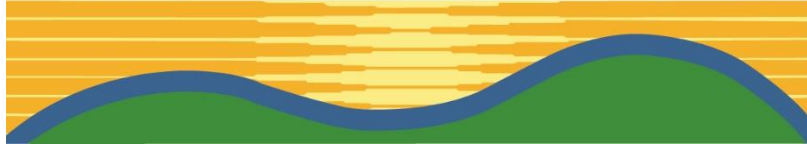


MITCHELL SHIRE COUNCIL



**ORDINARY COUNCIL
MEETING
MINUTES**

MONDAY 18 MARCH 2019

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	WELCOME AND GOVERNANCE DECLARATION.....	1
	GENERAL BUSINESS.....	2
2	APOLOGIES AND LEAVE OF ABSENCE	2
3	DISCLOSURE OF CONFLICTS OF INTEREST	3
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	3
5	PETITIONS AND JOINT LETTERS	3
6	PRESENTATIONS	3
7	ADVOCACY AND COMMUNITY SERVICES.....	4
	7.1 Granite Park, Seymour.....	4
8	GOVERNANCE AND CORPORATE PERFORMANCE.....	5
	8.1 Request for New Lease - 12 Moyle Street Seymour	5
	8.2 Australian Local Government Association - National General Assembly - Mitchell Shire Proposed Motions	6
	8.3 Assembly of Council Record	7
9	DEVELOPMENT AND INFRASTRUCTURE.....	8
	9.1 Planning Scheme Amendment C130 rezone of 40 Butlers Road, Kilmore: Consideration of submissions.....	8
	9.2 Proposed Planning Scheme Amendment - Implementation of the Infrastructure Design Manual (IDM)	9
	9.3 Victorian Civil and Administrative Tribunal Hearings and Activities Carried Out Under Delegation.....	11
10	EXECUTIVE SERVICES	12
	Nil Reports	12
11	NOTICES OF MOTION.....	13
	11.1 Notice of Motion: No. 959 - Australia Day 2020 Celebrations	13
	11.2 Notice of Motion: No. 960 - Australia Day Planning	14
12	DELEGATES REPORTS.....	15

12.1 Delegate Report - Overview and Update on Activities and Delegate Deliberations 15

13 GENERAL BUSINESS 16

14 URGENT BUSINESS 16

15 CONFIDENTIAL BUSINESS 16

15.1 Confirmation of Minutes of previous Confidential Meeting 16

15.2 Delegate Report - Audit Committee..... 16

15.3 2018/19 Footpath and Kerb & Channel Renewal Program 16

15.4 RFT132531-Football Oval Flood Lighting Upgrade - JJ Clancy Reserve, Kilmore..... 16

15.5 Award of Contract No: NR-0969-2018 for Provision of Security Services - Northern Region Collaboration 16

15.6 Re-opening of Meeting to members of the public..... 16

16 DATE OF NEXT MEETING 17

17 CLOSE OF MEETING 17

**MINUTES OF THE ORDINARY COUNCIL MEETING OF
THE MITCHELL SHIRE COUNCIL HELD AT MITCHELL
CIVIC CENTRE, 113 HIGH STREET BROADFORD ON
18 MARCH 2019**

THE MEETING OPENED: 7.02pm

COUNCILLORS PRESENT

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

OFFICERS PRESENT

Mr David Turnbull	Chief Executive Officer
Mr Laurie Ellis	Director Governance and Corporate Performance
Ms Mary Agostino	Director Advocacy and Community Services
Mr Mike McIntosh	Director Development and Infrastructure
Ms Lidia Harding	Governance and Corporate Accountability Coordinator

1 WELCOME AND GOVERNANCE DECLARATION

The Mayor formally opens the meeting with an acknowledgement of country and welcomes all present.

The Mayor acknowledges the traditional owners of the Taungurung Nation and pay his respect to their Elders past and present, and its emerging and future leaders.

The declaration was read by Cr D. Atkinson.

GENERAL BUSINESS

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

COUNCIL RESOLUTION

MOVED: CR. R. ELDRIDGE

SECONDED: CR. A. GOBLE

THAT with the leave of the Chair a general business item has be submitted to the Council agenda.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

MOVED: CR. R. SANDERSON

SECONDED: CR. F. STEVENS

THAT the Mayor write to the Mayor of Christchurch New Zealand on behalf of the Mitchell Shire community to express our heartfelt condolences on the shocking events of last Friday 15 March 2019.

CARRIED UNANIMOUSLY

2 APOLOGIES AND LEAVE OF ABSENCE**COUNCIL RESOLUTION**

MOVED: CR. D. LOWE

SECONDED: CR. R. ELDRIDGE

THAT the apology for this meeting received from Cr. B Cornish be accepted.

CARRIED UNANIMOUSLY

3 DISCLOSURE OF CONFLICTS OF INTEREST

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

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COUNCIL RESOLUTION

MOVED: CR. D. LOWE

SECONDED: CR. A. GOBLE

THAT the Minutes of the Ordinary Council Meeting held 18 February 2019, as circulated, be confirmed.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

MOVED: CR. D. LOWE

SECONDED: CR. A. GOBLE

THAT the Minutes of the Special Council Meeting held 12 March 2019, as circulated, be confirmed.

CARRIED UNANIMOUSLY

5 PETITIONS AND JOINT LETTERS

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

Cr F. Stevens tabled a petition with 110 signatories asking Council to not remove, decommission, nor degrade in any way, the thirteen Council standpipes and bores located across the municipality and pledge to maintain these facilities for access by all members of the community, free of charge, as occurs now.

6 PRESENTATIONS

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

Nil

7 ADVOCACY AND COMMUNITY SERVICES

7.1 GRANITE PARK, SEYMOUR

Author: Luke Douglas - Recreation Development Officer

File No: RE/14/011-03

Attachments:

1. Granite Park Precinct Aerial
2. Seymour Structure Plan map - Community Facilities and Open Space

SUMMARY

For some time, Council has been considering the appropriate future use of Granite Park, Seymour. Whilst there has been a history of motorsport use, it has declined significantly over recent years as the regulation of motorsport activities has become more formalised and onerous. Granite Park is also adjacent to the highly significant environmental conservation area, Bushland Park.

A Bushfire Management Planning Overlay applies to the whole precinct and motorsport activity, with its inherent fire risks, is considered an inappropriate future use. The Seymour Structure Plan flags residential growth in nearby areas and noise from motorsport use would also be inappropriate.

This report recommends that motorsport use not be permitted at Granite Park and that a Management Plan be undertaken to support the best course of action for the future.

COUNCIL RESOLUTION

MOVED: CR. R. SANDERSON

SECONDED: CR. A. GOBLE

THAT Council:

1. Develop a Management Plan for Granite Park Seymour with a future report to be presented to Council.
2. Note that Granite Park will not be used for motorsport activities in the future.

CARRIED UNANIMOUSLY

8 GOVERNANCE AND CORPORATE PERFORMANCE

8.1 REQUEST FOR NEW LEASE - 12 MOYLE STREET SEYMOUR

Author: Teresa Hendy - Property Officer

File No: CP/07/051

Attachments: 1. 12 Moyle Street Locality Plan
2. 12 Moyle Street Lease Area

SUMMARY

This purpose of this report is to give a brief history of the occupation of Council's building at 12 Moyle Street Seymour and the recently received request from the Lessee, Goulburn Valley Health, to grant a new 12 month lease for the term of 1 July 2019 until 30 June 2020.

COUNCIL RESOLUTION

MOVED: CR. F. STEVENS

SECONDED: CR. R. SANDERSON

THAT Council:

1. Authorise the giving of Public Notice under sections 190 and 82(A)2 of the *Local Government Act 1989* to advertise the intention to enter into a lease for the premise at 12 Moyle Street Seymour with Goulburn Valley Health for a term of 12 months, being from 1 July 2019 until 30 June 2020.
2. Seek and accept public submissions under s223 of the *Local Government Act 1989* in response to the Public Notice.
3. Hear submitters at a meeting of the Community Questions and Hearing Committee.

CARRIED UNANIMOUSLY

8.2 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - NATIONAL GENERAL ASSEMBLY - MITCHELL SHIRE PROPOSED MOTIONS

Author: Lidia Harding - Governance & Corporate Accountability Coordinator

File No: OR/04/001

Attachments: 1. National General Assembly Motions

SUMMARY

The Australian Local Government Association (ALGA) National General Assembly (NGA) is an annual opportunity for Councillors to inform themselves on current major policy issues and to contribute to national policy debate. This year the Assembly is being held in Canberra from 16 to 19 June 2019. The Assembly provides councils across Australia with the opportunity to submit motions regarding issues of both local and national importance for consideration and possible adoption and assists as a means of local government advocating to state and federal governments on issues of importance.

This year, Council will have the opportunity to submit motions based on the theme 'Future Focused'. It reflects Local Government's ability and potential to influence the political agenda for the upcoming federal election. Motions are due by 29 March 2019.

COUNCIL RESOLUTION

MOVED: CR. D. LOWE

SECONDED: CR. R. SANDERSON

THAT Council:

1. Endorse the motions (Attachment 1) to be presented to the National General Assembly regarding issues that face Mitchell Shire and that are also of National concern.
2. Approves interstate travel for Cr Bill Chisholm, Mayor and Cr David Lowe to represent Council at the 2019 National General Assembly of Local Government in Canberra from 16 to 20 June 2019, noting the travel, accommodation and registration expenses will be met from the Mayor and Councillors budget.

CARRIED UNANIMOUSLY

8.3 ASSEMBLY OF COUNCIL RECORD

Author: Lidia Harding - Governance & Corporate Accountability Coordinator

File No: CL/04/013-02

Attachments: 1. Assembly of Council Record

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. D. ATKINSON

SECONDED: CR. R. ELDRIDGE

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

CARRIED UNANIMOUSLY

9 DEVELOPMENT AND INFRASTRUCTURE

9.1 PLANNING SCHEME AMENDMENT C130 REZONE OF 40 BUTLERS ROAD, KILMORE: CONSIDERATION OF SUBMISSIONS

Author: Paul Bezemer - Senior Strategic Planner

File No: PL/05/251

Attachments: 1. Amendment C130 Submission Table

SUMMARY

Planning Scheme Amendment C130 seeks to rezone 40 Butlers Road, Kilmore from Farming Zone to General Residential Zone for residential purposes. Amendment C130 was placed on public exhibition between 27 September 2018 and 29 October 2018.

In total, thirteen (13) submissions were received by Council during the exhibition period. A summary of the submissions received, and the officer response is provided in Attachment 1. Of the submissions, five (5) were supportive or raised no objection, two (2) were resolved and withdrawn and six (6) objected to the rezone without any changes sought.

It is recommended that Council requests the Minister for Planning to appoint an Independent Planning Panel to consider Amendment C130 and the unresolved submissions.

COUNCIL RESOLUTION

MOVED: CR. B. HUMM

SECONDED: CR. A. GOBLE

THAT Council:

1. Request the Minister of Planning to appoint an Independent Planning Panel under Part 8 of the *Planning and Environment Act 1987* to consider Amendment C130.
2. Submit to the Independent Planning Panel Council's response to the submissions, as generally outlined in Attachment 1 to this report.
3. Request the Independent Planning Panel to consider unresolved submissions to Amendment C130.
4. Continue mediating with submitters to resolve concerns prior to commencement of the Independent Planning Panel.

CARRIED UNANIMOUSLY

9.2 PROPOSED PLANNING SCHEME AMENDMENT - IMPLEMENTATION OF THE INFRASTRUCTURE DESIGN MANUAL (IDM)

Author: Sean Greer - Coordinator Strategic Planning
Cameron Baird - Transport and Development Coordinator

File No: CM/09/001

Attachments: 1. Infrastructure Design Manual - Clause 1 Introduction

SUMMARY

At its Ordinary Council Meeting on 25 November 2013, the previous Council adopted the Infrastructure Design Manual (IDM) and any future modifications as the preferred infrastructure design standard for land across the municipality outside of the Urban Growth Boundary.

Council is currently using the IDM as the relevant standard for new development infrastructure. Where applicable, the IDM is referenced in all planning conditions and used for the assessment of engineering plans. Including reference to the IDM in the *Mitchell Planning Scheme* elevates its status as the relevant document for new development infrastructure.

The IDM has been in operation for over ten years and is increasingly used and relied upon by local councils (and at times the Victorian Civil and Administrative Tribunal) in specifying infrastructure requirements for development. The implementation of the IDM has also been supported through the recommendations of the IDM Advisory Committee Report (October 2015).

The Local Government Infrastructure Design Association (LGIDA) has support from the Department of Environment, Land, Water and Planning (DELWP) with the aim of all regional and rural planning schemes in Victoria referencing the IDM through implementing Ministerial Amendment(s).

This report recommends that Council seek authorisation from the Minister for Planning to prepare an approved a Planning Scheme Amendment that implements the IDM into the *Mitchell Planning Scheme*.

PROPOSED PLANNING SCHEME AMENDMENT - IMPLEMENTATION OF THE INFRASTRUCTURE DESIGN MANUAL (IDM) (CONT.)

COUNCIL RESOLUTION**MOVED:** CR. R. ELDRIDGE**SECONDED:** CR. F. STEVENS**THAT** Council:

1. Agree to the preparation of a Planning Scheme Amendment to the *Mitchell Planning Scheme* to implement the Infrastructure Design Manual.
2. Seek authorisation from the Minister for Planning to prepare and approve this Planning Scheme Amendment in accordance with section 8(1)(b) and section 35(1) of the *Planning and Environment Act 1987*.
3. Request that the Minister for Planning exercise his powers under section 20(4) of the *Planning and Environment Act 1987* by exempting the Planning Scheme Amendment from the requirements of sections 17, 18 and 19 of the *Planning and Environment Act 1987*.

CARRIED UNANIMOUSLY

9.3 VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION

Author: *James McNulty - Manager Development Approvals*

File No: *CL/04/004*

Attachments: *Nil*

SUMMARY

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

COUNCIL RESOLUTION

MOVED: CR. D. ATKINSON

SECONDED: CR. B. HUMM

THAT Council receive and note the report on the Victorian Civil and Administrative Tribunal Hearings and Activities carried out under delegation.

CARRIED UNANIMOUSLY

10 EXECUTIVE SERVICES

Nil Reports

11 NOTICES OF MOTION

11.1 NOTICE OF MOTION: NO. 959 - AUSTRALIA DAY 2020 CELEBRATIONS

Author: Councillor David Lowe

File No: CL/05/024

Attachments: Nil

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 18 March 2019.

COUNCIL RESOLUTION

MOVED: CR. R. SANDERSON

SECONDED: CR. F. STEVENS

THAT Council:

1. Note that there was an administrative oversight in the Expression of Interest process for the 2020 Mitchell Shire Council Australia Day Awards and Citizenship Ceremony last year where Expressions of Interest for the 2020 Ceremony were called for.
2. In the interests of openness, transparency and good governance, Officers place an advertisement in local papers calling for Expressions of Interest to host the 2020 Mitchell Shire Council Australia Day Awards and Citizenship Ceremony.

CARRIED

The vote resulted in as follows

For:

CR. D. ATKINSON
CR. B. CHISHOLM
CR. A. GOBLE
CR. R. SANDERSON
CR. F. STEVENS

Against:

CR. R. ELDRIDGE
CR. B. HUMM
CR. D. LOWE

Abstained:

NOTICE OF MOTION: NO. 960 - AUSTRALIA DAY PLANNING (CONT.)

11.2 NOTICE OF MOTION: NO. 960 - AUSTRALIA DAY PLANNING

Author: *Councillor David Lowe*

File No: *CL/05/024*

Attachments: *Nil*

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 18 March 2019.

COUNCIL RESOLUTION

MOVED: CR. D. LOWE

SECONDED: CR. R. ELDRIDGE

THAT Council officers undertake a review into the process for allocation of the Australia Day celebrations to ensure these important events are available and visible throughout the Shire and rotated as much as possible through the various townships.

CARRIED

The vote resulted in as follows.

For:

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

Against:

CR. A. GOBLE
CR. F. STEVENS

Abstained:

12 DELEGATES REPORTS

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

Author: Lidia Harding - Governance & Corporate Accountability Coordinator

File No: CL/04/001-03

Attachments: 1. Delegate Report

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 February 2019 and also other activities attended as a Council representative.

COUNCIL RESOLUTION

MOVED: CR. B. HUMM

SECONDED: CR. R. SANDERSON

THAT the Delegate's Report on Overview and Update on Activities and Delegate Deliberation by Councillors for February 2019 be received and noted.

CARRIED UNANIMOUSLY

13 GENERAL BUSINESS

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

This item was considered earlier in the meeting.

14 URGENT BUSINESS

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

15 CONFIDENTIAL BUSINESS

COUNCIL RESOLUTION

MOVED: CR. F. STEVENS

SECONDED: CR. B. HUMM

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 closed to the public at 7.56pm

15.1 Confirmation of Minutes of previous Confidential Meeting

15.2 Delegate Report - Audit Committee

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

15.3 2018/19 Footpath and Kerb & Channel Renewal Program

s89(2)(d) contractual matters.

15.4 RFT132531-Football Oval Flood Lighting Upgrade - JJ Clancy Reserve, Kilmore

s89(2)(d) contractual matters.

15.5 Award of Contract No: NR-0969-2018 for Provision of Security Services - Northern Region Collaboration

s89(2)(d) contractual matters.

15.6 Re-opening of Meeting to members of the public

The meeting was re-opened to members of the public at 8.11pm.

CARRIED UNANIMOUSLY

16 DATE OF NEXT MEETING

The next Ordinary meeting of Council is scheduled to be held on Monday 15 April 2019 at the Mitchell Civic Centre, 113 High Street Broadford, commencing at 7.00pm.

17 CLOSE OF MEETING

The meeting was declared closed at 8.12pm.

Confirmed this Monday, 15 April 2019

.....
Chairperson
Mayor, Cr Bill Chisholm