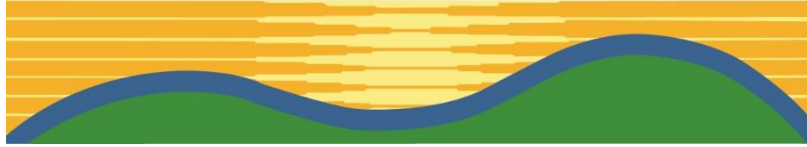


**MITCHELL SHIRE COUNCIL**



**ORDINARY COUNCIL  
MEETING  
MINUTES**

**MONDAY 19 NOVEMBER 2018**



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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  
19 NOVEMBER 2018**

**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 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

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**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 her respect to their Elders past and present, and its emerging and future leaders.*

The declaration was read by Cr A. Goble.

---

COMMUNITY ENGAGEMENT FRAMEWORK 2018 (CONT.)

## 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 Cornish declared an indirect interest by close association in Item 9.2 Planning Permit Application PLP207/18 For two lot subdivision At 5 Springridge Boulevard, Wallan as he works with the applicant.

## 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

### COUNCIL RESOLUTION

**MOVED:** CR. A. GOBLE

**SECONDED:** CR. B. CHISHOLM

**THAT** the Minutes of the Ordinary Council Meeting held 15 October 2018, 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

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COMMUNITY ENGAGEMENT FRAMEWORK 2018 (CONT.)

## **7 ADVOCACY AND COMMUNITY SERVICES**

### **7.1 COMMUNITY ENGAGEMENT FRAMEWORK 2018**

**Author:** Buffy Leadbeater - Coordinator Community Development/Youth Services

**File No:** CS/12/008

**Attachments:** 1. Community Engagement Framework 2018

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#### **SUMMARY**

This report outlines the review undertaken of the previous Community Engagement Framework 2014 and details the revised framework. The report reflects Council's commitment to elevating the priority of community focused engagement; its objective of achieving consistent and meaningful community engagement opportunities; and outlines the tools, resources and methods that will be implemented to support this objective.

#### **COUNCIL RESOLUTION**

**MOVED:** CR. D. LOWE

**SECONDED:** CR. B. CHISHOLM

**THAT** Council adopt the Draft Community Engagement Framework 2018.

**CARRIED UNANIMOUSLY**

## 8 GOVERNANCE AND CORPORATE PERFORMANCE

### 8.1 QUARTERLY FINANCIAL REPORT FOR THE THREE MONTHS ENDING 30 SEPTEMBER 2018

**Author:** *Hannah White - Management Accounting Coordinator*

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

**Attachments:** 1. *Financial Report for the three months ending 30 September 2018*

---

#### SUMMARY

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

#### COUNCIL RESOLUTION

**MOVED:** CR. A. GOBLE

**SECONDED:** CR. R. ELDRIDGE

**THAT** Council note the contents of the Financial Report for the period ending 30 September 2018 and Attachment 1 – Financial Report for the three months ending 30 September 2018.

**CARRIED UNANIMOUSLY**



**8.2 COUNCILLOR EXPENSE AND SUPPORT POLICY**

**Author:** Lidia Harding - Governance & Corporate Accountability Coordinator

**File No:** GV/13/003

**Attachments:** 1. Councillor Expense and Support Policy

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**SUMMARY**

The Councillor Expense and Support Policy identifies facilities, services and resources which are made available to Councillors and identifies those circumstances under which Councillors may incur and seek reimbursement for out of pocket expenses while carrying out their duties as an elected representative.

The Policy also provides guidelines for Councillors on the process for claiming expenses and outlines the methods and standards for reporting and accountability.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. ELDRIDGE

**SECONDED:** CR. B. CHISHOLM

**THAT** Council endorse the Councillor Expense and Support Policy.

**CARRIED UNANIMOUSLY**

**8.3 INTERSTATE AND OVERSEAS TRAVEL AND ACCOMMODATION POLICY**

**Author:** *Lidia Harding - Governance & Corporate Accountability Coordinator*

**File No:** *GV/13/003*

**Attachments:** 1. *Interstate and Overseas Travel and Accommodation Policy*

---

**SUMMARY**

This Policy applies to all Councillors and Officers requiring travel and accommodation for Council business and as part of their official Council duties.

**COUNCIL RESOLUTION**

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. R. ELDRIDGE

**THAT** Council endorse the Interstate and Overseas Travel and Accommodation Policy.

**CARRIED UNANIMOUSLY**

**8.4 ASSEMBLY OF COUNCIL RECORD**

**Author:** Lidia Harding - Governance & Corporate Accountability Coordinator

**File No:** CL/04/013-02

**Attachments:** 1. Assembly of Council

---

**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. B. CORNISH

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

**CARRIED UNANIMOUSLY**

## 9 DEVELOPMENT AND INFRASTRUCTURE

### 9.1 SALE OF LAND - BROADFORD-WANDONG ROAD, WANDONG

**Author:** Cameron Baird - Transport and Development Coordinator  
Tim Partridge - Manager Engineering and Major Projects

**File No:** 108763

**Attachments:** 1. Title Information  
2. Traffic Safety Assessment Report

---

#### SUMMARY

The land owner at 6 Cochrane Court in Wandong has approached Council to purchase a section of Council owned land (tree reserve) adjacent to their property to help facilitate access to Broadford-Wandong Road and to ultimately facilitate future development of their land.

It is considered that the sale of this Council owned land will set an inappropriate precedence for future management of the tree reserve that has been established with the sole intention of restricting and controlling the manner in which land owners gain access to/from the road network.

It is recommended that the request to sell this land and provide formal property access at this location is not supported.

#### COUNCIL RESOLUTION

**MOVED:** CR. A. GOBLE

**SECONDED:** CR. D. ATKINSON

**THAT** Council:

1. Does not support the sale of (part) Council owned land (the subject land) known as Reserve 1 on PS428371C, Volume 10522 Folio 969;
2. Write to the property owner at 6 Cochrane Court, Wandong and advise of this decision.

**CARRIED**

The vote resulted in as follows:

**For:**

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

**Against:**

CR. B. CORNISH  
CR. R. ELDRIDGE

**Abstained:**

## 9.2 PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN

**Author:** *Rees May - Statutory Planner  
Ricardo Ramos - Statutory Planning Coordinator*

**File No:** *PLP207/18*

**Attachments:**

1. *Clause 56 Assessment*
2. *State and Local Planning Policy Framework - applicable policies PLP207/18*
3. *Proposed Plan of Subdivision*
4. *Clause 65 Assessment*

7.29 pm Cr Cornish left the meeting

<b>Property No.:</b>	118578
<b>Title Details:</b>	Lot 225 on Plan of Subdivision 547624J (Volume 11225 Folio 691)
<b>Applicant:</b>	Chris Smith & Associates
<b>Zoning:</b>	General Residential Zone – Schedule 1
<b>Overlays:</b>	Development Plan Overlay – Schedule 8
<b>Objections Received:</b>	9 objections have been received.
<b>Cultural Heritage Management Plan Required:</b>	No. The proposed two lot subdivision is exempt from requiring a Cultural Heritage Management Plan.
<b>Officer Declaration of Conflict of Interest:</b>	No officers involved in the preparation of this report have any direct or indirect interest in this matter

RESPONSE TO NOTICE OF MOTION NO. 935 - FIRE ACCESS TRACKS (CONT.)

## SITE MAP



## SUMMARY

The application is for a two lot subdivision at 5 Springridge Boulevard, Wallan. The subject site is currently 680 square metres and is vacant. The proposed subdivision will create two side-by-side lots of 340 square metres.

The application was advertised by mail to adjoining properties and by placing a notice on the property. A total of nine objections were received.

Officer's recommendation is to issue a Notice of Decision to approve a planning permit subject to conditions.

---

RESPONSE TO NOTICE OF MOTION NO. 935 - FIRE ACCESS TRACKS (CONT.)

**COUNCIL RESOLUTION****MOVED:** CR. B. HUMM**SECONDED:** CR. D. LOWE

**THAT** Council having complied with the relevant sections of the *Planning and Environment Act 1987*, issue a refusal to grant a planning permit in respect of Application No. PLP207/18 for a two-lot subdivision at 5 Springridge Boulevard, Wallan (Lot 225 on Plan of Subdivision 547624J Volume 11225 Folio 691) on the following grounds:

1. The proposal is inconsistent with the purpose of the General Residential Zone as the development does not respect the neighbourhood character of the area. The proposed lots sizes and lot frontages are not consistent with the other lots within the surrounding estate and therefore not in keeping with the neighbourhood character.
2. The proposal will undermine the neighbourhood character of the area and will create a precedent for smaller lots within the estate.
3. The proposal is contrary to the orderly planning of the area and the density of future development will not be in keeping with the surrounding area.
4. The proposal is inconsistent with the objectives of the Development Plan Overlay 8.

**CARRIED**

The vote resulted in as follows:

**For:**

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

**Against:**

CR. A. GOBLE  
CR. R. SANDERSON  
CR. F. STEVENS

**Abstained:**

---

RESPONSE TO NOTICE OF MOTION NO. 935 - FIRE ACCESS TRACKS (CONT.)

### 9.3 RESPONSE TO NOTICE OF MOTION NO. 935 - FIRE ACCESS TRACKS

**Author:** *James McNulty - Manager Development Approvals  
Ricardo Ramos - Statutory Planning Coordinator*

**File No:** *FN16/3869*

**Attachments:** *1. Sample Condition*

---

7.45pm Cr Cornish returned to the Council Chamber

#### SUMMARY

This report provides a response to Notice of Motion No. 935 relating to Fire Access Tracks being utilised as a sole or main access for residential properties in Mitchell Shire.

#### COUNCIL RESOLUTION

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. R. ELDRIDGE

**THAT** Council receives and notes the information contained in this report.

**CARRIED UNANIMOUSLY**



**9.4 RESPONSE TO NOTICE OF MOTION 921 VEGETATION BUFFERS**

**Author:** *Elyse Kelly - Environmental Programs Coordinator*

**File No:** *ET/01/001-03*

**Attachments:** *Nil*

**Reference:**

---

**SUMMARY**

This report provides a response to Notice of Motion No. 921 relating to vegetation buffers.

Vegetation buffers are Council owned narrow linear reserves located throughout the shire. They are variable in area and accordingly have a range of maintenance requirements.

This report details the quantity and location of these reserves and presents options available to best manage ongoing maintenance and management costs in an effort to increase resilience to climate change.

**COUNCIL RESOLUTION**

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. R. ELDRIDGE

**THAT** Council:

1. Receive and note the report; and
2. Makes a recommendation to the Technical Committee of the Local Government Infrastructure Design Association that the standard width of access exclusion strips be 10cm.

**CARRIED UNANIMOUSLY**

**9.5 NOTICE OF MOTION 932 - INVESTIGATION OF PEDESTRIAN MOVEMENT NEAR KILMORE PRIMARY SCHOOL**

**Author:** Cameron Baird - Transport and Development Coordinator  
Tim Partridge - Manager Engineering and Major Projects

**File No:** TR/13/001

**Attachments:** Nil

**Reference:**

---

**SUMMARY**

In accordance with Notice of Motion 932, an investigation of pedestrian movement along Conway Street and Kilmore-Lancefield Road in the vicinity of Kilmore Primary School and St. Patricks Primary School has been conducted.

This report discusses the options available to Council to improve pedestrian safety in this precinct.

**COUNCIL RESOLUTION**

**MOVED:** CR. B. HUMM

**SECONDED:** CR. D. ATKINSON

**THAT** Council:

1. Notes the information contained in this report.
2. Refers the construction of a new footpath along the east side of Conway Street between Kilmore-Lancefield Road and the Kilmore CFA to future Capital Works budgets.
3. Receive a further report six months after the construction of the new footpath on the North side of Kilmore-Lancefield Road which assesses the ongoing demand for a potential Children's Crossing in Conway Street near Kilmore-Lancefield Road.

**CARRIED UNANIMOUSLY**

**9.6 VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION**

**Author:** *James McNulty - Manager Development Approvals  
Ricardo Ramos - 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. B. CHISHOLM

**SECONDED:** CR. B. CORNISH

**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. 955 - SPEED ZONES IN HIDDEN VALLEY

**Author:** Councillor David Lowe

**File No:** GV/10/024

**Attachments:** Nil

---

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 19 November 2018.

### COUNCIL RESOLUTION

**MOVED:** CR. D. LOWE

**SECONDED:** CR. B. HUMM

**THAT** the Chief Executive Officer or his nominated delegate, commence an internal review under the Victorian Speed Zone guidelines to be followed by, if required, an advocacy program to have the speed limits reduced on the Hidden Valley estate. Particularly on the Hidden Valley Boulevard and Valley Drive between the two intersections of these roads.

**CARRIED**

The vote resulted in as follows:

**For:**

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

**Against:**

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. Delegates 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 October 2018 and also other activities attended as a Council representative.

#### COUNCIL RESOLUTION

**MOVED:** CR. B. HUMM

**SECONDED:** CR. D. ATKINSON

**THAT** the Delegate's Report on Overview and Update on Activities and Delegate Deliberation by Councillors for October 2018 be received and noted.

**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. HUMM

**Cornish/Eldridge 8.11pm**

**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 8.11pm

**15.1 Confirmation of Minutes of previous Confidential Meeting****15.2 Re-opening of Meeting to members of the public****COUNCIL RESOLUTION**

**MOVED:** CR. B. CORNISH

**SECONDED:** CR. D. ATKINSON

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

**CARRIED UNANIMOUSLY**

The meeting was re-opened to members of the public at 8.12pm.

**16 DATE OF NEXT MEETING**

The next Ordinary meeting of Council is scheduled to be held on Monday 17 December 2018 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, 17 December 2018

.....

**Chairperson**  
**Mayor, Cr Rhonda Sanderson**