Mabbett;
- Lesley Dalziel;
- Trevor John Viénet;
- Kirsty-Lee McBean; and
- Simon Bonwick

CARRIED

BACKGROUND

The purpose of the Mitchell Environment Advisory Committee is to capitalise “...on the knowledge, experience and skill available in the community to provide Mitchell Shire Council with strategic advice in respect to environmental sustainability and management issues and initiatives within the municipality.”

The Committees’ role is to make recommendations and provide technical advice, local knowledge and support to Council in an advisory capacity. This includes:

- *To provide advice to Council on the development of the Mitchell Environment Strategy and to monitor its implementation once adopted;*
- *To provide environmental input into key Council strategies;*
- *To provide advice on strategic issues that affect the environment, and the design and delivery of specific environmental programs by Council;*

PROPOSED MITCHELL ENVIRONMENT ADVISORY COMMITTEE MEMBERSHIP (CONT.)

- *To provide a forum through which community representatives, Councillors and staff can discuss, develop and contribute to environmental issues relevant to Mitchell Shire; and*
- *To assist with the promotion of the Shire's environmental management policies and projects".*

The term of the current Committee expired on the 13 December 2015. Advertising for the new positions commenced on 30 October 2015 with a full quota of applicants being received on 23 March 2016.

Membership will be for a two year period and members can re-nominate after their term ends in accordance with the nomination process.

ISSUES AND DISCUSSION

The Terms of Reference for the Mitchell Environment Advisory Committee includes the following membership criteria:

- *Diversity of environmental interests and knowledge including climate change, waste, biodiversity, natural resource management, farming and landcare, water, energy conservation, environmental education;*
- *Live and/or work within the municipality, or have a demonstrated connection to the municipality through professional, technical or industry alliances;*
- *Representation comprising a mix of urban and rural members across the geographical spread of the Shire;*
- *A mix of skills and attributes to complement other members of the committee: and*
- *Ability to regularly attend and participate in meetings as scheduled.*

The below points summarise how the applicants met the membership criteria.

- The applicants have a diverse range of complementary skills, knowledge, interests and qualifications including:
 - Community involvement including, Landcare, U3A, Committees of Management, CFA and service groups.
 - Sustainable agriculture and hobby farming;
 - Environmental waste management;
 - Open space and waterway management;
 - Tree management;
 - Fire prevention;
 - Sustainability;
 - Education and training;

PROPOSED MITCHELL ENVIRONMENT ADVISORY COMMITTEE MEMBERSHIP (CONT.)

- Sustainable energy;
 - Carbon accounting;
 - Biodiversity;
 - Botany and horticulture;
 - Weed and pest animal control;
 - Erosion control;
 - Occupational Health and Safety;
 - Social research;
 - State and local government practices and policies; and
 - An Order of Australia Medal recipient, and various levels of education including bachelor degrees, diplomas and certificates.
- The proposed membership has representation from all wards of Mitchell Shire – two (2) from North Ward, three (3) from Central Ward and one (1) from South Ward.
 - The applicants represent a mix of land holdings with two (2) members residing in urban areas and four (4) in rural areas of the Shire.

Further to the official membership criteria, the recommended membership has two (2) females and four (4) males and five (5) new Committee members.

CONSULTATION

The process for advertising for Committee membership complies with the Terms of Reference and included:

- Public notice in the local media;
- Local media release;
- Local radio broadcast;
- Promotion on the Council website, Facebook site and twitter account;
- Application form on the Engaging Mitchell Website; and
- Promotion through the South West Goulburn Landcare Network and BEAM-Mitchell Environment Group.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

There is an annual budget allocation provided to support and to co-ordinate the Mitchell Environment Advisory Committee meetings.

POLICY AND LEGISLATIVE IMPLICATIONS

The operation of the Mitchell Environment Advisory Committee will assist Council in delivering a strategic objective of the Council Plan 2013-2017 of *“Environmental*

PROPOSED MITCHELL ENVIRONMENT ADVISORY COMMITTEE MEMBERSHIP (CONT.)

resilience - Responding to changing environmental conditions and protecting our natural environment to ensure long term sustainability”.

The Advisory Committees have been established by Council in accordance with the *Local Government Act 1989*. They have been established to provide specific external expertise and input into strategy development and implementation and comprise one or more Councillors, Council Officers, and a number of community representatives.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The purpose of the Mitchell Shire Environment Advisory Committee is to provide advice and make formal recommendations to Council on matters concerning the management of the natural environment.

The recommended membership for the Committee will enhance the capabilities of the Committee to successfully fulfill its role and purpose.

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

Advertising for membership on the Mitchell Environment Advisory Committee has been completed.

There were six (6) vacancies and six (6) applications received. As all applications meet the selection criteria, it is recommended that all applicants are endorsed as members of the Mitchell Environment Advisory Committee.

10 EXECUTIVE SERVICES AND GOVERNANCE

Nil Reports

11 NOTICES OF MOTION

11.1 NOTICE OF MOTION: NO. 850 - KILMORE TRAFFIC MANAGEMENT

Author: Councillor Rodney Parker

File No: CL/04/001-03

Attachments: Nil

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 18 April 2016.

COUNCIL RESOLUTION

MOVED: CR. R. PARKER

SECONDED: CR. R. LEE

THAT Council:

1. Write to the State Government seeking urgent clarification as to the timing and process associated with the recently announced independent review of the Wandong and Heathcote Junction Interchange for the Kilmore Wallan bypass.
2. Write to the State Government and to VicRoads, to seek a strong commitment and timeframe to finalise the planning and implementation of the Kilmore Wallan bypass and its inclusion in forward budgeting for construction.
3. Write to VicRoads, and the State Government seeking immediate improvements to traffic management to Kilmore's main street (Sydney Street) to address current and ongoing congestion and traffic disruption through the township.

CARRIED

Councillor Comments:

Sydney Street in Kilmore is a vital road link for the town of Kilmore and its community. It provides the main link from the north and south of the town and hosts the Town Centre along its length. It also plays a highly significant role in the State arterial road network. On busy weekends and holiday periods the road becomes highly congested with through traffic movements causing significant delays and disruption for the local community trying to get around or into the Town Centre. This is of significant concern to Council.

Planning and further funding for the Kilmore bypass is needed urgently to seek to address this ongoing and growing issue for the community.

Council strongly urges the State Government to commit to further planning and funding for this important Arterial road network improvement and together with VicRoads set forward a timeframe to see this implemented as a matter of urgency.

NOTICE OF MOTION: NO. 850 - KILMORE TRAFFIC MANAGEMENT (CONT.)

Council seeks VicRoads review and consideration on improvements to Sydney Street that will help to mitigate ongoing congestion and disruption to the road in the interim period.



Signed: _____

Cr Rodney Parker

Date: 8/04/2016

11.2 NOTICE OF MOTION 851 - GENDER INEQUITY IN SPORT AND PHYSICAL ACTIVITY

Author: Councillor Sue Marstaeller

File No: RE/10/007

Attachments: Nil

There has been considerable research which has identified long-standing gender inequity in sport. Some attitudes and other barriers to participation by girls and women have been challenged in recent times but there is still a long way to go.

There are also trends and issues in sport and physical activity more generally which are impacting on traditional sports service models and opportunities for girls and women in particular.

Most of Council's infrastructure was built in the 1960s and 1970s and much has not been significantly upgraded since. Some is at the end of its useful economic life. Importantly sporting facilities for girls and women do not meet contemporary needs, particularly at key Country Football/Netball sites in Mitchell.

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 18 April 2016.

COUNCIL RESOLUTION

MOVED: CR. R. SANDERSON

SECONDED: CR. K. MULRONEY

THAT Council

1. Request a report to Council which identifies and discusses –
 - a) inequities in opportunities for girls and women in Mitchell to participate in sport and physical activity,
 - b) attitudes and other barriers for increasing participation by girls and women in Mitchell in sport and physical activity,
 - c) participation by girls and women in the governance of sport in Mitchell, and
 - d) Increasing participation by girls and women in Mitchell in sport and physical activity.
2. Considers –
 - a) increasing its advocacy to State and Federal Governments to increase assistance to local government to update sports facilities for girls and women within this generation of girls so they are no longer having to use unsuitable or sub-standard facilities, and
 - b) developing a communications plan with local media and sporting clubs to raise awareness of the gender inequity issues in sport in Mitchell and seek support from the community to raise the issues with their local members.

CARRIED

NOTICE OF MOTION 851 - GENDER INEQUITY IN SPORT AND PHYSICAL ACTIVITY (CONT.)

Signed: _____

Cr Sue Marstaeller

Date: 12/04/2016

11.3 NOTICE OF MOTION: NO. 852 - ADVOCACY FOR DIAMOND INTERSECTION WALLAN EAST

Author: Councillor Bill Chisholm

File No: CL/04/001-03

Attachments: Nil

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 18 April 2016.

COUNCIL RESOLUTION

MOVED: CR. B. CHISHOLM

SECONDED: CR. B. CORNISH

THAT Council:

1. That Council ramp up advocacy with the appropriate authorities for the fast tracking of the full diamond intersection on the Hume Freeway at Wallan East.
2. That Council call for an immediate upgrade of the Northern Highway between the existing interchange with the Hume Freeway and the south end of the Wallan Township. Try and obtain timelines for both these projects.
3. Council explore avenues through appropriate planning and look at options for financing [joint, both private and public or other external funding sources] for a suitable route, on the western side of Wallan that can act as an arterial or feeder type road to relieve congestion and in the future be able to funnel traffic to the western side of Melbourne.
4. That Council take measures to gauge the full extent of community concerns regarding the current road networks in and around the township of Wallan, and other choke points within our Shire.

CARRIED

Councillor comments:

The impact of this current traffic congestion in Wallan impacts on every resident of this Shire. We nearly all have to go to Melbourne at some stage, a lot of produce and products produced in this Shire are affected, not to mention the rest of North and North East Victoria. This matter was further highlighted during a recent debate regarding a new industry, where significant employment is at stake, and one of the points of contention is the state of the existing Northern Highway. Wallan is a growth area, the Council and all Councillors have been proactive in providing adequate funds for proper planning, and trying to improve the existing road networks with the limited funds available. It should be incumbent in the State Government through

NOTICE OF MOTION: NO. 852 - ADVOCACY FOR DIAMOND INTERSECTION WALLAN EAST (CONT.)

VicRoads to be proactive, and not stop or slow down development and growth in our Shire. One last point. Rural residents pay far more in Fuel tax than our City cousins, We Want Some Back!!!

Signed: _____

Cr Bill Chisholm

Date: 13 April 2016

11.4 NOTICE OF MOTION: NO. 853 - MAV STATE COUNCIL MOTION - 13 MAY 2016

Author: Councillor Bill Chisholm

File No: CI/04/001-03

Attachments: 1. State Council Motion - May 2016

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 18 April 2016.

COUNCIL RESOLUTION

MOVED: CR. B. CHISHOLM

SECONDED: CR. R. SANDERSON

THAT Council: approves the attached Motion for submission to the Municipal Association of Victoria (MAV) State Council meeting on 13 may 2016.

CARRIED

Signed: _____

Cr Bill Chisholm

Date: 13/04/2016

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:

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. K. MULRONEY

SECONDED: CR. W. MELBOURNE

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

CARRIED

DISCUSSION

On 15 February I attended a meeting for a grant application that Mitchell Shire Council is submitting for the National Stronger Regions Fund, these types of meetings are important for our organisation to pursue. This was followed by the Wallan Town Centre Master Plan and Urban Design Framework Steering Committee Meeting.

On the Tuesday I attended the CROLLN committee meeting. Wednesday I attended the Wandong Planning Steering Committee and the Mitchell Fire Advisory Group meetings.

On Sunday 21 February I went to the Seymour Alternative Farming Expo which showcased a fantastic array of local work.

At the end of February I conducted our monthly radio show on the Kilmore and Seymour stations.

On February 23 I was present at the Audit Committee Meeting.

I attended the Puckapunyal Open Day on the 25th February where I gave a welcome to Mitchell Shire speech to the attendees.

To close off February updates, I attended a meeting with Jaclyn Symes, MLC and Danielle Green, MP along with Acting CEO Travis Heeney to discuss the budget.

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

On Monday 29th February I attended a meeting with the Wallan Free Library Committee in relation to the grant application we are submitting for the National Stronger Regions Fund.

In March I attended the Kilmore Town Centre Plan Stakeholder Workshop where I delivered the opening speech. The purpose of this workshop was to inform affected and interested parties of the proposed projects, obtain input into the design and details of the proposed projects and discuss a brand or identity for the town centre.

On Thursday 3 March we hosted the Essendon Football Club at a civic event held at the Wallan Multipurpose Centre. On the Saturday I attended the Health and Wellbeing Expo which was well run by our Community Development team.

On March 5 I was honoured to officiate at the Deb Ball held at the Eucalypt Room, Plenty Ranges Arts & Convention Centre, South Morang.

On Tuesday 8 March I joined some fabulous women from across the Shire at the International Women's Day High Tea held at Kilmore Trackside, where I delivered a speech to those present.

The following day I attended the Municipal Fire Management Planning Committee (MFMP) meeting and then traveled to Marysville to where I represented Mitchell Shire Council along with fellow Councillor Rodney Parker at the Rural Council Summit.

On 17 March I accepted an invitation to the U3A Annual General Meeting held at Kilmore.

On 18 March I had a photo opportunity Broadford Youth Centre Demolition.

In the third week of March I conducted our monthly sessions on the Kilmore and Seymour radio shows.

On 22 March I had a photo opportunity with Broadford Soccer representatives to promote upcoming works on the soccer pavilion.

On Wednesday 23 I had a photo opportunity for the Wallan Interface Early Learning Centre with Ms Ann Stevens, Principal Wallan Primary School, followed by the Wandong Planning Steering Committee meeting.

Thursday I was at the inaugural VLGA Cost Shifting Working Group meeting where we all discussed and shared examples of cost-shifting experienced by our councils.

After enjoying the Easter Break, I went to the regional launch of Munganin – Gadhaba (meaning 'Achieve Together'), DELWP's Aboriginal Inclusion Plan 2016-2020, and our Aboriginal Employment Plan (2016-2020), officiated by a representative for Minister for Aboriginal Affairs. Munganin – Gadhab sets out how we will build Aboriginal inclusiveness into all aspects of our work and culture and the Aboriginal Employment Plan shows how we will improve recruitment and retention of Aboriginal staff and more effectively engage Aboriginal people and communities in designing and delivering our work.

End of March saw me attending a Municipal Emergency Management Meeting at Council Chambers and the Northern Metropolitan Mayors' & CEOs' Forum, held on 31 March.

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

I started April with a meeting with the Local Liberal Member, Chris Jermyn and Acting CEO, Travis Heeney to discuss Mitchell Shire Advocacy Priorities.

On Thursday I attended the Interface CEO/Mayor Forum with Acting CEO Travis Heeney then went to Seymour along with Youth Services and the Volume Committee, to present a cheque of \$1855 to Rural Housing in Seymour. This money was raised from 'A Step for the Homeless' Colour Dash on Saturday 2nd April.

I then returned to Wallan to have a meeting with members of the Engineering team and a resident regarding Munts Road Upper Plenty.

Thursday and Friday of the first week in April saw me attend, with fellow Councillor Rhonda Sanderson, the ALGWA conference, where Natalie Hutchins, MP, Minister for Local Government was there as well as Shadow Minister, David Davies.

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

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 16 March and 12 April 2016.

COUNCIL RESOLUTION

MOVED: CR. R. SANDERSON

SECONDED: CR. D. CALLAGHAN

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

CARRIED

DISCUSSION

Australian Light Horse Memorial Park (ALHMP) Inc

This committee met on 16 March to discuss ongoing management issues. The main topics discussed were signage for the Waler Paddock and Seymour Railway Station carpark. 'Remembrance Grove' was chosen as the name for the recently planted selection of WW1 battlefield trees.

Seymour Structure Plan Steering Committee

On 21 March, the committee met and undertook a bus tour of the main areas in Seymour which are subject to further research.

Wallan to Heathcote Rail Trail Steering Committee

This committee met on 22 March in Tooborac to discuss the initial investigation of possible routes and their constraints.

Bushland Park Seymour Committee of Management

This committee met on 31 March. The main issues discussed were the installation of seating, improving the safety of walking tracks, and fire risks and the draft fire plan.

'2017 Supreme Australian Championship Sheepdog' Seymour event committee

Reps from the Victorian Working Sheep Dog Association 2017 Supreme Subcommittee, Kings Park COM, Seymour A&P, and the Seymour Working Sheep Dog Club attended a meeting to discuss the proposal to hold the 'Supreme 2017' event at King's Park, Seymour.

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

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

Australian Local Government Women's Association

The Mayor and I attended the ALGWA State Conference and AGM on 7 and 8 April at Ivanhoe (Banyule City Council). Topics of interest included: lessons from women in leadership including the founder of the Breast Cancer Network Australia, information on a campaign to address the lack of female sporting facilities and change rooms, and change management.

Old Court House Committee of Management

This committee met on 7 April to discuss ongoing management of the historic Old Court House and its surrounds, including the Old Log Lockup. The main items for discussion were use of the small gallery for meetings, and painting of the Court Notice Board.

King's Park Committee of Management

This committee met on 12 April to discuss ongoing management of this significant park. The main issue discussed was a bid by the Seymour Working Sheepdog Club to hold the '2017 Supreme Australian Sheep Dog Trial Championship' at the park.

Other meetings and events attended as a Council representative:

- Kilmore U3A AGM. The guest speaker was the Deputy Ombudsman, Megan Philpot, who outlined the role of the Ombudsman's office.
- Bushland Park Seymour 'Clean-up Australia Day' working bee
- Art4CFA art exhibition, Glenaroua Fire Shed
- 51st Seymour Working Sheep Dog Trials
- Seymour Garden Club 33rd Annual Garden Show, Photo Exhibition and Plant Sale
- Tallarook Farmer's Market where I judged the 'Boots for Change - supporting farming families' boot competitions
- Seymour U3A/BEAM/TSWW 'Melting Pot' talk 'Climate Change - The Problem & the Solutions'. The guest speaker was Dr Roger Dargaville, Deputy Director of Melbourne University's Energy Institute. Approximately fifty people attended including Councillors from Strathbogie and Mitchell Shires.

13 GENERAL BUSINESS

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

No General Business items for this meeting were received.

14 URGENT BUSINESS

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

14.1 CONFIDENTIAL BUSINESS - MITCHELL COMMUNITY GRANTS PROGRAM 2015-2016

MOVED: CR. K. MULRONEY

SECONDED: CR. D. CALLAGHAN

MOTION

THAT:

1. The Confidential Report Titled: Mitchell Community Grants Program 2015–2016 be accepted for consideration in the Confidential Business Section of the 18 April 2016 Ordinary Council Meeting.
2. The item be listed as 15.6 in Confidential Business.

The **MOTION** when put was

CARRIED

Following the acceptance of the urgent business item Council, Cr. Cornish declared a conflict of interest in the Confidential Report: Mitchell Community Grants Program 2015–2016.

15 CONFIDENTIAL BUSINESS

COUNCIL RESOLUTION

MOVED: CR. K. MULRONEY

SECONDED: CR. R. SANDERSON

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 Contract Award CT132302 Seymour Tennis Courts Reconstruction
s89(2)(d) contractual matters.

15.3 Delegate Report - Audit Committee - Overview and Update

s89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

15.4 Procurement Australia Contract 1811/0220 Fleet Services
s89(2)(d) contractual matters.

15.5 Aquatic Facilities Plant Maintenance Contract Extension
s89(2)(d) contractual matters.

15.6 Mitchell Community Grants Program 2015-2016
s89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

15.7 Re-opening of Meeting to members of the public

CARRIED

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

The meeting was re-opened to members of the public at 8.16pm.

COUNCIL RESOLUTION

MOVED: CR. W. MELBOURNE

SECONDED: CR. R. PARKER

THAT the meeting be re-opened to members of the public.

CARRIED

16 DATE OF NEXT MEETING

The next Ordinary meeting of Council is scheduled to be held on Monday 16 May 2016 at the Mitchell Civic Centre, 113 High Street Broadford, commencing at 7.00pm.

17 CLOSE OF MEETING

The meeting was declared closed at 8.17pm.

Confirmed this Monday, 16 May 2016

.....
Chairperson
Mayor, Cr Sue Marstaeller