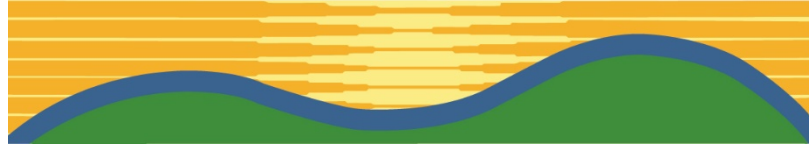


MITCHELL SHIRE COUNCIL



**ORDINARY COUNCIL
MEETING
MINUTES**

TUESDAY 18 APRIL 2017

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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 2017**

THE MEETING OPENED: 7.00pm

COUNCILLORS PRESENT

Cr Annie Goble	Central Ward	
Cr David Atkinson	Central Ward	
Cr Bob Humm	Central Ward	
Cr Bill Chisholm	North Ward	
Cr Rhonda Sanderson	North Ward	(Chairperson)
Cr Fiona Stevens	North Ward	
Cr David Lowe	South Ward	
Cr Rob Eldridge	South Ward	
Cr Bob Cornish	South Ward	

OFFICERS PRESENT

Mr David Turnbull	Chief Executive Officer
Mr Laurie Ellis	Director Corporate Services
Mr Kellie Vise	Acting Director Sustainable Communities
Mr Jeff Saker	Director Engineering and Infrastructure
Ms Lidia Harding	Governance & Corporate Accountability Coordinator

1 GOVERNANCE DECLARATION

The declaration was read by Cr R. Eldridge.

2 APOLOGIES AND LEAVE OF ABSENCE

No apologies were received.

3 DISCLOSURE OF CONFLICTS OF INTEREST

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

Cr B. Humm declared an indirect interest by close association in Item 11.2 Notice of Motion: No. 906 – Meeting with Roads Minister as the bypass is running through land belonging to his daughter-in-law.

Cr D. Atkinson declared an indirect financial interest in Item 15.4 Contract Variation – Wallan Community Bank Adventure Playground as he owns shares in Norcen Financial Services Ltd which partially funded the playground.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COUNCIL RESOLUTION

MOVED: CR. R. ELDRIDGE

SECONDED: CR. B. CORNISH

THAT the Minutes of the Ordinary Council Meeting held 20 March 2017, as circulated, be confirmed.

CARRIED UNANIMOUSLY

5 PETITIONS AND JOINT LETTERS

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

Nil.

6 PRESENTATIONS

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

Nil.

7 SUSTAINABLE COMMUNITIES

7.1 PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE

Author: Niall Sheehy - Manager Planning & Compliance

File No: PLP060/16

Attachments: 1. Subdivision Plan

Property No.:	106475
Title Details:	Lot 1 on TP 512192V
Applicant:	Fratello Projects
Zoning:	General Residential Zone
Overlays:	No overlays affect the site
Objections Received:	Four (4)
Cultural Heritage Management Plan Required:	Yes. Approved
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

SITE MAP



PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

SUMMARY

An application has been received for a 59 lot residential subdivision at 57 Melbourne Street, Kilmore. Each lot would be between 798 m² to 1679 m² in size and would be accessed via a newly constructed road from Murray Street to the north and John Street from the west in addition to the construction of part of Mitchell Street.

The application was referred to the relevant statutory authorities and internal Council departments, who have not objected to the proposal subject to a number of conditions.

Notification of the application was given to surrounding owners and occupiers. A total of four (4) objections were received with grounds relating to no provision of public open space, inappropriate design response with respect to heritage significance and topography of the site, inappropriate density of development for this part of Kilmore and concern that the subdivision will lead to significant traffic congestion.

Objection Number	Group/Resident	Ground of Objection
1	Group	<ul style="list-style-type: none"> • Proposal will detrimentally impact the prominence of the hilltop. • Roads do not have regard to the topography of the site • Pavement widths of roads are not wide enough
2	Resident (Local)	<ul style="list-style-type: none"> • Impact on amenity as a consequence of the construction of a portion of Mitchell Street
3	Resident (Melbourne)	<ul style="list-style-type: none"> • The rezoning of land has not occurred as envisaged in 1989 Panel Report • Proposal will detrimentally impact the prominence of the hilltop. • Heritage has not been appropriately considered • Proposed subdivision impacts on existing road reserves • Road names should include persons associated with the original brewery on the site • Reinstatement of Mitchell Street bluestone drain should be considered • Kilmore Heritage Study (1982) is not appropriately sited within the Mitchell Planning Scheme • The Kilmore Structure Plan does not provide specific guidance regarding the site • An amendment to include more heritage places within Kilmore is needed • A report considering all matters of relevant referral authorities needs to be prepared.

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

COUNCIL RESOLUTION

MOVED: CR. D. LOWE

SECONDED: CR. B. HUMM

THAT Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a Notice of Decision to Grant a Planning Permit in respect of Application No. PLP060/16 for a staged residential subdivision at 57 Melbourne Street, Kilmore (Lot 1 on TP 512192V) subject to the following conditions:

1. Before the Certification of the Plan of Subdivision under the *Subdivision Act 1988* for stage 1, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the *advertised plans* but further modified to show:
 - a. John Street (including John Street, Murray Street and Junction Road) is to be constructed in accordance with the Council adopted Kilmore Structure Plan – Figure 21. Including a Council Reserve abutting the rear of the existing properties.
 - b. Lots 12 and 13 reconfigured to replace the battle-axe lot arrangement with two rectangular shaped lots with an equal frontage to the proposed internal roadway.
2. The layout of the subdivision as shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
3. Before the Certification of the Plan of Subdivision under the *Subdivision Act 1988* for stage 1, the existing Melbourne Street road reserve must be consolidated with Lot 1 on TP 512192V and the John Street/Junction Road reserve increased to provide for a 24m wide road reserve to the satisfaction of the responsible authority.
4. Before the Certification of the Plan of Subdivision under the *Subdivision Act 1988* for stage 2, the existing land as shown to be included as part of John Street/Junction Road must be set aside for the purpose of a road on plans to be certified to the satisfaction of the responsible authority.
5. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988*, the Section 173 Agreement applying to the subject land (S489162V) must be ended and removed from any Certificate of Title forming part of the subject land.

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

6. Before the issue of the Statement of Compliance for stage 1, the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987 and the agreement must be registered on the title/s to the land under Section 181 of the Act. The agreement must provide that:
 - (a) A building exclusion zone be identified on the plan of subdivision to prevent any future buildings being constructed on lots 3 to 13 (inclusive) within the land formally identified as Melbourne Street.
 - (b) The owner must pay the reasonable costs for the preparation, execution and registration of the Section 173 Agreement.
7. The subdivision of the land must proceed in the order of stages shown on the endorsed plans unless otherwise agreed in writing by the Responsible Authority.

Landscaping Requirements

8. Before the plan of subdivision is certified for any stage of the subdivision under the *Subdivision Act 1988*, a detailed streetscape plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must be consistent with any endorsed landscape master plan and must show:
 - a. All new plantings including their layout to be provided in any public open space area including streetscapes,
 - b. A detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. All species selected must be to the satisfaction of the Responsible Authority
 - c. Details regarding specific planting techniques to be undertaken, such as planting methodology, root barriers, fertilizer, or any other requirements;
 - d. Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls, details of drainage infrastructure, utility services, irrigation and water supply infrastructure
 - e. Fencing details for all allotment boundary fencing abutting a reserve to be transferred to Council

All to the satisfaction of the Responsible Authority.

9. Before the plan of subdivision is certified for stage 3 under the *Subdivision Act 1988*, a detailed plan for the open space area located within the relevant stage must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must be consistent with any endorsed landscape master plan and must show:
 - a. All new plantings including their layout to be provided in any public open space area,

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

- b. A detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. All species selected must be to the satisfaction of the Responsible Authority
- c. Details regarding specific planting techniques to be undertaken, such as planting methodology, root barriers, fertilizer, or any other requirements;
- d. The proposed layout, materials and finishes of paths, areas of pavement, playgrounds, play items, structures and street and park furniture
- e. Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls, details of drainage infrastructure, utility services, irrigation and water supply infrastructure
- f. Detailed construction drawings of any buildings or structures within any public open space areas including additional supporting information such as certified structural design computations
- g. Details for the design, supply and installation of playground equipment
- h. The removal of all existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds from the land
- i. Mechanisms for the exclusion of vehicles from reserve areas
- j. Location and details of public lighting. Any proposed public lighting is to be provided in line with Australian Standards AS/NZS 1158.3.1:2005 – Lighting for roads and public spaces and must not consist of non-standard lighting
- k. Fencing details for all allotment boundary fencing abutting a reserve to be transferred to Council

All to the satisfaction of the Responsible Authority.

- 10. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act* 1988, or by any later date that is approved in writing by the Responsible Authority, the landscape works shown on the endorsed landscape plans within the relevant stage must be carried out and completed to the satisfaction of the Responsible Authority.
- 11. All landscaping is to be maintained for a period of 24 months from the 'practical completion' date confirmed by the Responsible Authority. During this period, any dead, diseased or damaged plants or landscaped areas are to be replaced to the satisfaction of the Responsible Authority.
- 12. Utility service substations, kiosk sites and the like must not be located on any land identified as public open space or land to be used for any municipal purpose unless otherwise agreed by the Responsible Authority
- 13. Before the issue of a Statement of Compliance for the relevant stage under the *Subdivision Act* 1988, any lot fencing as shown on the endorsed landscape plan that abuts a municipal reserve must be constructed at no cost and to the satisfaction of the Responsible Authority.

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

14. Any weed infestations resulting from soil disturbance and/or the importation of sand, gravel and other material must be controlled during the construction period to ensure that there is no weed spread external to the land to the satisfaction of the Responsible Authority.

Contributions

15. Before the issue of a Statement of Compliance for the relevant stage of the subdivision under the *Subdivision Act* 1988, the permit holder must pay to the Responsible Authority a cash payment equivalent to five (5) per cent of the site value of all the land in the subdivision in lieu of the provision of land for Public Open Space, unless otherwise agreed in writing by the Responsible Authority

Telecommunications

16. The owner of the land must enter into an agreement with:
- (a) telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
17. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act* 1988, the owner of the land must provide written confirmation from:
- (a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

General requirements

18. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

19. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
20. The plan of subdivision submitted for certification under the *Subdivision Act* 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Site Specific Engineering Conditions:

21. Prior to the issue of a Statement of Compliance, the permit holder must construct a foot path of a minimum width of 1.5 metres along Clarke Street linking the subject site to the end of existing footpath on the south side of Clarke Street. The footpath must be in accordance with Council's Standard Drawings, the *Disability Discrimination Act 1992* and to the satisfaction of the Responsible Authority.

General Engineering Conditions:

22. Before any road and/ or drainage works associated with the *staged subdivision* start, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions. The plans must include:
 - (a) All necessary computations and supporting documentation for any structure, traffic data, road safety audit and geotechnical investigation report.
 - (b) All details of works consistent with the approved functional layout plan, relevant landscape plan and plan of subdivision for the relevant stage of the subdivision.
 - (c) Design for full construction of streets and underground drainage, including measures to control / capture pollutants and silt.
 - (d) Provision for all services and conduits (underground), including alignments and offsets, on a separate services layout plan.
 - (e) All road reserve and pavement widths to be in accordance with relevant Mitchell Shire Council Standards.
 - (f) All intersection treatments to allow Council's waste collection vehicles to manoeuvre in a forward direction without the need for reversing.
 - (g) Where an intersection, bend or junction is part of a designated bus route, the design must allow for the movement of an ultra-low floor bus (ULFB 12.5m) and roundabouts at the intersection of two connector streets must be designed to accommodate an ULFB, 12.5 metres and all service and emergency vehicles.

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

- (h) Verge widths around all bends, intersections and within court bowls must not be less than 3m in width.
- (i) Solid white centreline pavement marking and raised reflective pavement markings (RRPM) on all 90-degree bends on through roads.
- (j) Vehicle crossings must be provided to each lot in accordance with Mitchell Shire Council Standards.
- (k) Provision of concrete footpaths in all streets and reserves. All footpaths shall be a minimum 1.5 metres in width and be in accordance with Mitchell Shire Council Standards.
- (l) Shared paths as required within streets and reserves. All shared paths must be a minimum 2.5m in width and be in accordance with Mitchell Shire Council Standards.
- (m) All court heads to allow Council's waste collection vehicles to access and egress from the courts in a forward direction.
- (n) Provision of a temporary turning area with sufficient size in locations where the road terminates at stage boundaries to allow waste collection vehicles to access and egress in a forward direction.
- (o) Provision of public lighting with underground electricity supply to all streets, footpaths, bus stops and to major pedestrian and bicycle links.
- (p) All street lighting must be designed in accordance with AS 1158. Non-standard street lighting will not be accepted, except where this provides continuity with existing lighting and is agreed by the Responsible Authority. A non-standard lighting fee will apply. Energy efficient lighting, (e.g. LED (preferred)), should be utilised.
- (q) Provision of street name plates to the Mitchell Shire Council Standard, including a schedule of individual signs and associated street numbers.
- (r) Provision of underground drains of sufficient capacity to serve all lots being created which connect to a legal point of discharge including the provision of an inlet to each lot.
- (s) The location and provision of vehicle exclusion mechanisms abutting reserves.
- (t) Details of the proposed treatment and provision for lot boundary fencing adjoining all reserves other than road reserves.
- (u) Permanent survey marks.
- (v) Survey details of the canopy trunk location and size of all trees to be removed or retained and associated tree protection zones.
- (w) Details in relation to all filling on the land that must be compacted to specifications approved by the Responsible Authority.
- (x) The underground relocation of all existing aerial services, on the services layout plan.
- (y) The location of any earthworks (cut or fill) or service provision in a location outside the designated tree protection zone which does not adversely impact on the health and integrity of any trees to be retained.
- (z) The drainage system of the proposed development must be designed to ensure that flows downstream of the land are restricted to pre-development levels unless increased flows are approved by the Responsible Authority.

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

- (aa) Underground drainage must be provided and any other drainage works necessary for the transmission of drainage as required to the approved outfall.
- (bb) All drainage works must be designed to meet the following current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (1999) unless otherwise agreed by the Responsible Authority:
 - i. 80% retention of the typical annual load of total suspended solids
 - ii. 45% retention of the typical annual load of total phosphorus; and
 - iii. 45% retention of the typical annual load of total nitrogen.
- (cc) Each lot must be provided with one drainage discharge point.
- (dd) All lots within the proposed development abutting or adjoining a watercourse or water body must have a minimum 600mm freeboard above the 1 in 100-year flood level of the water course or water body.

Roads and allotments are to be designed such that the allotments are protected with a minimum 300mm freeboard against the 1 in 100 flooding, where the water level exceeds 50mm above the top of kerb.

- 23.** Unless otherwise agreed by the Responsible Authority under section 21(1)(b)(ii) of the Subdivision Act 1988, prior to the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, all works shown on the approved construction plans must be constructed or carried out in accordance with the plans and to the satisfaction of the Responsible Authority.
- 24.** The discharge of water from each of the proposed lots must be controlled around its limits to prevent any discharge onto any adjacent property or streets other than by means of an approved drainage system discharged to an approved outlet in a street or to an underground pipe drain to the satisfaction of the Responsible Authority.
- 25.** Before any works associated with the subdivision start, a Construction Management Plan must be submitted to, and be to the satisfaction of the Responsible Authority. The Construction Management Plan will then be endorsed and form part of the planning permit. The Construction Management Plan must include details of:
- (a) A Site Management and Safety Plan including, but not limited to, the following:
 - i. Locations of temporary on-site facilities such as equipment storage areas, litter control compounds, contractor rest and car parking areas and the likes;
 - ii. On-site safety procedures;
 - iii. Relevant service authority and emergency services contact details;
 - iv. Site access address for emergency vehicles;
 - v. Working hours and days;
 - vi. Site specific safety and risk analysis;

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

- vii. Methods to ensure the recommendations of any approved Cultural Heritage Management Plan applying to the land are carried out.
 - (b) An Environmental Management Plan including, but not limited to, the following:
 - i. Methods to contain dust, dirt and mud within the subject site, and the method and frequency of clean up procedures;
 - ii. Sediment control techniques to ensure that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the storm water drainage system;
 - iii. Stormwater management and water quality control procedures;
 - iv. Methods to prevent and manage illegal dumping on the land;
 - v. Tree Protection Zones around the trees to be retained as shown on the endorsed plans;
 - vi. Machinery wash down areas, clearly fenced and located in disturbed areas, which ensure that all machinery entering and exiting the land is weed and pathogen free;
 - vii. Methods to ensure that contractors working on the land are aware of the requirements of the Construction Management Plan and any other obligations of the planning permit.
 - (c) A Traffic Management Plan including, but not limited to, the following:
 - i. Proposed haulage routes to and from the subject land;
 - ii. Expected frequency of vehicle movements to and from the land;
 - iii. Site access arrangements for construction vehicles;
 - iv. Measures proposed to mitigate traffic impacts resulting from construction vehicles accessing the land.
- 26.** All works must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.
- 27.** All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the Responsible Authority.
- 28.** All lot filling on the site must be carried out, supervised, completed and recorded in accordance with AS 3798 - 2007 (Guidelines on earthworks for commercial and residential developments) to the satisfaction of the Responsible Authority. All fill must be certified clean fill as defined by the Environment Protection Agency (EPA) and no fill accepted from the general public. Prior to the issue of a Statement of Compliance under the *Subdivision Act* 1988, evidence must be provided to demonstrate compliance with the above Australian Standard, to the satisfaction of the Responsible Authority.

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

- 29.** Before any works associated with the subdivision start, an Existing Conditions Report providing details of all Council infrastructure and assets within the road reserve of Clarke Street must be submitted to the Responsible Authority. All Council infrastructure and assets identified in the report must be continuously maintained to the standard described in the report until the completion of the works including that any assets or infrastructure damaged as a result of the works are reinstated at the cost of the permit holder and to the satisfaction of the Responsible Authority.
- 30.** Before the issue of a Statement of Compliance for each stage of the subdivision under the *Subdivision Act* 1988, the following must be submitted to the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority:
- (a) A complete set of “as constructed plans” of site works in digital file format both PDF and AutoCAD. The AutoCAD digital files must have a layer naming convention to enable identification of Council assets listed.
 - (b) A Schedule of all sub-divisional civil work costs and asset quantities which include the following Council assets;
 - i. Total length of Roads, Footpath, Kerb and Channel,
 - ii. Total number of Bridges, WSUD features, Traffic calming devices,
 - iii. Total length of pipe and number of pits for Drainage,
 - iv. Total number of streetlights.
 - (c) Asset information in digital format to include asset data in accordance with the “A-Spec” Standard, including D-Spec for drainage infrastructure, open space data in accordance with the “O-Spec” Standard, road and footpath data in accordance with “R-Spec” Standards and B-Spec for building data.
 - (d) A report containing a maintenance regime for all Water Sensitive Urban Design features.
 - (e) Any relevant infrastructure manuals, specifications or maintenance requirements for assets to be handed over.
 - (f) A CCTV video recording and report of all completed stormwater drains greater than 150mm diameter.
 - (g) A refundable maintenance bond of 5 per cent of the total cost of all infrastructure to be handed over to Council is to be held by Council for a minimum of twelve (12) months in accordance with Section 17(4) of the Subdivision Act 1988.

CFA Conditions

Hydrants

- 31.** Prior to the issue of a Statement of Compliance under the *Subdivision Act* 1988 the following requirements must be met to the satisfaction of the CFA:
- a. 1.1 Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.

- b. 1.2 The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note – CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au)

Roads

32. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
 - a. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
 - b. Curves must have a minimum inner radius of 10 metres.
 - c. Have a minimum trafficable width of 7.3m if parking is unrestricted, or 5.4m if parking is prohibited on one side of the road, shall be provided.
 - d. Provision shall be made at the end of all dead end roads more than 60m in length from the nearest intersection (whether or not created by staged construction) for turning the design vehicle to the satisfaction of the responsible authority. (A three-point turn is acceptable).

Goulburn Valley Water Conditions

33. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;
34. Provision of a reticulated water supply and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;
35. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;
36. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation; (The works may include, but not

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

be limited to the construction of a sewerage pumping station, rising mains and gravity mains);

37. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;
38. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request;
39. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the *Subdivision Act 1988*.

APA Group Conditions

40. Easements in favor of "Australian Gas Networks (VIC) Pty Ltd" must be created on the plan to the satisfaction of APT.
41. The plan of subdivision submitted for certification must be referred to APT O&M Services Pty Ltd, in accordance with Section 8 of the *Subdivision Act 1988*.

Expiry Condition

42. This permit will expire if one of the following circumstances applies:
 - (a) The plan of subdivision for stage 1 is not certified within 2 years of the date of this permit;
 - (b) Any subsequent stage is not certified within two years of the previous stage being certified;
 - (c) The registration of the relevant stage of subdivision is not completed within five years from the date of certification of the plan of subdivision.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of *Planning and Environment Act 1987*.

Notes:

Goulburn Valley Water

1. Where the land is to be developed in stages, the above conditions will, in general, apply to any subsequent stage of the estate development. However, as any future stages of the development will be connected to the Corporation's water supply and sewerage systems independently of this stage, the

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

Corporation reserves the right to revise any conditions applicable to any subsequent stages lodged.

Engineering

2. A road-opening permit must be obtained from Council's Engineering Services Unit before any vehicle crossover is constructed.
3. A legal point of discharge must be obtained from Council's Engineering Services Unit before any drainage infrastructure is constructed.
4. A plan checking fee of 0.75 per cent of the cost of the works proposed on the engineering plan and a supervision fee of 2.5 per cent of the cost of constructing the works may be charged by Council and, if required, must be paid prior to the issue of a Statement of Compliance under the *Subdivision Act 1988*.
5. Where Council agrees to retaining any temporary turning areas after the issue of a Statement of Compliance, an agreement providing for a bond of sufficient value to cover all reinstatement works will be required prior to the issue of a Statement of Compliance under the *Subdivision Act 1988*. The bond will include appreciating

Streetscapes and landscaping

6. Where Council agrees to issue a Statement of Compliance before the completion of landscaping works, a bond of 150 per cent of the value of the landscaping works will be required before the issue of a Statement of Compliance under the *Subdivision Act 1988*.
7. When the landscaping has been completed in accordance with the endorsed plans, Council's Parks and Environment Unit must be contacted so as an inspection of the landscaping works can be undertaken. Once Council is satisfied that the landscaping works have been completed in accordance with the endorsed plans, a Certificate of Practical Completion for the works will be issued.
8. A refundable landscape maintenance bond of 150 per cent of the cost of the landscaping works will be required before the issue of a Certificate of Practical Completion and will be held for a period of 24 months. The bond will be used where the replacement of landscape elements (such as street, trees, reserve plantings and the like) is required as a result of the landscape works having have not been maintained in accordance with the relevant requirements of the permit. A request for the return of the landscape maintenance bond must be made in writing at the completion of the 24-month maintenance period, and Council's Parks and Environment Unit must be contacted so that an inspection of the landscaping works can be undertaken.

PLANNING PERMIT APPLICATION PLP060/16 FOR A STAGED RESIDENTIAL SUBDIVISION AT 57 MELBOURNE STREET, KILMORE (CONT.)

Other

All streets must be named in accordance with the Guidelines for Geographic Names (DSE 2010) to the satisfaction of the Responsible Authority

CARRIED

The vote resulted in as follows:

For:

CR. D. ATKINSON
CR. B. CHISHOLM
CR. B. CORNISH
CR. B. HUMM
CR. D. LOWE
CR. R. SANDERSON

Against:

CR. R. ELDRIDGE
CR. A. GOBLE
CR. F. STEVENS

Abstained:

7.2 PLANNING PERMIT APPLICATION PLP274/16 FOR 2 LOT SUBDIVISION (DWELLING EXCISION) AT 570 KOBAYBOYN ROAD, WHITEHEADS CREEK

Author: Mathew Mertuszka - Statutory Planner

File No: PLP274/16

Attachments: 1. Subdivision layout and supporting information

Property No.:	104425
Title Details:	Land in Plan of Consolidation 369115M
Applicant:	Duncan Wallis
Zoning:	Farming Zone
Overlays:	Salinity Management Overlay (SMO) Vegetation Protection Overlay – Schedule 1 (VPO1)
Objections Received:	The application was advertised by way of posting notices to adjoining property owners and occupiers. No objections were received
Cultural Heritage Management Plan Required:	No, the subject site is not found within an area of Aboriginal Cultural Heritage Significance therefore a CHMP is not required to be submitted
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 PLP274/16 FOR 2 LOT SUBDIVISION (DWELLING EXCISION) AT 570 KOBYBOYN ROAD, WHITEHEADS CREEK (CONT.)

SITE MAP



SUMMARY

This report recommends that Council resolve to issue a **Notice of Refusal to Grant a Planning Permit** for Planning Application PLP274/16, which proposes a two lot subdivision (dwelling excision) at No. 570 Kobyboyn Road, Whiteheads Creek.

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

Refusal is recommended as the proposed subdivision is not consistent with the purpose of the Farming Zone and would impact the future ability of the land to be used for agriculture. The application creates a residential property with no connection to surrounding farming operations, further fragmenting agricultural land and may create economic and amenity impacts to the continued viability of the surrounding land used for agricultural production.

COUNCIL RESOLUTION

Moved: CR. A. GOBLE

Seconded: CR. R. ELDRIDGE

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. PLP274/16 for a 2 lot subdivision (dwelling

PLANNING PERMIT APPLICATION PLP274/16 FOR 2 LOT SUBDIVISION (DWELLING EXCISION) AT 570 KOBYBOYN ROAD, WHITEHEADS CREEK (CONT.)

excision) at Land in Plan of Consolidation 369115M, known as No. 570 Kobyboyn Road, Whiteheads Creek on the following grounds:

1. The proposal is inconsistent with Clause 11.05-2, 3 and 4 of the Mitchell Planning Scheme as the proposal:
 - a) will not strengthen and enhance the character and identities of towns within the region but will result in a residential lot in the midst of a rural area;
 - b) will not prevent a dispersed settlement pattern; and
 - c) will not discourage development of isolated small lots in the rural zones for single dwellings and rural living.
2. The proposal is inconsistent with Clause 14.01-1 of the Mitchell Planning Scheme as the proposal will result in the permanent removal of agricultural land for primary production purposes and will detract from the long term capacity of productive agricultural land to continue production.
3. The proposal is inconsistent with Clause 16.02-1 of the Mitchell Planning Scheme as the proposal will not reduce the amount of new rural-residential development in farming areas.
4. The proposal is inconsistent with Clause 21.05-1 of the Mitchell Planning Scheme as the proposal:
 - a) fails to protect farming and other agricultural practises from the encroachment of urban growth;
 - b) fails to retain productive land for agricultural purposes;
 - c) fragments agricultural land that is currently in a productive unit;
 - d) produces a subdivision layout that is inconsistent with the character of the area.
5. The proposal is inconsistent with the purpose and decision guidelines of the Farming Zone at Clause 35.07 of the Mitchell Planning Scheme as the proposal will create a residential lot in a rural area and will adversely affect the use of the land for agricultural purposes.
6. The proposal is inconsistent with the Decision Guidelines at Clause 65 of the Mitchell Planning Scheme and results in a poor planning outcome for the area.

CARRIED UNANIMOUSLY

7.3 PLANNING PERMIT APPLICATION PLP186/16 FOR TWO (2) LOT SUBDIVISION (DWELLING EXCISION) AT 860 LANCEFIELD PYALONG ROAD NULLA VALE

Author: Jyoti Makan - Statutory Planner

File No: PLP186/16

Attachments: 1. Subdivision layout

Property No.:	119947
Title Details:	Lot 1 of Plan of Subdivision 718479P
Applicant:	Eric Salter Pty Ltd
Zoning:	Farming Zone
Overlays:	Salinity Management Overlay (SMO) Environmental Significance Overlay (ESO2) Erosion Management Overlay (EMO)
Objections Received:	None
Cultural Heritage Management Plan Required:	No
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

SITE MAP

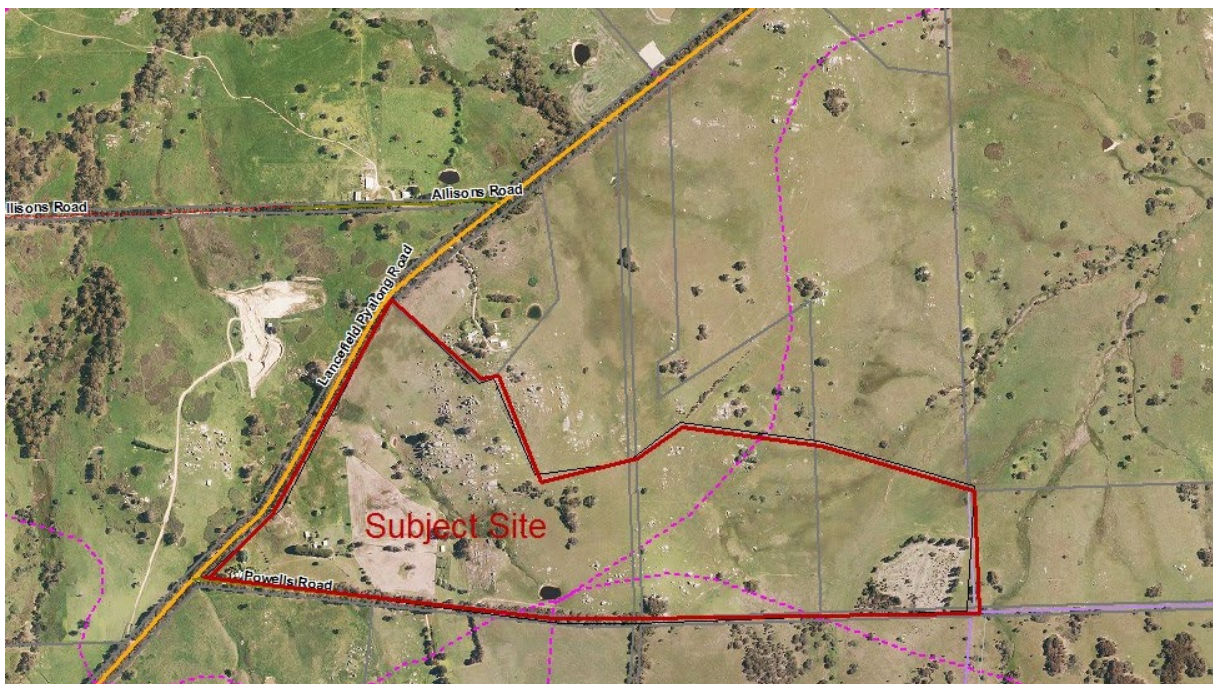


Figure 1: Site Map

PLANNING PERMIT APPLICATION PLP186/16 FOR TWO (2) LOT SUBDIVISION (DWELLING EXCISION) AT 860 LANCEFIELD PYALONG ROAD NULLA VALE (CONT.)

SUMMARY

This report recommends that Council resolve to issue a **Notice of Refusal to Grant a Planning Permit** for Planning Application PLP186/16, which proposes a 2 lot subdivision (dwelling excision) at 860 Lancefield-Pyalong Road, Nulla Vale.

The application was advertised and no objections were received.

Refusal is recommended as the application creates a residential property with no connection to surrounding farming operations. This is contrary to the purpose of the Farming Zone.

The surrounding land is characterised by larger lots (approximately 40-150ha) within the Farming Zone. The proposed lot will fragment agricultural land and may impacts upon the continued viability of the surrounding land which is used for agricultural production.

COUNCIL RESOLUTION

MOVED: CR. B. CHISHOLM

SECONDED: CR. F. STEVENS

THAT Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a Notice of Decision to Refuse a Planning Permit in respect of Application No. PLP186/16 for a 'two (2) lot subdivision (dwelling excision)' at Lot 1 of PS718479P , known as 860 Lancefield Pyalong Road, Nulla Vale , subject to the following conditions:

1. The proposal is inconsistent with Clause 11.05-2, 3 and 4 of the Mitchell Planning Scheme as the proposal:
 - a) will not strengthen and enhance the character and identities of towns within the region but will result in a residential lot in the midst of a rural area;
 - b) will not prevent a dispersed settlement pattern; and
 - c) will not discourage development of isolated small lots in the rural zones for single dwellings and rural living.
2. The proposal is inconsistent with Clause 14.01-1 of the Mitchell Planning Scheme as the proposal will result in the permanent removal of agricultural land for primary production purposes and will detract from the long-term capacity of productive agricultural land to continue production.
3. The proposal is inconsistent with Clause 16.02-1 of the Mitchell Planning Scheme as the proposal will not reduce the amount of new rural-residential development in farming areas.
4. The proposal is inconsistent with Clause 21.05-1 of the Mitchell Planning Scheme as the proposal:

PLANNING PERMIT APPLICATION PLP186/16 FOR TWO (2) LOT SUBDIVISION (DWELLING EXCISION) AT 860 LANCEFIELD PYALONG ROAD NULLA VALE (CONT.)

- a) fails to protect farming and other agricultural practices from the encroachment of urban growth;
 - b) fails to retain productive land for agricultural purposes;
 - c) fragments agricultural land that is currently in a productive unit;
 - d) produces a subdivision layout that is inconsistent with the character of the area.
5. The proposal is inconsistent with the purpose and decision guidelines of the Farming Zone at Clause 35.07 of the Mitchell Planning Scheme as the proposal will create a residential lot in a rural area and will adversely affect the use of the land for agricultural purposes.
6. The proposal is inconsistent with the Decision Guidelines at Clause 65 of the Mitchell Planning Scheme and results in a poor planning outcome for the area.

CARRIED UNANIMOUSLY

7.4 HARLEY HAMMOND RESERVE NEIGHBOURHOOD SAFER PLACE DESIGNATION

Author: *Bryan McCarthy - Emergency Management and Recovery Coordinator*

File No: *EM/05/013*

Attachments: *Nil*

SUMMARY

Designated Neighbourhood Safer Places – Places of Last Resort (NSPs) are required to be reassessed on an annual basis.

The Harley Hammond Reserve in Broadford originally designated as an NSP in October 2014.

In August 2016, it was re-assessed by the Country Fire Authority (CFA) and deemed as compliant as part of its annual reassessment process.

Council undertook a major refurbishment of the Harley Hammond oval between November 2016 and March 2017. The work included installing a temporary fence around the oval, effectively preventing its use as an NSP.

The CFA were requested to conduct an NSP assessment of the car parking area around the oval but within the boundaries of the Harley Hammond Reserve.

CFA assessed the carpark area around the oval and deemed the area as compliant with the CFA NSP Assessment Criteria.

The assessment was necessary to clarify a technical interpretation of the area designated as an NSP. Signage at the entrance to the Harley Hammond reserve indicates the reserve is the NSP, however previous assessments were for the oval area only. This current assessment now designates both the car park and oval at Harley Hammond Reserve as the NSP.

COUNCIL RESOLUTION

MOVED: CR. B. HUMM

SECONDED: CR. D. LOWE

THAT Council:

1. Approves the Designation of the car park area within the boundaries of the Harley Hammond Reserve as a Designated Neighbourhood Safer Place – Bushfire Place of Last Resort.
2. Note the actions and implementation required once council approval is given for the site to be established as Neighborhood Safer Place – Bushfire Place of Last Resort.
3. Informs the Country Fire Authority that the car park area is Designated as an NSP.

CARRIED UNANIMOUSLY

7.5 BEVERIDGE TOWNSHIP DEVELOPMENT PLAN STAGE 1: ISSUES AND OPPORTUNITIES ANALYSIS

Author: *Justin Harding - Strategic Planner*

File No: *PL/05/176*

Attachments:

- 1. Beveridge Township Development Plan: Stage 1: Issues and Opportunities Analysis Paper*
- 2. Beveridge Township Development Plan: Stage 1: Consultation Draft Information Sheet*

SUMMARY

The purpose of this report is to seek Council endorsement to release the Beveridge Township Development Plan Stage 1: Issues and Opportunities Analysis paper and associated draft Information Sheet for a four (4) week public consultation period during May 2017.

Beveridge Township is located within Melbourne's Urban Growth Boundary, however, given that it is already within a residential zone (being the Township Zone) it has not been identified within a future Precinct Structure Plan area in the North Growth Corridor Plan. Therefore, the preparation of a clear framework to guide future development within Beveridge Township will be led by Council and not the Victorian Planning Authority.

A Development Plan is required for Beveridge Township to respond appropriately to the planned residential development of the surrounding Lockerbie North and Beveridge Central Precinct Structure Plan areas which will put significant development pressure on Beveridge Township. The Issues and Opportunities Analysis paper identifies high level opportunities and constraints to the future development of Beveridge Township.

It is proposed to exhibit the Issues and Opportunities Analysis and associated draft Information Sheet to Beveridge Township residents, land owners and community groups to identify community aspirations and issues. Feedback received during the exhibition period will inform the preparation of Stage 2, a Development Plan for Beveridge Township which will provide guidance for future development including recommendations for planning controls within the township.

A report that considers all submissions received during consultation along with an accompanied Council Officer response will be provided post consultation. Following consideration of submissions and the report, it is intended that a draft Development Plan will be considered by Council in August 2017.

BEVERIDGE TOWNSHIP DEVELOPMENT PLAN STAGE 1: ISSUES AND OPPORTUNITIES ANALYSIS
(CONT.)

COUNCIL RESOLUTION

MOVED: CR. B. CORNISH

SECONDED: CR. D. LOWE

THAT Council:

1. Note and endorse the Beveridge Township Development Plan Stage 1: Issues and Analysis paper and associated draft Information Sheet for consultation purposes.
2. Place the Beveridge Township Development Plan Stage 1: Issues and Analysis paper and associated draft Information Sheet on public exhibition for a four (4) week period.

CARRIED UNANIMOUSLY

**7.6 NEW - VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS
AND ACTIVITIES CARRIED OUT UNDER DELEGATION**

Author: James McNulty - Statutory Planning Coordinator

File No: CL/04/004

Attachments: Nil

SUMMARY

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

COUNCIL RESOLUTION

MOVED: CR. F. STEVENS

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 UNANIMOUSLY

8 CORPORATE SERVICES

8.1 DRAFT 2017/2018 BUDGET AND REVISED STRATEGIC RESOURCE PLAN

Author: *Nicole Maxwell - Manager Finance*

File No: *FN/09/023*

Attachments: *Nil*

SUMMARY

This report recommends that Council resolves to endorse the draft annual review of the Strategic Resource Plan (SRP) and 2017/2018 Budget for public input 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.

DRAFT 2017/2018 BUDGET AND REVISED STRATEGIC RESOURCE PLAN (CONT.)

COUNCIL RESOLUTION**MOVED:** CR. A. GOBLE**SECONDED:** CR. R. ELDRIDGE**THAT** Council resolves to endorse:

1. The revised Strategic Resource Plan 2018-2021 and Draft 2017-2018 Budget, – circulated separately and annexed to the Minutes, 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 2018-2021 and the Draft 2017-2018 Budget in accordance with Section 129(1) of the *Local Government Act 1989* noting the dates for public notice are from Wednesday, 26 April 2017 to Tuesday, 23 May 2017.
 - (b) Invite submissions on any proposal contained in the revised Strategic Resource Plan 2018-2021 or the Draft 2017-2018 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 2018-2021 or the Draft 2017-2018 Budget.

THAT Council resolves to note:

3. Submissions will be considered at a Hearings Committee meeting of Council to be held on Monday, 5 June 2017 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 2018-2021 and the Draft 2017/2018 Budget will be presented for adoption as Council's Strategic Resource Plan 2018-2021 and Budget for 2017/2018, 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, 19 June 2017 at 7.00pm in the Council Chamber, 113 High Street, Broadford.

CARRIED

The vote resulted in as follows:

For:

CR. D. ATKINSON
CR. B. CORNISH
CR. R. ELDRIDGE
CR. A. GOBLE
CR. B. HUMM
CR. D. LOWE
CR. R. SANDERSON
CR. F. STEVENS

Against:

CR. B. CHISHOLM

Abstained:

8.2 REVIEW AND DETERMINATION OF MAYORAL AND COUNCILLOR ALLOWANCES FOR THE NEXT FOUR FINANCIAL YEARS

Author: Lidia Harding - Governance and Corporate Accountability Coordinator

File No: GV/11/005

Attachments: Nil

SUMMARY

Allowances payable to the Mayor and Councillors are subject to:

- Various requirements in the *Local Government Act 1989* (Act);
- Decisions of the Minister for Local Government (Minister);
- Four yearly review by each council; and
- Public consultation.

Section 74(1) of the Act requires that each Council must review and determine the level of the Mayoral and Councillor allowances within six months of each general election or by the next 30 June, whichever is later.

Section 73A(1) of the Act requires that the Minister must review the allowance category for each Council at least once every year. Section 73A(2) specifies that when conducting the review of categories, the Minister must consider the changes in number of residents and variations in recurrent revenue of each Council.

Councillors represent on average over 29,000 voters. Mitchell Shire is classified as a Category 2 Council in recognition of the size and complexity of its responsibilities and in recognition of the notable demands on the Mayor and Councillors in a growth municipality. Each Councillor commits considerable time in addition to their employment and personal lives in the execution of their Council responsibilities. The Mayor has an important leadership role in the community.

In accordance with the Act, Council is required to seek community comment on the proposed allowances. Accordingly, the purpose of this report is to enable Council to commence the four-yearly review process.

REVIEW AND DETERMINATION OF MAYORAL AND COUNCILLOR ALLOWANCES FOR THE NEXT FOUR FINANCIAL YEARS (CONT.)

COUNCIL RESOLUTION

MOVED: CR. B. HUMM

SECONDED: CR. B. CORNISH

THAT:

1. Council seek community comment on the Mayoral allowance and Councillor allowances for the next four financial years being fixed at \$76,521 and \$24,730 respectively, with a 2.5% indexation commencing from December 2017.
2. A public notice of the proposal be given and submissions be invited in accordance with Section 223 of the Act.
3. Submissions be heard at the Hearings Committee meeting on 13 June 2017.

CARRIED UNANIMOUSLY

8.3 RECORDING OF COUNCIL MEETINGS

Author: *Rosemary Scott - Coordinator Communications & Improvement*

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

Attachments: *Nil*

SUMMARY

Notice of Motion No. 893 – Council Meeting Recordings was presented at the March Council Meeting requesting Officers to prepare a report to the April meeting discussing the feasibility of placing Ordinary and Special Council Meeting recordings on the Mitchell Shire Council website. In speaking to the Motion, Councillors requested the report to focus on the pros, cons and costs of making audio recordings available post-meeting, rather than live broadcasting or video.

The Victorian Ombudsman has recently also made a number of observations about the benefits, disadvantages, technology restraints and costs of audio and audio-visual recordings being made available, including livestreaming of meetings.

The Ombudsman Report makes a number of recommendations for the State Government to consider regarding Council meetings including making audio recordings available. Local Government Victoria is yet to respond formally, but many Councils across the State are pro-actively introducing audio recordings, with many more looking at the feasibility of introducing livestreaming (video and audio) as well.

RECORDING OF COUNCIL MEETINGS (CONT.)

COUNCIL RESOLUTION**MOVED:** CR. D. LOWE**SECONDED:** CR. B. CHISHOLM**THAT** Council:

1. Introduces audio recordings as a trial for three months on either Council's website or the Engaging Mitchell portal.
2. Updates the Audio Recording Policy accordingly.
3. Begins producing video summaries with a summary of major decisions after each Council meeting.
4. Investigate a range of options for further consideration at a later date, including livestreaming and the possibility of a broadcast arrangement with a local radio station.

LOST

The vote resulted in as follows:

For:CR. B. CHISHOLM
CR. R. ELDRIDGE
CR. D. LOWE
CR. R. SANDERSON**Against:**CR. D. ATKINSON
CR. B. CORNISH
CR. A. GOBLE
CR. B. HUMM
CR. F. STEVENS**Abstained:**

8.4 DRAFT COUNCIL PLAN 2017-2021

Author: Laurie Ellis - Director Corporate Services

File No: CR/01/050

Attachments: 1. Draft Council Plan 2017-2021

SUMMARY

This report recommends that Council resolves to endorse the draft Council Plan 2017-2021 for public consultation in accordance with Section 125 of the *Local Government Act 1989 (the Act)*.

Council is required to give public notice of these documents pursuant to Section 125 of the Act and to seek submissions in accordance with Section 223 of the Act.

COUNCIL RESOLUTION

MOVED: CR. B. HUMM

SECONDED: CR. R. ELDRIDGE

THAT Council resolves to endorse:

1. The Draft Council Plan 2017-2021.
2. The Chief Executive Officer be authorised to:
 - a) Give public notice of the Draft Council Plan 2017-2021 in accordance with Section 125 of the *Local Government Act 1989* noting the dates for public notice are from Wednesday, 26 April 2017 to Tuesday, 23 May 2017.
 - b) Invite submissions on any proposal contained in the Draft Council Plan in accordance with Section 223 of the *Local Government Act 1989*.
 - c) Effect any minor administrative changes which may be required to the Draft Council Plan 2017-2021.

THAT Council resolves to note:

3. Submissions will be considered at a Hearings Committee meeting of Council to be held on Monday, 5 June 2017 at 7.00pm in the Council Chamber, 113 High Street, Broadford.
4. Subject to changes after consideration of all submissions, the Draft Council Plan 2017-2021 will be presented for adoption as the Council Plan 2017-2021 in accordance with Section 125 of the *Local Government Act 1989*, at an Ordinary Meeting of Council to be held on Monday, 19 June 2017 at 7.00pm in the Council Chamber, 113 High Street, Broadford.

CARRIED UNANIMOUSLY

9 ENGINEERING AND INFRASTRUCTURE

9.1 ROAD MANAGEMENT PLAN REVIEW

Author: Paul Simpson - Roads Maintenance Coordinator

File No: RMP 2017

Attachments: 1. Draft Road Management Plan, 2017

SUMMARY

Mitchell Shire Council is the responsible road authority for the management of Council's local road and drainage network. This local road network is Council's largest asset category and comprises over 1383 kms of sealed and unsealed roads.

The Mitchell Shire Road Management Plan (RMP) is a management system for the road management functions of Council which is based on Council's policy and operational objectives as well as available resources. It sets the relevant standards in relation to the discharge of duties in the performance of those road management functions.

The RMP sets out Council's obligations as the responsible authority to inspect, maintain and repair public roads. In simple terms, its purpose is to set out a clear management system for inspection and maintenance of the road and footpath network.

Council must, in accordance with the Regulations made under the *Road Management Act 2004* (the Act), conduct a formal review of its Road Management Plan every four years generally in line with Council elections and the Council Plan.

This report outlines the process undertaken to review the Mitchell Shire Council Road Management Plan (RMP), discusses the proposed amendments to the plan and seeks Council's endorsement to release a draft 2017 RMP for public consultation in accordance with the requirements contained within the *Road Management Act 2004*.

ROAD MANAGEMENT PLAN REVIEW (CONT.)

COUNCIL RESOLUTION**MOVED:** CR. B. HUMM**SECONDED:** CR. F. STEVENS**THAT** Council resolves to endorse:

1. The revised draft Road Management Plan 2017 document suitable to be advertised for community feedback in accordance with the requirements contained within the *Road Management Act 2004*.
2. The Chief Executive Officer be authorised to:
 - (a) Give public notice of the revised draft Road Management Plan 2017 in accordance with Section 129(1) of the *Local Government Act 1989* noting the dates for public notice are from Wednesday, 20 April 2017 to Tuesday, to 16 May 2017.
 - (b) Invite submissions on any proposal contained in the draft Road Management Plan 2017 in accordance with Section 129(2) of the *Local Government Act 1989*.

THAT Council resolves to note:

3. Submissions will be considered at a Hearings Committee meeting of Council to be held on Monday, 5 June 2017 at 7.00pm in the Council Chamber, 113 High Street, Broadford.
4. Subject to changes to the document after consideration of all submissions, the revised draft Road Management Plan 2017 will be presented to Council for consideration for adoption as Council's Road Management Plan at an Ordinary Meeting of Council to be held on Monday, 19 June 2017 at 7.00pm in the Council Chamber, 113 High Street, Broadford.

CARRIED UNANIMOUSLY

**9.2 REQUEST FOR ACQUISITION OF PART OF COUNCIL OWNED LANEWAY
ADJACENT TO THE WANDONG PRIMARY SCHOOL, WANDONG**

Author: Teresa Hendy - Property Officer

File No: CP/05/001-03

Attachments: 1. Letter of Request to Purchase
2. Plan Showing School, new school land and laneway
3. Approximate walking routes

SUMMARY

Council has received a Ministerial request from the Department of Education and Training to purchase a section of road for inclusion in the Wandong Primary School campus. The road is known as Laneway 04 and is located between Affleck Street and Dry Creek Crescent, Wandong. The road runs along the eastern boundary of the Wandong Primary School.

This report outlines the benefits associated with the proposed sale of this land to Council, the community and the School.

COUNCIL RESOLUTION

MOVED: CR. B. HUMM

SECONDED: CR. B. CORNISH

THAT Council defer this item to a future Council meeting to allow Council officers to undertake further discussion with Wandong Primary School and the Department of Education and Training regarding access opportunities within the precinct

CARRIED UNANIMOUSLY

10 EXECUTIVE SERVICES AND GOVERNANCE

10.1 ASSEMBLY OF COUNCILLORS

Author: Lidia Harding - Governance and Corporate Accountability Coordinator

File No: CL/04/013-02

Attachments: 1. Assembly of Council Record - March 2017

SUMMARY

This report provides records of assemblies of Councillors that have occurred since the last Council meeting, which includes matters considered and any conflict of interest disclosures made by a Councillor.

COUNCIL RESOLUTION

MOVED: CR. F. STEVENS

SECONDED: CR. B. CORNISH

THAT Council receive and note the records of assembly of Councillors.

CARRIED UNANIMOUSLY

11 NOTICES OF MOTION

11.1 NOTICE OF MOTION: NO. 905 - EXTENSION OF ROADS TO RECOVERY PROGRAM

Author: Councillor Bob Humm

File No: FN14/3712

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 2017.

COUNCIL RESOLUTION

MOVED: CR. B. HUMM

SECONDED: CR. D. ATKINSON

THAT Council write to the Federal Minister for Infrastructure and Transport, the Hon. Darren Chester MP seeking a commitment from Federal Government for the extension of the Roads to Recovery Program beyond the current 2014-2019 program, and an increase in future program funding to assist Rural and Growth Area Councils with the delivery of vital local road projects throughout the state.

CARRIED UNANIMOUSLY

Councillor Comments

While recent increases to the Roads to Recovery Program funding has resulted in much needed funds for local road projects, the increase funding enjoyed over the past 3 years will not continue and program allocations will revert back to the base allocations for 2018-2019. With the ongoing pressures of a rate capping environment along with aging road infrastructure, increased traffic volumes including heavy vehicles using our roads and the pressures of growth, Council is finding it tough to continue to service the Shires vast road network and plan for new and important road projects to service our growth areas.

Council is seeking a commitment from the Federal Government to not only continue the R2R program beyond the current 2014-2019 program, but to increase the allocations to Growth Area Council's and rural shires who are struggling to meet the needs of growing communities.

Signed: _____

Cr Bob Humm

Date: 3 April 2017

11.2 NOTICE OF MOTION: NO. 906 - MEETING WITH ROADS MINISTER

Author: Councillor Rob Eldridge

File No: TR/08/005

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 2017.

8.24PM CR B. HUMM LEFT THE COUNCIL CHAMBER

COUNCIL RESOLUTION

MOVED: CR. R. ELDRIDGE

SECONDED: CR. B. CORNISH

THAT at the planned meeting with the Roads Minister that

- the issues regarding the Wandong interchange for the Bypass and
- the issues surrounding the subsequent reduction in function of the northern highway to be for local traffic only through Wallan

be added to the agenda.

CARRIED UNANIMOUSLY

Councillor comment

The assumption from the original motion to meet the Roads Minister covered all aspects of the bypass appears to be in error. These equally important issues, although discussed for inclusion with the original motion, have not been included, so this motion rectifies the omission.

Signed: _____

Cr Rob Eldridge

Date: 3 April 2017

8.26PM CR B. HUMM RETURNED TO THE COUNCIL CHAMBER

11.3 NOTICE OF MOTION: NO. 907 - OPERATIONAL FUNDING FOR STATE EMERGENCY SERVICES (SES) UNITS

Author: Councillor Rhonda Sanderson

File No: EM/04/001

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 2017.

COUNCIL RESOLUTION

MOVED: CR. F. STEVENS

SECONDED: CR. R. ELDRIDGE

THAT Council write to the Premier Daniel Andrews, the Treasurer Tim Pallas, the Member for Yan Yean, Danielle Green, the Member for Euroa Steph Ryan, and Members for Northern Victoria Jaclyn Symes and Daniel Young advocating to them for the State Government to further increase operational funding for State Emergency Service (SES) units.

CARRIED UNANIMOUSLY

Signed: _____

Cr Rhonda Sanderson

Date: 6 April 2017

11.4 NOTICE OF MOTION: NO. 908 - KILMORE TRANSFER STATION

Author: Councillor Bob Humm

File No: WM/01/001-01

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 2017.

COUNCIL RESOLUTION

MOVED: CR. B. HUMM

SECONDED: CR. D. ATKINSON

THAT Council investigate future siting, design options and costings for a future Resource Recovery Centre that accommodates the population growth in Kilmore as part of *the Advancing Major Projects in Resource Recovery in the Goulburn Valley Region* project.

CARRIED UNANIMOUSLY

Councillor Comment:

With the future growth of Wallan in the South and the Kilmore Township to grow to 12,000 residents, it would be sound practice to direct waste where possible to the North of the Shire, rather than South, in the case of Kilmore's contribution prior to being moved to the Hilledene landfill.

Signed: _____

Cr Bob Humm

Date: 6 April 2017

NOTICE OF MOTION: NO. 908 - KILMORE TRANSFER STATION (CONT.)

COUNCIL RESOLUTION

MOVED: CR. B. CHISHOLM

SECONDED: CR. B. CORNISH

Extension of Time

CARRIED UNANIMOUSLY

11.5 NOTICE OF MOTION: NO. 909 - FIRE PREVENTION FOR GOVERNMENT AGENCIES

Author: Councillor Bill Chisholm

File No: FP/01/001-01

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 2017.

COUNCIL RESOLUTION

MOVED: CR. B. CHISHOLM

SECONDED: CR. R. ELDRIDGE

THAT:

1. Mitchell Shire Council adopt a zero tolerance approach to potential Fire Hazards on all land, both public and private within our Shire. To this end, Council intends to fully implement the report that came with Notice of Motion 782, dated 14 July 2014 regarding our procedures to address potential fire hazards on land owned or controlled by Government Departments/Agencies.
2. That this information be passed to all relevant Government Departments/Agencies as soon as practical, to allow them to plan and incorporate into budgets.
3. The Mayor raise this issue at the Ministerial Panel.
4. That a report be presented at the next Council meeting on the implementation plan.

CARRIED UNANIMOUSLY

Councillor Comment:

In an attempt to make all of our urban communities safer, if a fire hazard is identified on public land a letter will be sent to the Chief Executive Officer of any public Authority/Agency informing them of Council's assessment including remedial action required and a completion date for these works. It will also include the advice that if no action is taken the matter will be referred to the Chief Fire Officer. In some circumstances it may be appropriate to have the fire hazard removed at Council's expense and follow up with the Public Authority for payment.

Signed: _____

Cr Bill Chisholm

Date: 6 April 2017

11.6 NOTICE OF MOTION: NO. 910 - USE OF COUNCIL OWNED FACILITIES**Author:** *Councillor Annie Goble***File No:** *GS/04/011***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 2017.

COUNCIL RESOLUTION**MOVED:** CR. A. GOBLE**SECONDED:** CR. F. STEVENS

THAT Council Officers prepare a report on the feasibility of establishing a "Facility Hire Grant Scheme".

CARRIED UNANIMOUSLY

Councillor comment:

We as Council purport to support, encourage and value our volunteers within the Shire but we are not seen by many to be doing that. When a community facility would otherwise sit empty why not grant the use of it to a community group to use? This has minimal to no cost to the ratepayers but has a huge value to the group wishing to use it. Most importantly it shows we are genuinely committed to considering community organisations needs and are supportive of them with the constraints of a very tight budget.

Signed: _____

Cr Annie Goble

Date: 11 April 2017

12 DELEGATES REPORTS

12.1 DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS

Author: Lidia Harding - Governance and Corporate Accountability Coordinator

File No: CL/04/001-03

Attachments: 1. Councillor Delegate Report - March 2017

SUMMARY

This delegate's report provides an update on activities and deliberations of groups and associations for which Councillors are an appointed delegate for the period March 2017 and also other activities attended as a Council representative.

COUNCIL RESOLUTION

MOVED: CR. F. STEVENS

SECONDED: CR. D. LOWE

THAT the Delegate's Report on Overview and Update on Activities and Delegate Deliberation by Councillors for March 2017 be received and noted.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

MOVED: CR. B. CORNISH

SECONDED: CR. B. HUMM

Extension of Time

CARRIED UNANIMOUSLY

13 GENERAL BUSINESS

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

Nil.

14 URGENT BUSINESS

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

Nil.

15 CONFIDENTIAL BUSINESS

COUNCIL RESOLUTION

MOVED: CR. B. CORNISH

SECONDED: CR. B. CHISHOLM

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.

CARRIED UNANIMOUSLY

The meeting was closed to the public at 8.42pm.

15.1 Confirmation of Minutes of previous Confidential Meeting

15.2 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.

15.3 Supply & Delivery of two motor graders - MAV tender VP66398

s89(2)(d) contractual matters.

15.4 Contract Variation - Wallan Community Bank Adventure Playground

s89(2)(d) contractual matters.

COUNCIL RESOLUTION

MOVED: CR. A. GOBLE

SECONDED: CR. F. STEVENS

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

CARRIED UNANIMOUSLY

The meeting was re-opened to members of the public at 8.51pm.

16 DATE OF NEXT MEETING

The next Ordinary meeting of Council is scheduled to be held on Monday 15 May 2017 at the Mitchell Civic Centre, 113 High Street Broadford, commencing at 7.00pm.

17 CLOSE OF MEETING

The meeting was declared closed at 8.53pm.

Confirmed this Monday, 15 May 2017

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Chairperson
Mayor, Cr Rhonda Sanderson