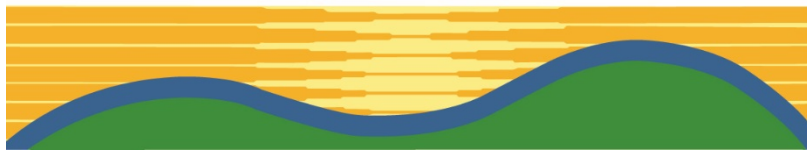


MITCHELL SHIRE COUNCIL



ORDINARY COUNCIL MEETING

AGENDA

MONDAY 19 NOVEMBER 2018

7.00pm

NOTICE IS HEREBY GIVEN that **Ordinary Council Meeting** of the Mitchell Shire Council will be held at **Mitchell Civic Centre, 113 High Street Broadford**, on **Monday 19 November 2018** commencing at **7.00pm**.

**DAVID TURNBULL
CHIEF EXECUTIVE OFFICER**

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1 WELCOME AND GOVERNANCE DECLARATION

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

2 APOLOGIES AND LEAVE OF ABSENCE**3 DISCLOSURE OF CONFLICTS OF INTEREST**

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

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**RECOMMENDATION**

THAT the Minutes of the Ordinary Council Meeting held 15 October 2018, as circulated, be confirmed.

5 PETITIONS AND JOINT LETTERS

In accordance with Clause 66 of the Meeting Procedure Local Law.

6 PRESENTATIONS

In accordance with Clause 65 of the Meeting Procedure Local Law.

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

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.

RECOMMENDATION

THAT Council adopt the Draft Community Engagement Framework 2018.

BACKGROUND

Following a review of the Mitchell Shire Community Engagement Framework adopted by Council in October 2014, a revised best practice framework has been developed to align with feedback from officers, community and more importantly from a recent audit by Victoria's Audit General Office (VAGO), March 2017. The objective of the audit was to determine the effectiveness of community engagement and participation at the local government level. The audit examined public participation at six councils including Mitchell Shire Council. Further to this, consultation with the Internal Community Engagement Champions was undertaken to revitalise the framework.

ISSUES AND DISCUSSION.

Mitchell Shire Council is renewing its whole of Council commitment to the process of open and authentic community engagement, to improve and advance community engagement, opportunities for more effective and inclusive participation in the decisions that affect the lives of the Mitchell community.

This Draft Framework aims to raise the profile, improve the quality and achieve better coordination of Mitchell Shire's community engagement based on the International Association for Public Participation (IAP2) model of public participation.

The framework not starting from scratch Council recognises that some effective community engagement has and is happening in Mitchell Shire. However, there are a number of processes that could be included in our framework to deliver more effectively and inclusive results, these include:

COMMUNITY ENGAGEMENT FRAMEWORK 2018 (CONT.)

- A focus on plain English
- Information on our newly emerging demographic and diversity
- Suite of new resources including a new Community Engagement toolkit, which aims to support the implementation of community engagement and guide Council officers in effective public participation
- Better understanding and promotion of Councils Engaging Mitchell Platform
- Methods for monitoring and evaluation
- Improved methods for monitoring and evaluation
- More consistent engagement planning

A key measure which will support the implementation of the Community Engagement Framework is the enhancement of the internal Community Engagement Champions program. Dedicated Council officers will undertake a leadership role within Council informing, supporting and driving community engagement activities both within their departments as well as organisational wide. As well as Internal Community Engagement Champions there will be an opportunity to implement an external Community Engagement Champions program. Training will be provided to the Champions and they will meet on a regular basis to share issues and good practice and ensure community engagement is reached throughout the entire Shire.

CONSULTATIONTribus

Council Officers met with Tribus directors on 3 May 2018 to explore opportunities for the use of a new Community Engagement Platform 'Tribus'. Council received a detailed presentation on this Engagement Tool which soon became evident that it concentrated extensively on a participatory budgeting model. This platform is innovative and worthwhile to monitor, however does duplicate many functions of the Engaging Mitchell platform that Mitchell Shire Council currently subscribes to. Council will continue to monitor the progression of Tribus for future engagement opportunities.

The Community Engagement Framework has been revised based on feedback from community, VAGO Audit 2017 and consultation with the existing Community Engagement Champions.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The implementation of the revised Community Engagement Framework will require all Council departments to work collaboratively to prioritise and embed community engagement in their activities. This will be led and supported by Community Development and the Communications teams who will provide resources, a toolkit and training to ensure that officers are adequately resourced and skilled to achieve effective, consistent and meaningful community focused engagement.

It is expected that individual departments will need to prioritise community engagement activities/programs and allocate the necessary budget to support project specific engagement activities.

COMMUNITY ENGAGEMENT FRAMEWORK 2018 (CONT.)

Financial resources are limited and are a risk for Councillors and staff who commit to using all of the IAP2 Public Participation Spectrum process of Inform, Consult, Involve, Collaborate and Empower.

POLICY AND LEGISLATIVE IMPLICATIONS

The *Local Government Act 1989* review is complete, the review resulted in the *Local Government Bill 2018* being introduced into Parliament on 23 May 2018. This bill has since lapsed, and the *Local Government Act 1989* continues to form the basis of the legal framework for the constitution, role and governance of Victorian councils.

The Community Engagement Framework complements the:

- Mitchell 2020 Community Plan Community Engagement: Inclusive approaches to community engagement in planning and decision-making that make it possible for all to participate
- Council Plan 2017-2021
- Municipal Public Health and Wellbeing Plan 2017-2021

Council also participates in the annual Department of Transport, Planning and Local Infrastructure (DTPLI) Community Satisfaction Survey. Participation in this is voluntary and opt in and out basis; however, the results from this survey are used to report against the Local Government Performance Reporting Framework.

RISKS

It is important to identify and consider risks associated with engagement, especially those that may have a negative impact. This is in line with the Council's overall risk management policy.

Part of preparation for community engagement involves creating a plan to ensure the engagement techniques selected support the objectives of the Engagement Framework. This will allow for a shared and collaborative understanding and approach.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

Community participation and community engagement activities supported by the Community Engagement Framework 2018, will help deliver improved social capital and community outcomes.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

COMMUNITY ENGAGEMENT FRAMEWORK 2018 (CONT.)

CONCLUSION

The revised Draft Community Engagement Framework upholds Council's commitment to community engagement. It outlines a more open and authentic community engagement approach and aims for effective and inclusive participation in the decisions that affect the lives of the Mitchell community.

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

ADVOCACY AND COMMUNITY SERVICES

19 NOVEMBER 2018

7.1

COMMUNITY ENGAGEMENT FRAMEWORK 2018

Attachment No: 1

Community Engagement Framework 2018



DEFINITIONS.

When planning and delivering community engagement, it is important that a common language is understood. For this Framework, the following definitions apply.

Engagement	Engagement is a planned process with the specific purpose of working with individuals and groups to encourage active involvement in a project. The term engagement is very broad and the purpose of the engagement should be defined for each specific project and project stage. Engagement refers to the range of opportunities open to stakeholders and the community to participate in a project. This ranges from educating individuals or groups about a project; obtaining community feedback at a key project stage or milestone; or working collaboratively with stakeholders to address local issues.
Community	<p>A community is a group of people who have a relationship or a shared interest. A community of place is a group of people who are connected by the area they live, work and/or visit.</p> <p>This could include a community who live in the same street, neighbourhood or suburb; a community who work in the same building; or businesses located in a particular activity centre.</p> <p>A community of interest is a group of people who have a shared interest. For example the natural environment, local history or contemporary art.</p> <p>A community of affiliation are a group of people who are members of the same group or club including members of a sporting club, Rotary or a church group.</p>
Stakeholder	Stakeholders are individuals or organisations which affect, or can be affected by project decisions. Stakeholders can include interest groups, government departments/agencies, media, business and industry.
Communication	Communication refers to the range of channels and formats used to disseminate information to different audiences. The purpose of communication is to build awareness and support but can also be used to make announcements, to keep people informed and to respond to media or public enquiries.
Public	Public refers to members of the general public who may not belong to a specific community relevant to the project but they still have an interest in the project.
Council	Mitchell Shire Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989.
Councillors	Individuals holding the office of a member of Mitchell Shire Council.
Council Officer	Staff of Mitchell Shire Council.
Interface Council	Interface Councils are a group of ten municipalities that form a ring around metropolitan Melbourne. Interface Councils comprises 10 councils: Cardinia Shire Council, City Of Casey, Hume City Council, Melton City Council, Mitchell Shire Council, Mornington Peninsula Shire Council, Nillumbik Shire Council, City of Whittlesea, Wyndham City Council, Yarra Ranges Shire Council.

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More inclusive, better outcomes.

Strategy Owner	Community Development
Creation Date	October 2014
Revision Date	November 2018

INTRODUCTION.

The Community Engagement Framework 2018 outlines Mitchell Shire Council's commitment to engage, consult and involve with the community, and other local relevant stakeholders, to inform decision making processes.

Mitchell Shire is one of Victoria's fastest growing outer metropolitan municipalities, strategically located just 40 kilometres north of Melbourne.

Mitchell Shire is an interface growth area, with a mix of rural and urban living with affordable housing and a diversity of lifestyle and housing choices.

As of January 2018, our total population stood at approximately 45,000 (Forecast.id 2018).

In the next 20-30 years our population is projected to grow to 250,000 people, many of them young families (forecast id). It is anticipated that most of this growth will occur in and around the southern townships of Beveridge, Kilmore/ Kilmore East and Wallan/Wallan East.

Mitchell Shire is a diverse community seeing the age profile slightly higher than the neighbouring growth areas of Hume and Whittlesea. This reflects the current transitional status of Mitchell Shire as an interface growth area, as it continues to attract young people and younger families who supplement our traditional township communities.

This diversity highlights that a variety of methods must be used to engage with our community, valuing the differences of opinions and needs across the municipality.

Mitchell Shire Council is renewing its whole of Council commitment to the process of open and authentic community engagement. To improve and advance community engagement, there are opportunities for more effective and inclusive participation in the decisions that affect the lives of the Mitchell community. This Framework aims to raise the profile, improve the quality and achieve better coordination of Mitchell Shire's community engagement.

"Through prior consultations our community has told us it values Mitchell Shire for its proximity to Melbourne as well as its parks and green spaces, vibrant atmosphere and sense of community and above all the people, which makes the area enjoyable to live"

Community Wellbeing survey 2017.



Positive Ageing Ambassador Workshop 2017.

A MESSAGE FROM THE COUNCILLORS.

Local government is the closest level of government to the community. We also have legislated responsibilities for community engagement and the health and wellbeing of people in our municipality.

We have a critical role to help understand, plan and advocate for the needs of our community and we rely on the strength of our relationship with our community to do this well.

The Community Engagement Framework sets out our commitment to transparent processes and open communication. This helps us to work with our community to make good decisions in the interests of the municipality now and in the future.

The Framework also sets out our commitment to making it easy for people to participate in decision-making. We provide a range of tools for people to get involved. Some people prefer to have their say online, others prefer face-to-face contact and some prefer to provide written information and feedback.

There is no one way that will suit everybody. The Community Engagement Framework encourages staff to provide a number of ways for people to take part. It also builds in ongoing monitoring and evaluation so that we can learn from each project.

The Community Engagement Framework commits Council to best practice engagement principles and provides the basis for a consistent approach to engagement activities across the organisation.

This is our commitment to you. In return, we encourage community members to get involved in consultation opportunities – whether you're a ratepayer, a resident, a volunteer, someone who works or studies in Mitchell Shire, a business owner or operator, a visitor to our community or just an interested community member. Your input helps us to consider a range of views and interests to make more informed decisions on your behalf. This ultimately leads to better outcomes for our community and helps us deliver on our vision and mission – working with our community to build a great quality of life and a sustainable future.

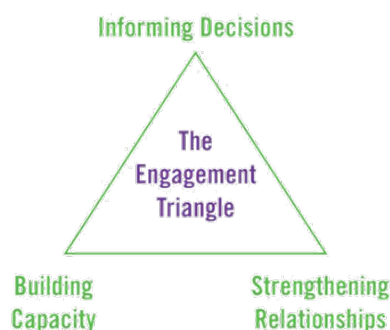


From left to right: Cr Bob Humm, Cr Bob Cornish, Cr Rob Eldridge, Cr David Lowe, Cr David Atkinson, Mayor Cr Rhonda Sanderson, Cr Fiona Stevens, Cr Annie Goble and Cr Bill Chisholm.

WHAT IS COMMUNITY ENGAGEMENT?

Community engagement at Council is defined as:

“A process to build capacity, strengthen relationships and inform decision making”.



Informing Decisions: To provide opportunities for the community to contribute to decision making processes.

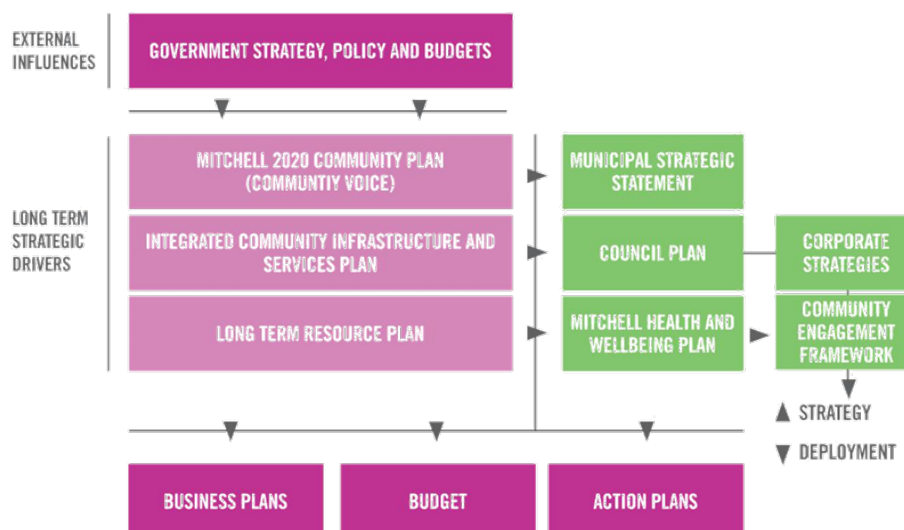
Building Capacity: To educate the community on a specific theme or issue to increase knowledge or change behaviours.

Strengthening Relationships: To build new relationships and/or improve relationships with the community.

Engagement Triangle, Capire Consulting: <http://capire.com.au/engagement-triangle/>

WHY DO WE NEED A FRAMEWORK?

All staff within Mitchell Shire Council undertake their work within the Mitchell Shire Strategic planning framework as shown below. This framework is led by the Council Plan's overarching goals and objectives with the Community Engagement Framework influencing all aspects of Council's work, from day to day activities and service provision to organisational policies and strategic directions.



COMMUNITY ENGAGEMENT FRAMEWORK.

The Community Engagement Framework defines Council's commitment to the community and outlines the community engagement principles that drive Council's engagement practices.

Community Engagement Framework

Overarching vision, principles, approach, roles and responsibilities

Community Engagement Toolkit

Specific information and advice on 'how to' undertake different types of engagement with the community

The framework applies to all forms of engagement by Councillors, officers, volunteers and consultants acting on behalf of council including:

- > The planning, implementation and evaluation of any community engagement activity
- > Engagement with the community regarding issues, proposals and Council decisions such as projects, strategies, plans, programs or service delivery
- > Engagement with key groups in the community including volunteers
- > Internal engagement within the organisation including Councillors



COMMUNITY ENGAGEMENT PRINCIPLES.

The Community Engagement Framework 2018 principles are informed by the International Association of Public Participation's and reflect Mitchell Shire Council's organisational values of working together, respect, Customer service excellence, Accountability and Continuous improvement.

The framework responds to the Victorian Auditor General's Office (VAGO) Better Practice Guide: Public Participation in Government Decision-making[1]. It also takes into consideration Local Government Rate Capping and Variation Framework (Victorian Essential Services Commission) recommendations for good practice in deliberative community engagement.

Mitchell Shire Council has adopted the following principles to underpin how we engage with the community. The principles will help us to improve service delivery, identify and respond to changing local needs and maintain an ongoing dialogue with our diverse community.

WE WILL:

- > Plan our engagements to be timely, open and easily understood.
- > Make sure engagement activities are inclusive, accessible and actively seek a diverse range of perspectives.
- > Be upfront about how much opportunity there is to influence a decision.
- > Define the community's role in any community engagement process using the IAP2 Public Participation Spectrum (Inform, Consult, Involve, Collaborate and Empower).
- > Provide information to support meaningful community participation.
- > Use a variety of engagement techniques that meet the needs and interests of the community.
- > Let the community know how their input has influenced our decision and the outcomes (close the loop).
- > Learn from each experience to review and improve our practice

COMMUNITY ENGAGEMENT PRACTICE.

IAP2 PUBLIC PARTICIPATION SPECTRUM

To determine the required level of engagement and activities to be applied, staff should review the project against the engagement spectrum. The spectrum has five levels of engagement:

	Level 1 Inform	Level 2 Consult	Level 3 Involve	Level 4 Collaborate	Level 5 Empower
Goal	Targeted communication to provide balanced and objective information to assist understanding about something that is going to happen or has happened	Two-way communications designed to obtain feedback on ideas, alternatives and proposals to inform our decision making	Participatory process designed to help identify issues and views	Working together to develop an understanding of all issues and interests to work out alternatives and identify preferred solutions for joint decision making	Final decision making placed in the hands of the community
Council's Approach	We will share information about a decision or direction	We will explore options, gain feedback and an understanding of your concerns and preferences	We will involve you in the process so your ideas, concerns and aspirations are reflected in the alternative developed or the final decision	We collaborate with you so your advice, innovation and recommendations are included in the final decision that we make together	We will empower the community by placing the final decision with them and encourage community to lead initiatives
Role of Stakeholder/Community	Listen	Contribute	Participate	Partner	Lead
Examples	<ul style="list-style-type: none"> > Fact sheets > Websites > Open days > Signs 	<ul style="list-style-type: none"> > Public comment > Focus groups > Surveys 	<ul style="list-style-type: none"> > Workshops > Drop in sessions 	<ul style="list-style-type: none"> > Community Advisory Committees 	<ul style="list-style-type: none"> > Ballots > Delegated decisions > Community plans

WHO DO WE ENGAGE WITH?

Community

Includes all those who live, work, volunteer, invest or play within Mitchell Shire.

Stakeholders

Includes businesses, service providers, volunteers, not-for-profit organisations, government agencies as well as other levels of government.

Harder to reach

Includes community members that may find it difficult to participate in engagement activities including homeless, newly arrived refugees, people with a disability, Culturally and Linguistically Diverse communities.



Wallan Community Garden.

HOW DO WE ENGAGE?

To ensure Council receives the best input possible from the community, Council will be clear about what it is trying to achieve, understand who needs to be involved, and will engage in different ways to ensure everyone has an opportunity to participate.

Council commits to engaging in an open and honest manner, clearly communicating any restraints or limitations that may affect the engagement process as well as clarifying how much the community may influence the decision at hand.

Together with targeted engagement efforts, Council will also continue ongoing relationships with community and stakeholders through advisory committees and by providing support to community groups.

The implementation of the Community Engagement Framework will work together with the Community Engagement Toolkit for staff. The toolkit will include a variety of methods that can be used. Both the guidelines and the toolkit will be monitored and evaluated to make sure they meet the changing needs of the community.

COMMUNITY ENGAGEMENT PROCESS



HOW CAN THE COMMUNITY ENGAGE WITH COUNCIL?

Community engagement requires active participation from the community. There are many ways community members can get involved. These include:

- > Face to face
- > Speaking with any Council staff or Councillor
- > Visiting your local Library and Customer Service Centre
- > Providing feedback via customer service (website, email, phone, letter)
- > Attending drop in sessions and or providing feedback on particular projects out for public comment
- > Attending Council hearing meetings
- > Surveys
- > Visiting Engaging Mitchell online engagement
- > Connecting via social media
- > Joining in local events and activities
- > Joining an Advisory Committee or the Community Voice Panel

COMMUNITY ENGAGEMENT RESOURCES.



> Community Engagement Framework



> Community Engagement toolkit

> Engaging Mitchell website



> Mitchell Community Voice panel

> Community Engagement Champions

> Community Engagement Planning Calendar



DEVELOPMENT, IMPLEMENTING, MONITORING AND REVIEWING

The Community Engagement framework 2018 has been developed through evidence based best practice as well as a review of current organisational practices. Consultation took place with staff and Councillors to assist in the development of this Framework.

Implementation of this framework will be achieved through Council staff and Councillors utilising the Community Engagement toolkit.

This framework will be reviewed periodically to evaluate Council's community engagement activities and improve practice. Additionally, the community's satisfaction with community engagement will be monitored via feedback in the Annual Community survey.

Additionally Council will recognise the importance of closing the engagement loop and communicate to stakeholders and community about how their participation contributed to decision making.

	Customer Service (Enquiry Types and Statistics)		Consultation and Participation
	Public Engagement Events		Online Engaging Mitchell Activity Reports
	Engaging Mitchell Voice Panel		Independent Community Satisfaction Reports

LEGISLATIVE REQUIREMENTS.

In some instances, Council is legislatively and/or legally required to engage with the community. In these cases, we will treat the legally required level of community engagement as the minimum standard.

Delivery of community engagement beyond legally required levels will depend on the:

- > Decision to be made
- > Project/service to be delivered
- > Community's interest to participate
- > Need to understand the community's view
- > Opportunity for the community to influence the decision

Community engagement is required under the following relevant legislation:

- > *Local Government Act 1989*
- > *Road Management Act 2004*
- > *Victorian Charter of Human Rights and Responsibilities Act 2006*
- > *Planning and Environment Act 2007*
- > *Health and Wellbeing Act 2008*
- > *Commission for Children and Young People Child Safe Standards*



Broadford Library 2014.

REFERENCES.

- > IAP2 Australasia 2014, Certificate of Engagement.
- > International Association for Public Participation (IAP2) www.iap2.org.au
- > IPAA (2013) *Stakeholder Engagement Manual*
- > Forecast ID 2017
- > OECD *Engaging Citizens in Policy-making: Information, Consultation and Public Participation*, PUMA Policy Brief No. 10, July 2001 and Department of Environment and Sustainability *Effective Engagement: building relationships with community and stakeholders*, Book 1, 2005
- > VAGO *Better Practice Guide* www.audit.vic.gov.au/publications/20150130-Public-Participation-BPG/20150130-Public-Participation-BPG.pdf
- > Local Government Act 1989
- > Planning and Environment Act 2007
- > Public Health and Wellbeing Act 2008
- > Hobsons Bay City Council (2015) *Community Engagement Framework*
- > Shellharbour City Council (2014) *Community Engagement Toolkit*
- > City of Ballarat (2016) *Community Engagement Framework*
- > City of Greater Bendigo (2016) *Community Engagement Guidelines and Toolkit*
- > City of Greater Geelong (2017) *Community Engagement Policy*
- > Wyndham City Council (2018) *Community Engagement Framework*



If you would like to engage or provide feedback please contact Council:
t: (03) 5734 6200
e: mitchell@mitchellshire.vic.gov.au
w: www.engagingmitchellshire.com



MITCHELL SHIRE COUNCIL



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.

RECOMMENDATION

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.

BACKGROUND

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

ISSUES AND DISCUSSION

This report combined with the Attachment 1 ensures Council prudently manages its financials in an open and transparent way to meet the requirements of the Act. The attachment forms a package which gives a comprehensive picture of Council's financial performance and current financial state, in comparison to the budget adopted by Council.

The Attached 1 represents the first budget review for the financial year and three months of business ending 30 September 2018. Council's revised adjusted underlying result is predicting a deficit of \$1.54M compared to the adopted budget deficit of \$847K.

The total capital works expenditure forecast for the year is \$32.68M, which is \$3.55M higher than the adopted budget. This is mainly due to the finalised 30 June 2018 carry forwards and successful grant applications.

Capital works expenditure for the three (3) months ended 30 September 2018 was \$3.79M. This represents 12% of the total works program. Capital works expenditure generally increases as the financial year progresses following completion of the

QUARTERLY FINANCIAL REPORT FOR THE THREE MONTHS ENDING 30 SEPTEMBER 2018 (CONT.)

necessary procurement requirements and construction commences. Budgets will continue to be refined as the year progresses.

The report contains further detail, however, the revised result mainly relates to additional operating grants, increased expenditure associated with the additional operating grants, and the finalisation of 2017-2018 operating carry forwards.

The quarter two (2) forecast will be reviewed in depth in preparation for the annual budget process.

CONSULTATION

Officers have been consulted in the preparation of this report.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Attachment 1 outlines the financial implications.

POLICY AND LEGISLATIVE IMPLICATIONS

Council's Financial Planning Principles set parameters under which Council prepares its budgets. It compares actual financial performance and state with that of the prior forecast.

RISK IMPLICATIONS

Risk Ranking is determined using [ROHS201-G1- Corporate Risk Matrix](#).

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is negligible risk of reputation and financial risk associated with the information contained with this report	1C L4	Monitor and report regularly	Yes

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

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

CHARTER OF HUMAN RIGHTS IMPLICATIONS

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

QUARTERLY FINANCIAL REPORT FOR THE THREE MONTHS ENDING 30 SEPTEMBER 2018 (CONT.)

CHILDREN AND YOUNG PEOPLE IMPLICATIONS

At Mitchell Shire Council we are committed to ensuring all children and young people reach their full potential as we strive to achieve our mission of working with our communities to build a great quality of life.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

This report compares the actual financial performance and financial state with the adopted budget.

Council continues to focus on sustainable decisions in relation to financial planning and performance.

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

GOVERNANCE AND CORPORATE PERFORMANCE

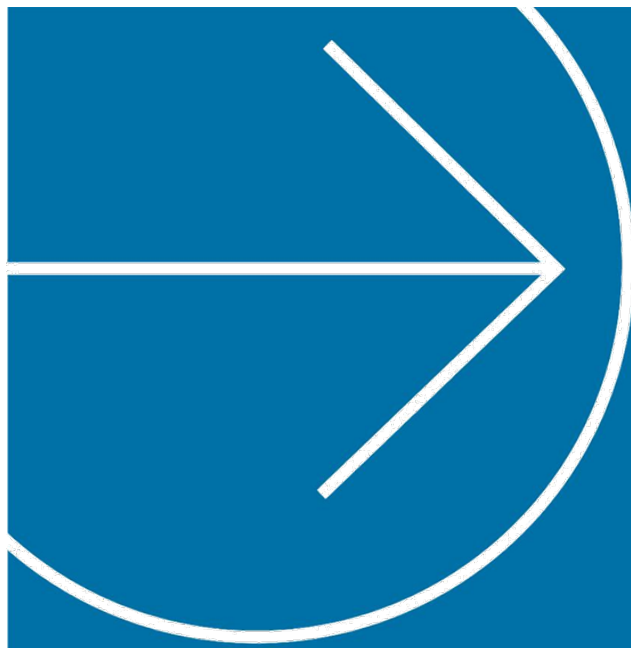
19 NOVEMBER 2018

8.1

QUARTERLY FINANCIAL REPORT FOR THE THREE MONTHS ENDING 30 SEPTEMBER 2018

Attachment No: 1

**Financial Report for the three months ending
30 September 2018**



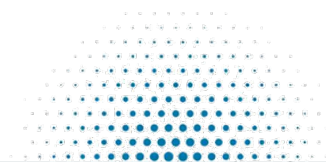
MITCHELL SHIRE COUNCIL QUARTERLY FINANCE REPORT

For the 3 months ended 30 September



MITCHELL SHIRE COUNCIL

Quarterly Finance Report



1. Overview

The September Quarterly Finance Report outlines the financial results for the three months ended 30 September 2018, along with a comparison to the adopted annual budget. This report includes the following:

- Income Statement;
- Statement of Capital Works;
- Balance Sheet;
- Cash, investments and financial reserve schedules;
- Key performance indicators;
- Rates and other debtors; and
- Councillor expenditure.

The current financial position needs to be read in the context of Council's longer term financial plan contained within the 2018-2019 Budget and 2019-2022 Strategic Resource Plan (SRP).

The revised forecast represents changes to the 2018-2019 adopted budget based on where the actuals are expected to be as at 30 June 2019. The year to date (YTD) actuals are tracking as expected when excluding the impact of the Kilmore Leisure Centre closure.

The current forecasted impact of the Kilmore Leisure Centre closure is an unfavourable net impact of \$375K, as shown in the below table.

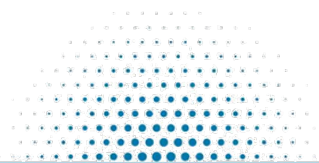
	Amount \$'000 fav/(unfav)
User Fees	(578)
Employee Costs	147
Materials and Services	56
Total	(375)

This report represents three months of business in the 2018-2019 year. Council's adjusted underlying result is now predicting a deficit of \$1.54M compared to the adopted budget adjusted underlying deficit of \$854K. Overall, the current forecast adjusted underlying deficit is \$694K unfavourable compared to the adopted budget. The variances that contribute to this result are described further in the following sections of the report.

The main changes impacting the adjusted underlying result during quarter one are additional operating grants of \$3.18M, increased expenditure of \$3.09M associated with the additional operating grants, and the finalisation of 2017-2018 operating carry forwards (\$622K).

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Quarterly Finance Report



2. Financial Statements

The adjusted underlying result seen in the Income Statement is the net surplus/(deficit) for the year adjusted for non-recurrent capital grants, non-monetary asset contributions and capital contributions from other sources. It is a measure of financial sustainability and Council's ability to achieve its service delivery objectives as it is not impacted by non-recurrent capital income items, which can often mask the operating result.

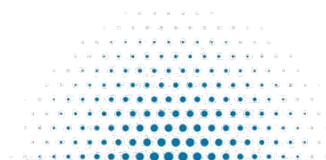
Analysis is detailed in the notes below.

Income Statement for the three months ending 30 September 2018

	Notes	Adopted Budget \$'000	Q1 Forecast \$'000	Q1 Forecast v Budget \$'000 Fav/(unfav)
Revenues				
Rates and charges	1	43,152	43,290	138
Statutory fees and fines		1,086	1,089	3
User fees	2	6,332	5,975	(357)
Grants - Operating	3	7,369	10,551	3,182
Grants - Capital (Recurrent)	4	1,629	833	(796)
Grants - Capital (Non Recurrent)	5	9,242	5,185	(4,057)
Reimbursements	6	140	308	168
Contributions - Monetary	7	2,274	2,489	215
Contributions - Non monetary assets		7,500	7,500	-
Other Income	8	607	719	112
Net profit on disposal of property, infrastructure, plant and equipment		-	-	-
Total Income		79,331	77,939	(1,392)
Expenses				
Employee costs	9	25,968	25,728	240
Materials and services	10	19,626	23,024	(3,398)
Bad and doubtful debts		13	13	-
Depreciation and amortisation		13,320	13,320	-
Other expenses		1,419	1,428	(9)
Borrowing costs	11	816	793	23
Total Expenses		61,162	64,306	(3,144)
Net Surplus/(Deficit)		18,169	13,633	(4,536)
Underlying Result Adjustment:				
Contributions - Non monetary		7,500	7,500	-
Contributions - Monetary		2,274	2,489	215
Grants - Capital (Non Recurrent)		9,242	5,185	(4,057)
Total Underlying Adjustment		19,016	15,174	(3,842)
Adjusted Underlying Surplus/(Deficit)		(847)	(1,541)	(694)

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Note 1 – Rates and charges

Rates and Charges for the year are forecast to be \$138K favourable compared to the adopted budget. This favourable variance relates to the finalisation of the 2018-2019 rates and charges, including charges raised for the full financial year and a review of anticipated supplementary rates and charges.

Note 2 – User Fees

User fees relate mainly to the recovery of service delivery costs through the charging of fees to users of Council's services. These include registrations, use of leisure, entertainment and other facilities, and the provision of community services such as kindergartens. User fees are forecasted to be \$357K lower than the adopted budget. This is mainly due to the following:

Decreases	Amount \$'000
Leisure Services due to the impact of the Kilmore Leisure Centre closure	(578)
- This adjustment assumes a reopening date of February 2019	
Rates legal fees recovery charges, in line with 2017-2018 actuals	(100)
- This is fully offset with a reduction in expenditure for debt collection cost (see note 10)	
Subtotal	(678)
Increases	Amount \$'000
Infrastructure Development supervision and plan checking fees in line with expected growth for 2018-2019	229
- This is partially offset by new Landscape Engineer role (see note 9)	
Building Services statutory fee increase relating to lodgement fees	80
Broadford Living and Learning Centre user fees due to improved program participation	16
Subtotal	325
Total	(353)

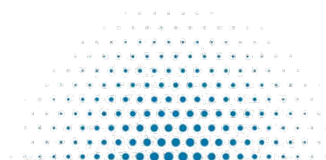
Note 3 – Grants – Operating

Operating grants include all monies received from State and Federal sources for the purpose of funding the delivery of Council's services. Overall the level of operating grants is forecast to increase by \$3.18M compared to the adopted budget. The variance is mainly due to the following:

Increases	Amount \$'000
Flood and Storm events (2017-2018), of which \$358K was identified as a carry forward from 2017-2018	2,560
Successful Streamlining for Growth grant applications	
- Mitchell secured \$280K in funding, with \$80K expected to be recognised as income in 2019-2020	200
Fire Services Levy income carried forward from 2017-2018	120
Enhanced Home Visiting due to the expansion of visits to children up to the age of two	74
Waste Management for the final payment of the Recycling Temporary funding relief grant	38
Maternal and Child Health (Universal and Aboriginal programs)	36
Mitchell Youth Engagement	30
Graffiti Prevention	28
Financial Assistance Grant 2018-2019 allocation, due to the confirmation of the funding (August 2018)	27
Total	3,113

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Note 4 – Grants – Capital (Recurrent)

Grants – Capital (Recurrent) for the year is forecast to be \$832K which is \$796K lower than the adopted budget. This is mainly due to \$806K of Roads to Recovery funding being received at the end of the 2017-2018 financial year. The expenditure associated with the income is due to be expended during 2018-2019. Offsetting the \$806K, is the Premiers Reading Challenge grant of \$9.6K. The capital works expenditure forecast has been increased to reflect the successful grant application.

Note 5 – Grants – Capital (Non-Recurrent)

Grants – Capital (Non-Recurrent) for the year are forecast to be \$4.06M unfavourable compared to the adopted budget. The forecast has been adjusted following notification and timing of grants. Cash flow adjustments have been made to correct this overstatement.

Two joint use agreement grants have been forecast during quarter one for Wallan (\$526K) and Broadford (\$293K) Secondary College Oval projects.

Note 6 – Reimbursements

Reimbursements are forecasted to be \$308K for the year, which is \$168K greater than the adopted budget. This is mainly due to the following:

Increases	Amount \$'000
Waste Resource Recovery Centres reimbursements (scrap metal, fridges, batteries)	73
- This is in line with year to date performance trends	
Insurance payment received in relation to a legal settlement	38
Legal costs incurred relating to Visy contact negotiations from Murrindindi and Strathbogie Shires	25
- \$20K of this relates to expenditure incurred in 2017-2018	
Fuel rebate due to the forecasted increased fuel usage in Plant Operating	11
Demerit point fines issued for non-compliance relating to the current cleaning contract	7
Total	154

Note 7 – Contributions – Monetary

Contributions – Monetary are forecasted to be \$2.49M for the year, which is \$215K greater than the adopted budget. This is mainly due to increases in development contributions relating to the Cloverton development and the finalisation of project contributions from 2017-2018.

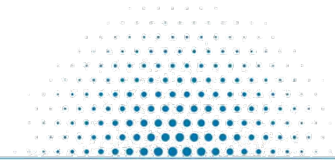
Note 8 – Other Income

Other income includes, but is not limited to, income from interest on bank deposits, interest on unpaid rates, rent and facility hire. Other income for the year is forecast to be \$719K which is \$112K higher than the adopted budget. This is mainly due to the following:

Increases	Amount \$'000
Rental income for 12 Moyle Street	90
Rental income for Kilmore Old Town Hall	15
- This is fully offset with additional capital expenditure	
Library rental income from community groups	4
Total	109

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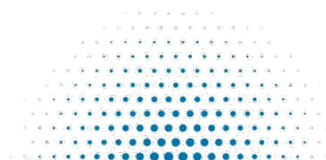
Note 9 – Employee Costs

Employee Costs are forecast to be \$240K lower than the adopted budget, which is mainly due to the following:

Decreases	Amount \$'000
Vacant positions	186
- This is mostly offset by labour hire, consultants and recruitment costs	
Leisure Service due to the Kilmore Leisure Centre closure	147
- This adjustment assumes a reopening date of February 2019	
Risk and OHS due to reduction in Workcover Premium	79
Fringe Benefits Tax based on 2017-2018 actuals and forward projections	33
Subtotal	445
Increases	Amount \$'000
Defined benefits superannuation employer contributions and other staffing adjustments	(60)
Infrastructure Development relating to new Landscape Engineer position	(53)
- This is offset by resources required to meet growing workload and demand	
Public Health carried forward from 2017-2018 for Aboriginal MCH and Enhanced Home Visiting	(44)
- Grant funding was received in 2017-2018	
Community Development for Broadford Living and Learning Centre and Walk to School	(28)
- This is fully offset with additional income	
Subtotal	(185)
Total	260

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Note 10 – Materials and Services

Materials and services expenditure is forecast to be \$23.02M for the year. The full year forecast is unfavourable to the adopted budget by \$3.40M. The variance is mostly due to the following adjustments:

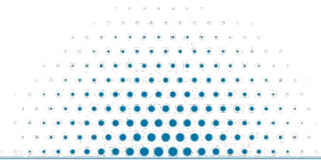
Decreases	Amount \$'000
Debt collection costs	100
- This is fully offset by reduced income for rates legal fees recovery charges (see note 2)	
Leisure Service due to the Kilmore Leisure Centre closure	56
- This adjustment assumes a reopening date of February 2019, and is fully offset by reductions in income (see note 2)	
Subtotal	156
Increases	Amount \$'000
Expenditure relating to the 2017-2018 Flood and Storm Restoration	(2,200)
- This is fully offset with grant income (see note 2)	
Operating carry forwards from 2017-2018	(573)
Expenditure relating to successful Streamlining for Growth projects	(200)
- This is fully grant funded (see note 2)	
IT Services software for updated TechOne licenses	(196)
- This is fully offset by a decrease in capital works project allocation	
Labour hire, consultants and recruitment costs	(159)
- Offset by reductions in salaries due to staff vacancies	
Fuel costs for Plant and Fleet	(125)
- There are various factors contributing to the increase including price, usage, distances travelled etc.	
Waste Resource Recovery Centres contractors in relation to green waste mulching and transporting	(81)
- This increase is reflective of 2017-2018 actuals and anticipated 2018-2019 levels	
Asset Management for condition audits and road asset management plans not completed in 2017-2018	(56)
Motor vehicle and plant insurance premium	(26)
Subtotal	(3,616)
Total	(3,460)

Note 11 – Borrowing costs

Borrowing costs relate to interest charged by financial institutions on funds borrowed. The reduction of \$23K reflects timing of new loans now forecasted to commence in January 2019.

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Statement of Capital Works for the three months ended 30 September 2018

Asset Class	Notes	Adopted Budget \$'000	YTD Actuals \$'000	Q1 Forecast \$'000	Q1 Forecast v Budget \$'000 Under/(Over)
Land		2,163	4	2,213	(50)
Buildings		2,928	1,115	3,006	(78)
Bridges		445	3	928	(483)
Drainage		303	19	411	(108)
Footpaths and Cycleways		2,069	81	2,174	(105)
Roads		6,606	42	6,617	(11)
Off Street Car Parks		247	4	250	(3)
Waste Management		3,560	1,312	5,174	(1,614)
Recreation, Leisure and Community Facilities		1,578	92	1,843	(265)
Parks, Open Space and Streetscapes		3,894	491	3,297	597
Plant and Machinery		2,150	164	2,150	-
Motor Vehicles		1,324	123	1,362	(38)
Fixtures, Fittings and Furniture		295	4	304	(9)
Computers and Telecommunications		1,177	244	1,427	(250)
Library Books		180	37	190	(10)
Other Capital		207	56	1,331	(1,124)
Sub Total	12	29,126	3,791	32,677	(3,551)
Renewal		12,987	1,824	17,598	(4,611)
New Assets		9,454	1,213	8,548	906
Upgrade		6,685	754	6,531	154
Expansion		-	-	-	-
Sub Total		29,126	3,791	32,677	(3,551)

Note 12 – Capital Works Expenditure

The capital works expenditure for the three months ended 30 September 2018 was \$3.79M or 12% of the forecast.

Of the \$3.79M spent year to date 94% has been spent on carry forward capital works projects from 2017-2018. This is due to the 2018-2019 projects being in the planning and procurement stages.

The total capital works expenditure forecast for the year is \$32.68M, which is greater than the adopted budget by \$3.55M.

This is mainly due to the following:

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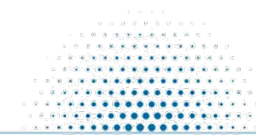
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Increases		Amount \$'000
Finalisation of 2017-2018 carry forwards		(2,490)
Wallan Secondary College Oval (joint use) project		(583)
Broadford Secondary College Oval (joint use) project		(377)
Waste and Resource Recovery projects		(213)
Hadfield Changing Places facility		(40)
Fleet renewal relating to the purchase of new vehicle		(38)
Transfers from operating relating to various furniture and equipment purchases		(27)
Kilmore Old Town Hall - heating installation		(25)
- This is partially offset with additional lease income (see note 8)		
Premier's Reading Challenge		(10)
- This is offset with additional recurrent capital grant funding (see note 4)		
Sydney Street, Kilmore – Lighting Upgrade		(5)
- This has been funded through money held in trust		
Subtotal		(3,808)
Decreases		Amount \$'000
Transfer to operating for TechOne licences (see note 10)		196
Subtotal		196
Total		(3,612)

A full list of carried forward capital works into 2018-2019 is detailed below.

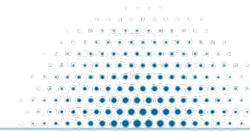
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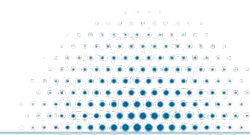
Capital Works – Carry Forward Listing

Project	YTD Actual \$'000	Expense Carry Forward \$'000	Project / Procurement Status	Expected completion
Land				
Seymour Flood Levee - Land Acquisition (RGF)	-	1,997	In progress. Community consultation is the next step	TBC
Seymour Flood Levee Stage 2 - Planning Scheme Amendments	5	216	In progress. Community consultation is the next step	TBC
	5	2,213		
Buildings				
Greater Beveridge Community Centre	1,014	1,909	Practical completion achieved. Some minor landscaping and installation of AV equipment in progress	Oct-18
Kilmore Leisure Centre Structural Roof Repairs	57	376	In tender evaluation. Structural engineering recommendation to replace roof immediately	Jan-19
Temporary RRC Mitchell Landfill	26	95	Practical completion achieved. Final invoices yet to be processed	Sep-18
Broadford Men's Shed	17	39	Practical completion achieved. Final invoices yet to be processed	Sep-18
Building Structural defect repairs	1	28	In progress	Nov-18
Broadford Lunchroom Redevelopment	-	25	In design and planning phase. One Mitchell Committee is currently working on finalising scope of project	Dec-18
SSAC - Solar Electric System Design Works	-	17	In progress. Design options are being pursued	Dec-18
Seymour Log lock up roof upgrade	-	15	Proposed treatment currently being assessed by heritage advisor. When treatment approved RFQ to follow	Nov-18
Broadford Transfer Station Office Relocation	-	13	In progress - project nearing practical completion	Oct-18
	1,115	2,517		
Bridges				
Tooborac-Baynton Road, Tooborac - Bridge 1438	1	224	Procurement process completed. In construction	Nov-18
Panyule Road, Panyule - Bridge 1423	1	220	Procurement process completed. In construction	Nov-18
Old Goulburn River Bridge Safety Works	-	169	Tendering completed. Project Sponsor to seek additional funds as lowest price is \$100K above budget	Dec-19
Manse Hill Road/Northwood Road – Bridge 1421 – Renewal (R2R)	-	71	Previous contractor withdrew original works. In process of appointing new contractor	Nov-18
Broadford-Pyalong Road, Glenaroua - Bridge 1389	-	32	Practical completion achieved	Nov-18
	2	716		

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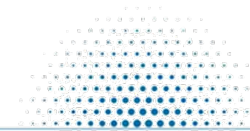
Project	YTD Actual \$'000	Expense Carry Forward \$'000	Project / Procurement Status	Expected completion
Drainage				
Anzac Avenue, Seymour - Drainage Improvements	1	111	In tender evaluation	Jan-19
Loco Street, Seymour - Drainage Improvements	2	140	Tendering completed. Single submission received, above budget. Re-tendering will commence shortly	Jan-19
Seymour Flood Levee - Stage 2	17	106	In progress. Community consultation is the next step	TBC
	20	357		
Footpaths and Cycleways				
Shared Path - Watson Street, Wallan	14	659	Community consultation process is in progress	Apr-19
Lithgow St, Beveridge - Footpath Missing Link under Hume Fwy	-	159	RFQ awarded. Construction is planned for October 18	Nov-18
Anderson Road, Kilmore - Footpath Missing Link	9	157	Consultation of affected residents has commenced	Dec-18
White Street, Kilmore - Footpath Missing Link	-	109	Preliminary design completed. Currently planning community consultation	May-19
Tallarook Rail Trail Improved Pedestrian Connections	7	90	Works on Railway Place side is complete. Third party review for design in VicRoads reserve in progress	Nov-18
2017/18 Footpath & Cycleways Renewal Program	51	56	Practical completion achieved	Sep-18
Victoria St, Seymour - Pedestrian Underpass	-	30	Lighting upgrade completed last financial year. Remaining works to be incorporated to McIntyre Street kerb and channel works	Dec-18
Pyalong Kindergarten - Footpath Works	-	12	Practical completion achieved. Final invoices yet to be processed	Sep-18
	81	1,272		
Roads				
Broadford Wandong Road, Wandong - Pavement rehabilitation	4	446	Contractor appointed, works to be carried out in Dec 18	Dec-18
Blackspot - Sugar Loaf Creek Road, Broadford	-	401	Contractor appointed, works to commence in Dec 18	Feb-19
Oak St, Seymour - Kerb and Channel renewal on Sth side of Rd	8	388	Detailed design completed. Tender to be advertised shortly	Jan-19
Blackspot - Broadford-Glenaroua Road, Broadford	1	322	Contractor appointed, works to commence in late Nov 18	Jan-19
Kilmore-East Road, Kilmore East - Road lowering	-	237	Design currently being amended due to a request by Vline. When approval from Vline is obtained, the works will be tendered immediately	Dec-18
Tantaraboo Rd, Willowmavin - Pavement and drain rehabilitation	2	188	Contractor appointed, works to be carried out in Dec 18	Feb-18
Blackspot - Darraweit Road, Wallan	-	178	RFQ process finalised. Contractor appointed, works to be carried out in Dec 18	Feb-19

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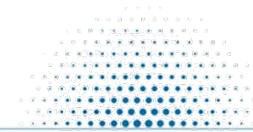
Project	YTD Actual \$'000	Expense Carry Forward \$'000	Project / Procurement Status	Expected completion
Broadford-Glenaroua Rd, Glenaroua - Pavement rehabilitation	-	166	Contractor appointed, works to be carried out in Dec 18	Dec-18
Blackspot - Seymour-Pyalong Road, Glenaroua	-	151	In progress, works to be completed in Dec 18	Dec-18
Reservoir Road, Broadford - Turning Lane	4	102	Preliminary design completed, detailed design in progress	Dec-18
Kobyboyn Road, Whiteheads Creek - Sealing of road shoulders	-	97	RFQ process completed and prices were significantly above project allocation. Funds reallocated to other projects	NA
Spur Road, Clonbinane - Pavement Rehabilitation	-	77	Construction to commence in Nov 18	Nov-18
Guard Rail - Spur Road, Clonbinane	14	14	In design and planning phase	Jul-18
White Street, Kilmore - Design Works	-	13	In progress - design amendments are being completed by designer. Community consultation planned for Oct 18	Dec-18
	33	2,780		
Off Street Car Parks				
Mt Piper Kindergarten, Broadford - Carpark	4	213	Currently in execution with works expected to be completed shortly	Nov-18
	4	213		
Waste				
Seymour Closed Landfill - Cap and Rehabilitate Site	1,440	1,032	In progress	Dec-18
Mitchell Landfill - Cap Cells 1-4	32	395	In progress. Final seeding to be completed in Oct 18	Nov-18
Weighbridge Software and Infrastructure Upgrade	6	12	In progress	Oct-18
	1,478	1,439		
Recreation				
Hadfield Park Changing Facility	4	100	RFQ evaluation completed. Contractor to be appointed shortly	Nov-18
Wallan East Community Centre	-	100	Project linked to recently successful Growing Suburbs Fund project	Jun-19
Tennis and Netball Court Surface Renewal (Seymour)	2	87	Works in progress. Delay due to unfavourable weather conditions	Dec-18
Kings Park, Seymour - Netball Court Construction	40	80	Currently fit for play, with acrylic surfacing planned for Nov / Dec 18	Dec-18
Kings Park, Seymour - Master Plan Implementation - CFA track	-	52	In progress	Oct-18
Speed Humps - Greenhill Reserve	10	14	Practical completion achieved. Reviewing current road top access point	Aug-18
Kings Park, Seymour - Pavilion Toilet and Changeroom Upgrade	-	10	Project scoping	Jun-19
Kings Park, Seymour - Netball Amenities Facility	6	-	Practical completion achieved	Sep-18
	62	443		

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Project	YTD Actual \$'000	Expense Carry Forward \$'000	Project / Procurement Status	Expected completion
Parks and Open Space				
Wallan Town Centre Redevelopment	53	1,690	In progress	Dec-18
Wallan Town Centre Heart Project	429	935	In progress	Oct-18
Roulston Way Reserve	4	139	Contractor appointed, construction to commence in Jan 19	Jan-19
Coffey Drive, Wallan - Playspace Improvement	2	79	Contractor appointed, construction to commence in Oct 18	Dec-18
Lisa Place Reserve	2	79	Contractor appointed, construction to commence in Dec 18	Jan-19
Environmental Reserves	2	41	In progress	Oct-18
	492	2,963		
Motor Vehicles				
Fleet Renewal 2017/18	74	74	Project complete	Aug-18
	74	74		
Information Technology				
Website Design	69	177	Website is currently in design phase with vendor, with a stage 1 launch in Oct 18	Nov-18
TechOne Upgrade	-	100	Scoping of projects being finalised (combined with 2018-2019 budget allocation)	Jun-19
Phone System Upgrade	-	87	Telstra progressing works. Staged migration will commence in Oct 18	Mar-19
AvePoint Implementation	-	79	In progress - migration to commence late Oct 18	Feb-19
Library and Customer Service System upgrade and enhancement	13	45	In progress	Jun-19
PinForce Parking Infringement Technology	27	30	Implementation commenced in Sept 18	Oct-18
Customer Relationship Management (CRM) Software	33	38	Practical completion achieved for stage 1	Sep-18
IT Server and Network Infrastructure Repair and Renewal	-	30	In progress	Oct-18
IT Hardware Renewal	-	24	In progress	Oct-18
Network Infrastructure Repair and Renewal	18	19	Practical completion achieved	Sep-18
GIS Implementation - Ongoing Development based on MapInfo	-	10	RFQ Phase	Dec-18
Technology One Upgrade	1	8	In progress	Dec-18
	161	647		

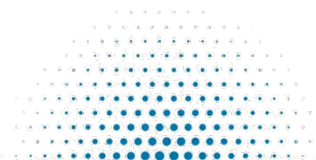
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Project	YTD Actual \$'000	Expense Carry Forward \$'000	Project / Procurement Status	Expected completion
Other				
Seymour Fishing Platform	5	161	Contractor appointed - design works underway	Dec-18
Township Entrance Signage Upgrade - Stage 2	-	70	Council briefing being prepared before RFQ	Oct-18
Wallan Secondary College Oval (joint use)	11	62	Designs completed. Awaiting on VicRoads to confirm land acquisition limits on northern boundary	Jun-19
Delatite Road, Whiteheads Creek - Bridge Concept Design	-	30	In progress	Oct-18
Sydney Street, Kilmore Lighting Upgrade	30	25	Practical completion achieved	Sep-18
Environmental Roadside and Waterway Naming Signage	-	15	Preparing documentation for RFQ	Oct-18
Queen St, Wallan - School Xing at WPS & Assoc Footpath	-	13	95% scope completed and awaiting NBN works	Oct-18
Broadford Pound Works	4	6	Reaching practical completion	Oct-18
	50	382		
	3,577	16,016		

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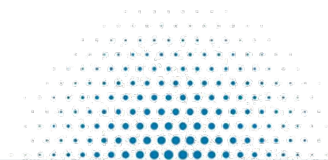


Balance sheet as at 30 September 2018

	Notes	Adopted Budget \$'000	Q1 Forecast \$'000	Q1 Forecast v Budget \$'000 Fav/(unfav)
Assets				
Current assets				
Cash Assets	13	29,742	34,373	4,631
Receivables	14	7,389	6,831	(558)
Inventories		112	186	74
Prepayments		680	419	(261)
Total current assets		37,923	41,809	3,886
Non-current assets				
Receivables		25	23	(2)
Investments		5	5	-
Fixed Assets	15	483,461	464,363	(19,098)
Total non-current assets		483,491	464,391	(19,100)
Total Assets		521,414	506,200	(15,214)
Liabilities				
Current liabilities				
Payables	16	5,531	7,806	(2,275)
Trust Funds		2,826	3,087	(261)
Provisions	17	5,508	3,560	1,948
Interest bearing liabilities		2,115	1,801	314
Total current liabilities		15,980	16,254	(274)
Non-current liabilities				
Provisions		1,380	1,296	84
Interest bearing liabilities		12,990	13,337	(347)
Total Non-current liabilities		14,370	14,633	(263)
Total Liabilities		30,350	30,887	(537)
NET ASSETS		491,064	475,313	(15,751)
Represented by:				
Accumulated Surplus		269,179	268,310	(869)
Reserves		221,885	207,003	(14,882)
Equity		491,064	475,313	(15,751)

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Note 13 – Cash Assets

Cash assets of \$34.37M are forecast to be held at 30 June 2019. This is a favourable variance of \$4.63M which is mainly due to the improved cash position at 30 June compared to the adopted budget.

Note 14 – Receivables

Receivables are forecast to be \$6.83M as at 30 June 2019, which is \$558K lower than the adopted budget. This is mainly due to the increased focus on recovering outstanding rates and sundry debt.

Note 15 – Fixed Assets

Fixed assets of \$464.36M are forecast to be held at 30 June 2019. This is \$19.10M less than the adopted budget. This is mainly due to a decline in asset values following revaluations undertaken throughout the 2017-2018 financial year and the affect of Work In Progress (WIP) on accumulated depreciation.

Note 16 – Payables

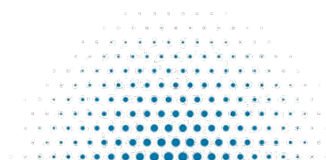
Payables are forecast to be \$7.81M as at 30 June 2019. The variance of \$2.28M compared to the adopted budget relates to increased payments outstanding at the end of the financial year, resulting from increased volume of works undertaken during quarter four.

Note 17 – Provisions

Provisions (current liabilities) are forecast to be \$1.95M lower than the adopted budget. This is due to the revised Landfill Capping and Rehabilitation assumptions.

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Restrictions on Cash and Investments

Council's working capital (current assets / current liabilities) and unrestricted cash to current liabilities are measures of Council's liquidity. Restrictions on cash and investments does not account for cash liabilities.

The table below should be considered in the context of Council's 2017-2018 financial results and longer term financial plan contained within the 2018-2019 Budget and 2019-2022 Strategic Resource Plan (SRP).

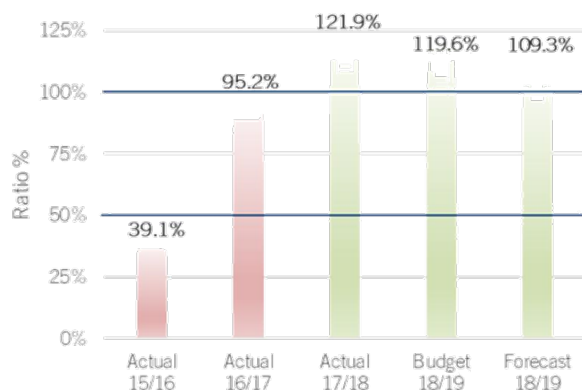
Restrictions on Cash and Investments	Actuals	Q1 Forecast	SRP 2018-2021	
	30-June-18 \$'000	30-Jun-19 \$'000	30/06/20 \$'000	30/06/21 \$'000
Cash and Investments				
Cash at Bank	5,420	6,373	23,486	24,052
Term Deposits	40,000	28,000	-	-
Total Cash and Investments	45,420	34,373	23,486	24,052
Operational cash requirements ¹	10,000	10,000	11,379	11,765
Total Cash and Investments prior to restrictions	35,420	24,373	12,107	12,287
Restrictions on Cash and Investments²				
Trust Funds and Deposits	3,087	3,087	3,140	3,140
Statutory Reserves	8,532	9,676	5,867	6,367
Other Restrictions	10,678	-	-	-
Total Restricted Cash and Investments	22,297	12,763	9,007	9,507
Total Unrestricted Cash and Investments	13,123	11,610	3,100	2,780
Discretionary Reserves ³	4,739	575	1,543	786
Unrestricted Cash after discretionary reserves	8,384	11,036	1,557	1,994

1. Council must maintain a minimum of around two months of forecasted operating expenditure in cash and investments to meet the day to day requirements of Council business. This ensures all accounts can be paid during times of low income. This target needs to be in addition to funds held for reserves, i.e. Developer Contribution Funds, trust money and the like. This ensures all reserves can be accessed at any time to fund the purpose of the reserve.
2. A statutory requirement for Council to hold in trust. This includes bond payments, development contributions and grant income received in advance for future year projects.
3. Discretionary reserves are internal reserves such as Waste Management and Property Proceeds Reserve. These are at the discretion of Council to account for, with no statutory obligations.

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Unrestricted cash



Measure:

unrestricted cash / current liabilities

Forecast 2018-2019 Calculation:

21,036 / 19,246 = 109.3%

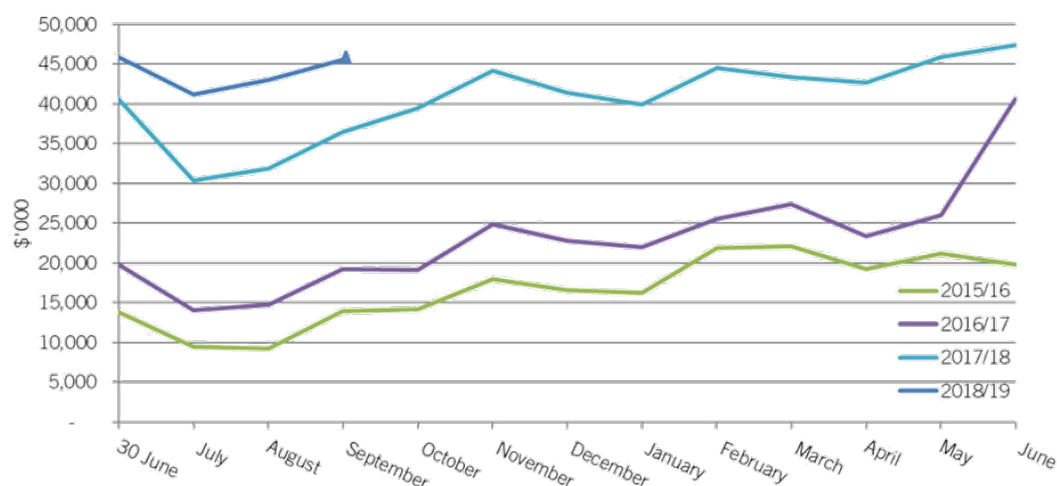
Purpose of ratio:

To assess if Council has enough cash, that is not tied to a reserve or trust account, to meet its obligations for the financial year.

The 2017-2018 unrestricted cash is positively impacted by the 50% prepayment of the 2018-2019 Financial Assistance Grant.

3. Cash Holdings

The following graph shows the monthly balances of cash and investments combined over time. Cash and term deposits held at 30 September 2018 were \$45.49M. The increasing trend is the result of unspent operating and capital grants as well as increased cash holdings to cover restrictions (including reserves).

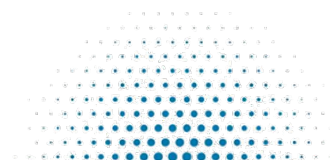


The table to the right shows the balances of cash and investments as at 30 September 2018. The money held in cash at bank and at call is the result of unspent operating and capital works from 2017-2018.

	Amount \$'000	%
Cash at bank	5,507	12.1%
At call funds	2,082	4.6%
Investments	38,000	83.5%
Unpresented items	(100)	-0.2%
Total	45,489	100%

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4. Financial Reserves

The below table shows forecasted reserve balances as at 30 June 2019.

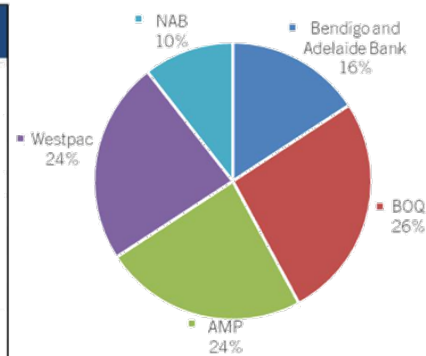
Reserve	Opening Balance 1-July-18	Transfers to	Transfers from	Closing Balance 30-June-19
Development Contributions	8,532	1,770	(318)	9,984
Waste Management Reserve	4,544	1,156	(5,319)	381
Property Proceeds Reserve	194	-	-	194
Total Reserves	13,270	2,926	(5,637)	10,559

5. Investment Mix

Council invests funds held in Trust and Reserves in short to medium term investments such as term deposits. All investments are made in accordance with the Local Government Act 1989 and are made with APRA (Australian Prudential Regulation Authority) approved financial institutions.

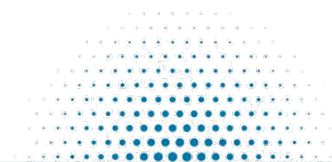
As at 30 September 2018 investments consisted of the following term deposits:

Institution	Maturity Date	Interest Rate	Term (months)	Amount \$'000
Westpac	11/10/2018	2.64%	6	4,000
Bank of Queensland	26/11/2018	2.75%	6	2,000
AMP	28/11/2018	2.75%	6	2,000
Bank of Queensland	10/12/2018	2.60%	9	2,000
AMP	11/12/2018	2.65%	9	1,000
Bendigo and Adelaide Bank	19/12/2018	2.60%	12	2,000
Westpac	19/03/2019	2.67%	12	1,000
Bank of Queensland	25/03/2019	2.70%	6	4,000
AMP	28/03/2019	2.80%	9	4,000
National Australia Bank	2/06/2019	2.55%	24	2,000
National Australia Bank	2/06/2019	2.55%	24	2,000
AMP	5/06/2019	2.55%	24	2,000
Bendigo and Adelaide Bank	28/06/2019	2.80%	12	4,000
Westpac	29/06/2019	2.80%	12	4,000
Bank of Queensland	9/03/2020	2.85%	24	2,000
Total				38,000



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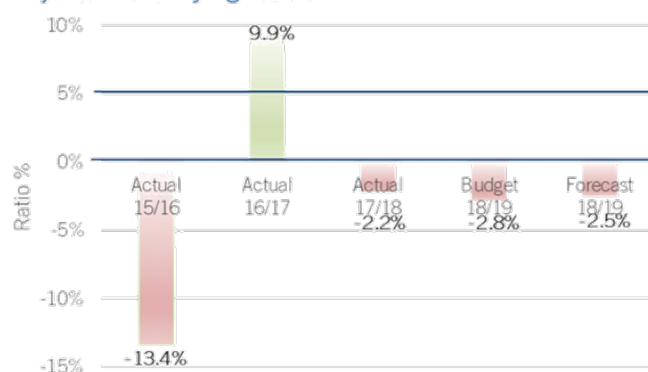
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6. Financial Performance Indicators

The following section highlights Council's current and projected performance across a range of key financial performance indicators. These indicators provide a useful analysis of Council's financial position and performance and should be used in the context of the organisation's objectives.

Adjusted underlying result



Measure:

adjusted underlying surplus (deficit) / adjusted underlying revenue

Forecast 2018-2019 Calculation:

$(1,540) / 61,932 = -2.5\%$

Purpose of ratio:

This ratio measures Council's ability to meet operating expenditure with operating revenue.

The unfavourable adjusted underlying result for 2018-2019 is largely impacted by the 50% prepayment of the 2018-2019 Financial Assistance Grant in June 2018.

Obligations

The 2018-2019 adopted budget and 2019-2022 Strategic Resource Plan outline borrowings for capital projects that have long term intergenerational benefits that would otherwise be unable to be funded by Council.

Measure:

interest bearing loans and borrowings / rate revenue

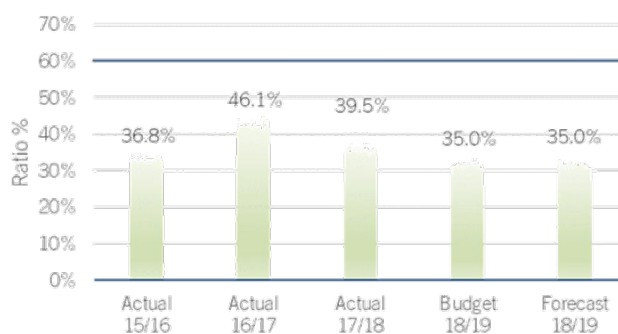
Forecast 2018-2019 Calculation:

$15,138 / 43,290 = 35.0\%$

Purpose of ratio:

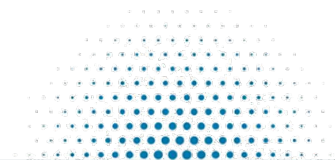
To assess the utilisation of debt to fund Council's intergenerational works projects, in relation to rates and charges revenue.

Borrowings Rates



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**Measure:**

Interest and principal repayments on interest bearing loans and borrowings / rate revenue

Forecast 2018-2019 Calculation:

$2,594 / 43,290 = 6.0\%$

Purpose of ratio:

To assess how reliant Council is on rates and charges revenue to meet interest and principal loan repayments.

The industry standard recommends 0-5%, however Council's Borrowing Policy is set at 0-10%.

Measure:

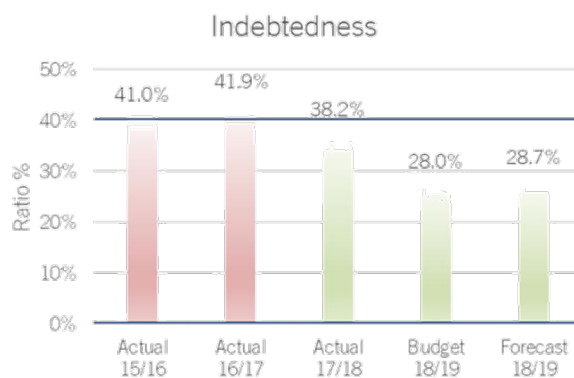
Non-current liabilities / own source revenue

Forecast 2018-2019 Calculation:

$14,753 / 51,381 = 28.7\%$

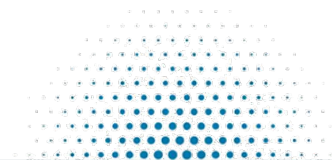
Purpose of ratio:

To assess Council's ability to cover its medium to long-term liabilities with revenue not sourced by grants, monetary contributions, or non-monetary contributions.

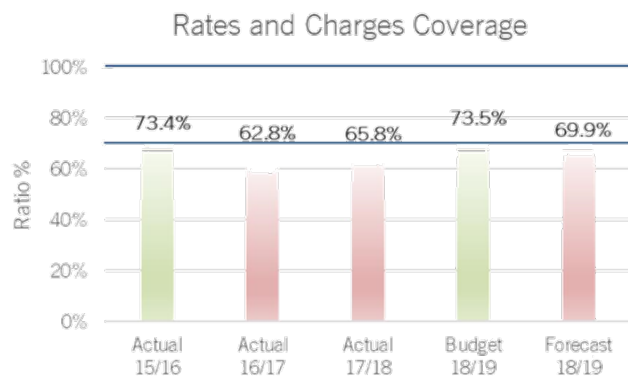


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Rates and charges



Measure:

Rates and charges / operating revenue

Forecast 2018-2019 Calculation:

$43,290 / 61,932 = 69.9\%$

Purpose of ratio:

This ratio measures Council's reliance on rates and charges to fund operating services.

Sitting within the KPI range means that Council is less reliant on operating grants and user fees to fund operating expenditure.

Measure:

Rates and charges outstanding / rates and charges collectable (including Fire Services Levy)

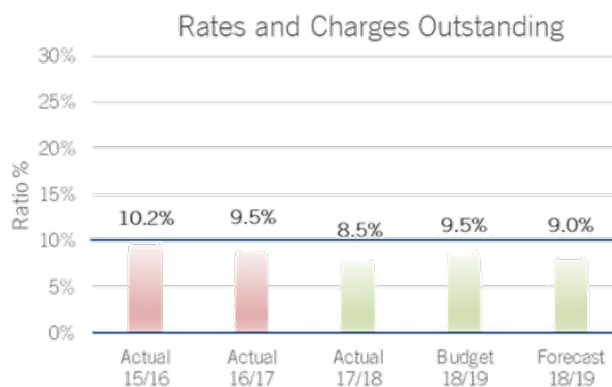
Forecast 2018-2019:

Council will continue efforts to remain below 9.0%.

Purpose of ratio:

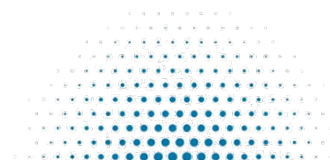
This ratio shows the level of overdue rates and charges.

Council is successfully reducing outstanding rates and charges. The KPI range is between 0-10%.



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7. Rates and Other debtors

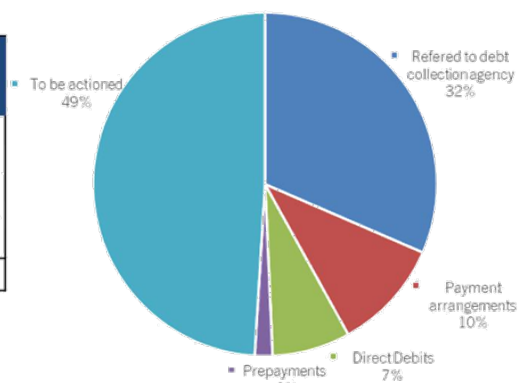
As at 30 September 2018, Council's debtors are summarised below:

Debtor	September 2017 \$'000	September 2018 \$'000	Current \$'000	> 30 Days \$'000
Rates (including FSL debtors) ¹	36,537	37,567	30,179	7,388
Sundry	1,331	1,361	451	910
Other Debtors ²				
-GST	379	746	746	-
-Pension Remission	583	642	642	-
Less: provision for doubtful debts	(238)	(137)	-	(137)
TOTAL	38,592	40,179	32,018	8,161

- 1) Any payments made on rates and charges are applied to prior year outstanding balances first. Rates are classified overdue when payment is not received by instalment date.
- 2) Council's other debtors are not aged but monitored regularly to ensure payments are received in a timely manner and have been treated as current.

Overdue rates debtors were \$7.39M (including Fire Services Levy collected on behalf of the State Government).

	Amount \$'000
Referred to debt collection agency	2,408
Payment arrangements	798
Direct debits	561
Prepayments	(127)
To be actioned ¹	3,748
Total Outstanding Rates Debtors²	7,388

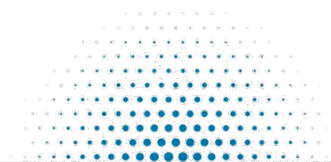


- 1) Reminder letters were issued one week after the 30 September due date
- 2) 30 September fell on a Sunday. \$958K was received on 1 October 2018

Over the last year, Council has improved their debt collection processes with consistent early reminder letters and follow up resulting in a lower level of overdue rates.

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Overdue sundry debts of \$910K include the following:

Debtor Details	Note	September 2017 \$'000	September 2018 \$'000
Planning	1	325	449
Enforcement (Infringements, Local Laws Permits)	2	93	132
Preschool Fees	3	78	75
Building	4	21	75
Waste	5	67	67
Duplicate Payment Refund	6	-	37
Fire Hazards	7	34	35
Leisure Groups	8	6	6
Other		35	34
Vietnam Veterans Walk Stage 3 Grant		82	-
CFA/DELWP - Mt Hickey Fires		22	-
Visy/Cleanaway Waste Education Contributions		22	-
Sport and Recreation Vic - Acquittal Payments		20	-
Kings Park User Group Contributions		12	-
Total		817	910

Note 1 – Of the \$449K outstanding for Planning debtors:

- \$227K relates to a Development Infrastructure Levy that is waiting certification, therefore not yet due;
- \$129K relates to Engineering fees which become payable upon statement of compliance;
- \$58K relates to a development contribution which may be partially offset by bonds held by Council. There are a few conditions on the bond yet to be completed which are being monitored by Engineering;
- \$19K relates to debts that are 30 days overdue and are being reviewed by the Planning department; and
- \$13K relates to a property which requires a new valuation to be able to collect the debt. This is being followed up with the Planning Department.

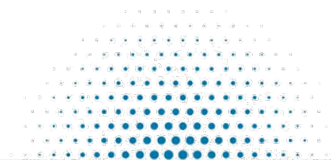
Note 2 – Enforcement debtors follow court processes that exceed general debt collection timeframes. They are still reported above as being payable within 30 days, however statutory processes can take up to 12 to 18 months by council.

Note 3 – Of the \$75K outstanding for Preschool fees:

- \$39K relates to the 2018 term four fees. SMS reminders were sent out in October;
- \$23K is at the debt collectors relating to previous school years;
- \$8K is on payment arrangements via direct debit; and
- \$5K is on voluntary payment arrangement.

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Note 4 – Of the \$75K outstanding for Building fees:

- \$50K is being reviewed by the Building department;
- \$25K is still pending and not yet due; and
- \$8K is on payment arrangements via direct debit.

Note 5 – Of the \$67K outstanding for Waste debtors:

- \$60K has been paid since 30 September 2018;
- \$4K is being followed up for prompt payment; and
- \$3K has been referred to our debt collection agency and has a current payment arrangement.

Note 6 – The \$37K duplicate payment refund is currently being reviewed by the Planning and Engineering departments for potential offset against further bonds held by Council. This is linked to the commentary in Note 1 and remains outstanding while conditions of the bonds are finalised.

Note 7 – The Fire Hazard debt recovery process has been delayed and will be a focus during quarter two (2).

Note 8 – Of the \$6K outstanding for Leisure groups:

- \$4K relates to lane hire and was paid during October; and
- \$2K relates to Workcover invoices awaiting payment.

8. Councillor Expenses

Councillor Expenses for the three months ended 30 September 2018:

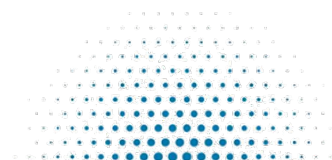
Councillor	Councillor Allowance	Councillor Super	Mobile and Data	Councillor Education	Travel and Accom	Total
Cr Atkinson	8,408	799	155	-	-	9,362
Cr Chisholm	8,408	799	144	-	523	9,874
Cr Cornish	8,408	799	87	-	-	9,294
Cr Eldridge	8,408	799	87	-	-	9,294
Cr Goble	8,408	799	23	-	-	9,230
Cr Humm	8,408	799	158	-	-	9,365
Cr Lowe	8,408	799	40	-	-	9,247
Cr Sanderson	26,017	2,472	123	17	55	28,684
Cr Stevens	8,408	799	145	-	-	9,352
Total	93,281	8,864	962	17	578	103,702

Councillor Allowances and Superannuation

The Victorian Government sets upper and lower limits for all allowances paid to Councillors and Mayors. Mitchell Shire Council is classified as a category two Council and allowances are paid in accordance with section 74 of the Local Government Act 1989.

MITCHELL SHIRE COUNCIL.

Quarterly Finance Report



Mobile and Data

The provision of telecommunications services, including iPhone and laptop / tablet, are paid for by Council. Any expenses associated above the monthly call and data service is covered by the Councillor.

Travel and Accommodation

This category covers expenses associated with attendance by Councillors within Victoria at approved short-term training, conferences and/or functions. Council's Councillor Expense and Support Policy provides for the reimbursement of car parking fees, e-tags and use of private vehicle while conducting Council business.

Conclusion

Council's most significant financial challenges are moving to a consistent adjusted underlying operational surplus and enabling increased capital works into the future, to fund renewal of existing assets and provide new assets/services for our growing community. The 2018-2019 Budget and 2019-2022 SRP show progress towards improved long term Financial Sustainability. The adjusted underlying result can be misleading at times due to grants received in advance and timing differences with revenue and expenditure.

The adopted budget showed an adjusted underlying deficit of \$847K. The current forecast adjusted underlying deficit of \$1.54M indicates a \$694K unfavourable variance compared to the adopted budget. A decline in the forecast result is not a concern as projects from the 2017-2018 financial year will be completed during 2018-2019 and the cash for these projects are accounted for.

Preparation of the 2019-2020 budget is now underway with Council's 10-year financial assumptions being reviewed by Managers.

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

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.

RECOMMENDATION

THAT Council endorse the Councillor Expense and Support Policy.

BACKGROUND

This Policy applies to Councillors and members of Special Committees and provides guidelines for Councillors on the process for claiming expenses and outlines the methods and standards for reporting and accountability. This Policy was last updated in 2016 and is hence due for a refresh to ensure it meets all legislative requirements.

ISSUES AND DISCUSSION

Councillors are eligible for reimbursement of expenses and support for performing duties that are necessary or appropriate for the purposes of achieving the objectives of a Council.

Such duties would generally include, but are not limited to, the following activities:

- Attendance at meetings of the Council or its Committees
- Attendance at briefing sessions, meetings, workshops and civic events or functions convened or scheduled by Council, the Mayor or a senior member of Council staff
- Attendance at conferences, workshops or training programs
- Attendance at meetings of community groups, organisations or service authorities to which a Councillor has been appointed as Council representative
- Attendance at a meeting, function or event as representative of the Council or Mayor
- Attendance at site inspections in relation to a Council approval process or Council project
- Responding to communications from constituents concerning Council business

This Policy sets out the requirements in relation:

COUNCILLOR EXPENSE AND SUPPORT POLICY (CONT.)

- Mayor and Councillor Allowances and provides a three-level structure for allowances based on Council population and total revenue
- Expenses that a Council must reimburse a Councillor for provided that they are reasonable bona fide Councillor out of pocket expenses incurred while performing duties as a Councillor
- Resource and Facilities that a Council must make available for the Mayor and the Councillors including Home Office and Communications, Building Access, Councillor Office and Meeting Rooms, Stationery and Secretarial Support, Name Badge and Corporate Apparel, Mayoral Vehicle, Insurance and Workcover
- Professional Development and Training to enhance Councillors professional and personal skills and knowledge to better perform their role as a Councillor
- Interstate and Overseas Travel requirements
- Family Care reimbursement for the care of a dependent whilst the Councillor is engaged in official duties
- Provision for Councillors with disabilities and associated support to be provided
- Transport options
- Private Vehicle Use and the ability to claim travel expenses as well as use of the Council Vehicle Pool

CONSULTATION

The Executive Leadership Team were consulted in the preparation of this Policy as were Councillors at the Strategy Briefing on 12 November 2018

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

All expenses occurred by Councillors are reimbursed using the Mayor and Councillors budget. All claims for expense reimbursements must be made on the Councillor and Committee Member Expense Claim Form, with the original receipts attached. Claims for reimbursement will be authorised by the Chief Executive Officer or his/her delegate.

A quarterly report on Councillor direct expenses and claims for reimbursement will be provided as an attachment to the Quarterly Finance Report.

POLICY AND LEGISLATIVE IMPLICATIONS

The *Local Government Act 1989* outlines that Council must have a Councillor Expense and Support Policy and identifies the expenses and support that Council needs to provide to Councillors for them to effectively undertake their role.

RISK IMPLICATIONS

COUNCILLOR EXPENSE AND SUPPORT POLICY (CONT.)

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that the community will make judgements of Councillors and the expenses and support received in their role as Councillor	C4	Ensure good governance practice and transparency to the community	In line with the Councillors Code of Conduct and requirements of the <i>Local Government Act 1989</i>
Councillors breach requirements	2D	Proper reporting processes and practices are put in place	In line with the Councillors Code of Conduct and requirements of the <i>Local Government Act 1989</i> and reporting provided to the community

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

There are no social and environmental implications.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

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

CHILDREN AND YOUNG PEOPLE IMPLICATIONS

This Policy does not identify any implications for children and young people but does allow for family care reimbursements.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

Governance and Corporate Accountability will ensure that this Policy is reviewed as required and as a result of changes to applicable legislation.

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

GOVERNANCE AND CORPORATE PERFORMANCE

19 NOVEMBER 2018

8.2

COUNCILLOR EXPENSE AND SUPPORT POLICY

Attachment No: 1

Councillor Expense and Support Policy

Councillor Expense and Support Policy

Policy Owner	Governance & Corporate Accountability Governance and Corporate Performance
Creation Date	November 2018
Revision Date	November 2022

Purpose

The 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.

Scope

This Policy applies to:

- Councillors
- and where required members of Special Committees under section 75A of the *Local Government Act 1989*.

Councillor duties are duties performed by a Councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, Regulations, Ministerial Guidelines or Council policies.

Such duties would generally include, but are not limited to, the following activities:

- Attendance at meetings of the Council or its Committees
- Attendance at briefing sessions, meetings, workshops and civic events or functions convened or scheduled by Council, the Mayor or a senior member of Council staff
- Attendance at conferences, workshops or training programs
- Attendance at meetings of community groups, organisations or service authorities to which a Councillor has been appointed as Council representative
- Attendance at a meeting, function or event as representative of the Council or Mayor
- Attendance at site inspections in relation to a Council approval process or Council project
- Responding to communications from constituents concerning Council business

Policy**Mayor and Councillor Allowances**

Sections 73A to 74C of the *Local Government Act 1989* provide the framework for payment of annual allowances to Mayors and Councillors.

The allowance framework provides a three-level structure for allowances based on Council population and total revenue. The allowances are reviewed and adjusted annually by the Minister for Local Government. In addition to the allowance, an amount equivalent to the superannuation guarantee contribution is payable. Councillor Allowances are taxable income and are paid monthly in advance.

Expenses

Section 75 of the *Local Government Act 1989* provides that a Council must reimburse a Councillor for expenses if the Councillor applies in writing and establishes in the application that the expenses were reasonable bona fide Councillor out of pocket expenses incurred while performing duties as a Councillor.

Section 75A provides that a Council may reimburse members of Council Committees for necessary out of pocket expenses incurred while performing duties as a Committee member.

Resource and Facilities

Section 75C of the Act provides that a Council must make available for the Mayor and the Councillors the minimum resources and facilities prescribed

Home Office and Communications

Councillors will be provided with the following equipment:

- Mobile telephone (dual Sim Card)
- Tablet/Notebook Computer
- Multi-functional copy, print, scan (optional)

In accepting equipment under this Policy, Councillors will when requested, return equipment to Council for maintenance and updating. If required, a substitute device will be provided.

All equipment remains the property of the Council and must be returned immediately when a person ceases to be a Councillor.

If, at the end of their four-year term of office, the equipment is not required for Council use, a Councillor may purchase all or any part of the equipment at the value determined by the Chief Executive Officer taking into account the age and condition of the equipment, depreciation and market value.

It is acknowledged that there will be some incidental private use of mobile communications equipment but generally the cost of any private use, including any use exceeding the download capacity provided, of these services and facilities must be reimbursed to Council.

Should a Councillor prefer to use their own device they can do so, by opting out of accepting any particular item of Council provided equipment. Councillors can apply to be reimbursed for both the portion of service and the device used for Council business.

Building Access

Each Councillor will receive a key and security access card allowing access to the Civic Centre and Mayor and Councillors' Room at Mitchell Shire Council, 113 High Street, Broadford.

Access to the Civic Centre and Council buildings is for business activity only related to purposes of Councillor business.

Councillor Office and Meeting Rooms

The Mayor and Councillors' Room is reserved for exclusive use by Councillors. The room is equipped for computer access and is suitable for office work, reading, conducting research, and small meetings.

Other meeting rooms in the Civic Centre can be booked for meetings through the Executive Office.

Meeting equipment and tea/coffee, biscuits and water will be made available for meetings upon request.

Other meeting rooms owned and controlled by Mitchell Shire Council and which can be accessed without staff attendance can be used (subject to availability) by Councillors for meetings associated with their role as a Councillor. This does not extend to use by community groups or organisations.

Stationery and Secretarial Support

Secretarial support will be made available by the Executive Assistant to Chief Executive Officer and Mayor to assist the Mayor in performing their official duties.

Councillors will be supplied as required with standard Council stationery, including business cards and computer consumables required for their duties as a Councillor.

Council business papers, personal mail and other Council information will be couriered to

Councillors' places of residence weekly or as required. Increased use of electronic mail for information distribution and communication with Councillors will continue.

Name Badge and Corporate Apparel

Each Councillor will be provided with a Mitchell Shire Council name badge for use on Council business.

Mayoral Vehicle

A Council maintained vehicle will be provided to the Mayor for Council use and reasonable private use during his or her term of office.

A Council maintained eco-friendly vehicle (as listed by Choice 'Green' car buying guide) will be provided to the Mayor for Council use and reasonable private use during his or her term if office.

Reasonable private use excludes use of the mayoral vehicle:

- By others (with the exception of spouse/partner and/or Councillors);
- For private business purposes
- For personal holidays
- For private purposes outside the State of Victoria

Insurance

Councillors are covered under the following Council insurance policies while discharging, in good faith, their Council duties including attendance at meetings of external bodies as Council representatives -

- (a) Public liability;
- (b) Professional indemnity;
- (c) Workers Compensation (Accident Compensation Act);
- (d) Councillors and Officers liability; and
- (e) Corporate travel (approved accompanying partners are also covered);

Each Councillor has a responsibility to disclose details of any circumstances which may result in a claim for breach of professional duty. Similarly, if a Councillor becomes aware of a matter that exposes the Council to risk of a potential claim or that exposes the public to potential injury or harm, the matter is to be reported immediately to the Chief Executive Officer.

Council will pay the insurance policy excess in respect of a claim made against a Councillor arising from carrying out their Council duties in good faith, where that claim is accepted by Council's insurers.

Council equipment provided to Councillors is covered for damage or theft under Council's insurance policies. Councillors are expected to exercise due care in protecting the equipment from damage or theft.

Workcover

A Councillor injured while carrying out their Council duties may be entitled to claim workers compensation under the *Workplace Injury Rehabilitation and Compensation Act 2013* (WIRC Act).

Each workers compensation claim will be determined based on its individual circumstances and merit.

Councillors may make a workers compensation claim in accordance under *Workplace Injury Rehabilitation and Compensation Act 2013* and the relevant Council policies and procedures.

Professional Development and Training

Councillors are encouraged to attend conferences, seminars, workshops and training programs to enhance their professional and personal skills and knowledge to better perform their role as a Councillor.

Proposals for attendance at conferences and training programs will be promoted on the Councillor Portal.

Councillors are permitted to authorise their own attendance at such meetings pertaining to their role as a Councillor to the ceiling of:

- Councillor \$3,000 per annum
- Mayor \$5,000 per Mayoral Year

All attendances at such meetings and conferences shall be booked through the Executive Office and all arrangements will be made by Officers on behalf of the Councillor regarding such meetings.

Councillors wishing to attend individual training courses where the annual ceiling will be exceeded must discuss this with and seek approval by the Chief Executive Officer and where appropriate, obtain consent from Council prior to a registration of attendance at an event or program. Councillors who have exceeded their allocated amount in any one year must reimburse Council all costs in excess of their allocated amount unless they have been granted approval by the Chief Executive Officer.

A partner or guest may accompany a Councillor to conferences and functions where other attendees are generally accompanied by partners.

The functions will generally involve luncheons and evening activities.

All additional costs such as meals, etc. relating to a partner or guest of a Councillor attending formal activities are the responsibility of the Councillor. Where appropriate, Council may pay these additional costs and seek reimbursement from Councillors.

Interstate and Overseas Travel

Proposals for conferences, study tours, delegations or visits in an official capacity both interstate and overseas require endorsement by Council.

Where a conference or seminar involves interstate or overseas travel, Councillors need to complete a Travel Register form, and provide a written report on their attendance. The report must be submitted to a Council meeting as soon as practicable and can be part of the monthly delegates report.

Details of interstate or overseas travel are included in a travel register available for public inspection.

Family Care

Family care expenses will be reimbursed for the care of a dependent whilst the Councillor is engaged in official duties, such as attending a council related meeting or event, plus reasonable travelling time.

Family care includes childcare, specific home care and any other support provided in the case of a dependent.

Family care expenses include hourly fees paid by the Councillor and/or agency booking fees if applicable.

No payments will be made to a person who:

- Has a financial or pecuniary relationship with the Councillor
- Resides either permanently or temporarily with the Councillor
- Has a relationship with the Councillor or his or her partner such that it would be inappropriate for Council to reimburse monies paid to the same provider
- Has a relationship as a family member as defined in s78 of the Act

Councillors with Disabilities

The Council will meet reasonable additional expenses to assist a Councillor with a disability to perform his/her duties as a Councillor in accordance with legislation.

Public Transport

Council encourages a range of travel options conducive to the environment. Public transport can be a convenient and efficient form of travel for many Council business events, particularly in the central business district of Melbourne.

Public travel expenses incurred by Councillors in the course of official duties as Councillor will be reimbursed.

Private Vehicle Use

Councillors using their private vehicles to carry out official duties as a Councillor will be reimbursed at the motor car allowance rate determined by the Australian Tax Office for tax deduction purposes.

Travel expense claims must be completed on the approved form and forwarded to Governance and Corporate Accountability.- updated

Taxi/Uber Fares

Where it is not possible or convenient to use public transport or a private motor vehicle, a taxi or Uber can be used by Councillors for travel required for their official duties as a Councillor.

Travel of a private nature will not be reimbursed or paid by Council.

Council Vehicle Pool

If it is assessed as the most practical means to attend a location to conduct Council related business, a vehicle from the Council motor vehicle pool may be provided for use by a Councillor or a group of Councillors.

General

The following general provisions and guidelines apply to determine the amount of out of pocket expenses that will be reimbursed to, or paid on behalf of, Councillors:

- Reimbursements will normally be made in respect of expenses already incurred. Cash advances may be made in special circumstances approved by the Chief Executive Officer
- Travel must be undertaken as efficiently, and by the shortest route possible
- Where travel is by air or by other means of public transport, economy class will be the standard
- Where accommodation is required, a standard level will be booked in close proximity to the meeting venue or if appropriate at the meeting venue
- Travel claims will only be made on the basis of the actual form of transport used and in the form of a reasonable allowance towards, or reimbursements of, necessary out of pocket expenses
- Expenses incurred, which are not directly related to the official Council duties of a Councillor, cannot be included in the calculation of a claim for reimbursement
- The cost of any penalties incurred for road, traffic or parking infringements will not be reimbursed
- if a particular expense is not claimed, this cannot be offset against a claim for an

additional amount of another expense

Expense Processing and Reporting

Claiming of Expenses

The following provisions apply when making a claim for reimbursement of expenses:

- All claims for expense reimbursements must be made on the Councillor and Committee Member Expense Claim Form (available on the Councillor Portal)
- Original receipts must be attached for all purchases (credit card receipts will not be accepted)
- Where the provider of the goods or service is registered for GST, a Tax Invoice must be obtained for all purchases. If a Tax Invoice is not submitted, the GST component cannot be reimbursed
- Claims are to be lodged with the Governance and Corporate Accountability Unit in a timely manner to ensure transparency and accountability
- Claims for reimbursement will be authorised by the Chief Executive Officer or his/her delegate
- Reimbursements will be paid by electronic funds transfer (EFT) upon receipt of a properly completed and supported claim form

Reporting

Reporting of Councillor direct expenses and claims for reimbursement will be presented in a consistent manner throughout the various reporting requirements of Council.

A quarterly report on Councillor direct expenses and claims for reimbursement will be provided as an attachment to the Finance Report.

The report will reflect:

- expenses incurred by Councillors during the quarter
- any reimbursements made by Councillors during the quarter
- any claims for reimbursement of expenses made by Councillors during the quarter

An annual report on Councillor direct expenses and claims for reimbursement will also be published in accordance with the Local Government Performance Reporting Framework for annual reporting.

Definitions

Personal Expense	Where pre-approved expenses are incurred by Councillors and Officers and meet the requirements of the Policy for reimbursement. <i>They must be accompanied by an official tax receipt.</i>
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Responsibilities

Governance and Corporate Accountability	Maintain the Interstate and Overseas Travel Register Ensure legislative requirements are met, research; coordinate consultation, review and update of the Policy	Ongoing
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Related Documents

- Councillor Code of Conduct

- Sections 75, 75A, 75B and 75C of the *Local Government Act 1989*
- Mitchell Shire Council Councillor Code of Conduct
- Interstate and Overseas Travel and Accommodation Policy

Monitoring and Evaluation

Governance and Corporate Accountability will ensure that this Policy is reviewed as required.

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.

RECOMMENDATION

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

BACKGROUND

At times, Councillors and Officers may be required to travel interstate or overseas and whilst Council is supportive of this endeavour, Councillors and Officers need to ensure at all times, accountability of public money is maintained, and that conference and travel arrangements are administered in the most efficient and cost-effective manner possible.

ISSUES AND DISCUSSION

This Policy covers the responsibilities of Councillors and Officers who incur expenditure in the course of Council business travel. The objectives of the Policy are to:

- Ensure Council maximises the value of seminar, conference and/or course attendance;
- Determine the approval processes for all interstate and overseas travel by Councillors and Officers in an official capacity;
- Outline the process of reimbursement of expenses associated with such travel;
- Ensure Council complies with the Act; and
- Ensure the statutory register of overseas or interstate travel is maintained in accordance with the Regulations.

All interstate and overseas travel by a Councillor/s should be by resolution of the Council via a Council report. Councillors attending any approved activity must provide Council written report on their attendance. The report must be submitted to a Council meeting as soon as practicable and can be part of the monthly delegates report.

Expenses such as flights, accommodation, taxis and some food and drink will be paid for by Council, however, alcohol, snacks, personal gifts etc. will not be reimbursed. A

INTERSTATE AND OVERSEAS TRAVEL AND ACCOMMODATION POLICY (CONT.)

spouse/partner can accompany a Councillor or Officer but will only be paid for if prior approval has been sought.

CONSULTATION

The Executive Leadership Team were consulted in the preparation of this Policy.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

All travel and accommodation is budgeted for in existing budgets.

POLICY AND LEGISLATIVE IMPLICATIONS

The *Local Government (General) Regulations 2015* require Council to maintain and have available for public inspection, a register of overseas and interstate travel (other than interstate travel by land for less than three days) by Council staff and Councillors.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

Opportunities for travel to interstate and overseas conference and events can be extremely beneficial for Councillors and staff and should be used as a learning opportunity for implementation in the Shire.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

Governance and Corporate Accountability will ensure that this Policy is reviewed as required and as a result of changes to applicable legislation.

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

GOVERNANCE AND CORPORATE PERFORMANCE

19 NOVEMBER 2018

8.3

INTERSTATE AND OVERSEAS TRAVEL AND ACCOMMODATION POLICY

Attachment No: 1

**Interstate and Overseas Travel and
Accommodation Policy**

Interstate and Overseas Travel and Accommodation Policy

Policy Owner	Governance & Corporate Accountability Governance and Corporate Performance
Creation Date	October 2018
Revision Date	October 2022

Purpose

At times, Councillors and Officers may be required to travel interstate or overseas and whilst Council is supportive of this endeavour, Councillors and Officers need to ensure at all times, accountability of public money is maintained, and that conference and travel arrangements are administered in the most efficient and cost-effective manner possible.

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

- Conferences, promotional tours, seminars, events, meetings and workshops;
- Training outside the Shire;
- Travel and accommodation associated with such attendance; and
- All other necessary incidental/out of pocket expenses associated with such attendance.

Scope

The *Local Government (General) Regulations 2015* require Council to maintain and have available for public inspection, a register of overseas and interstate travel (other than interstate travel by land for less than three days) by Council staff and Councillors.

Councillors and Officers who have travelled interstate or overseas in an official capacity shall within seven working days of returning, provide details of their travel on the 'Interstate/Overseas Travel Report Form (Attachment 1)' and lodge the form with the Governance and Corporate Accountability Unit for inclusion in the Travel Register.

Councillors attending any approved activity must provide Council with a written report on their attendance. The report must be submitted to a Council meeting as soon as practicable and can be part of the monthly delegates report. Council staff are required to submit a written report to their Directors.

The objectives of this Policy are to:

- Ensure Council maximises the value of seminar, conference and/or course attendance;
- Determine the approval processes for all interstate and overseas travel by Councillors and Officers in an official capacity;
- Outline the process of reimbursement of expenses associated with such travel;
- Ensure Council complies with the Act; and
- Ensure the statutory register of overseas or interstate travel is maintained in accordance with the Regulations.

Policy**1.1 General Responsibilities**

Councillors and Officers who incur expenditure in the course of Council business travel are responsible for ensuring:

- appropriate approvals have been obtained prior to travel;
- travel documentation is completed in full and submitted on time;
- all expenditure incurred during travel is properly accounted for and relates to the purpose of the travel and is accompanied by the relevant tax receipts; and
- arrangements for all travel and accommodation are made in accordance with this Policy.

1.2 Approval in Advance

Approval for all interstate and overseas travel by a Councillor/s should be by resolution of the Council via a Council report. The Council report must identify the following:

- background;
- the purpose of the travel;
- how the travel meets Council's objectives in line with the Council Plan;
- the benefits to Council and/or Mitchell Shire;
- proposed costs (airfare, accommodation, conference fees, meals, etc); and
- nomination of the Councillor/s that should undertake such travel.

Type of travel	Approval process
Interstate	<p>Councillors must obtain approval in advance:</p> <ul style="list-style-type: none"> • by resolution of the Council; or • where this is not possible, from the Mayor, after consultation with the CEO. <p>Officers must obtain approval in advance:</p> <ul style="list-style-type: none"> • from their Director
Overseas	Must obtain approval in advance by resolution of the Council.

In the event that timeframes do not permit for approval in advance (such as arrangements for a deputation to a member of Parliament) by formal resolution of Council, approval must be sought from the Mayor in consultation with the CEO.

If a Councillor goes overseas, of their own accord, they are not to represent Council in any official way, without prior approval via a council resolution.

1.3 Travel and Accommodation*Air Travel*

Flights are to be economy class flights where possible. Staff should attempt to source the best price and conditions when booking flights.

Accommodation

Where Councillors or Officers attend a conference, event or function that is held over more than one day, accommodation will be provided on successive nights. For example, should a conference, event or function commence on a Friday afternoon and finish on Sunday at 12.00pm, accommodation will be provided for the Friday and Saturday nights only.

Any additional costs incurred as a result of extended stays, the attendance of partners and/or children and the cost of non-essential room extras such as mini bar or in-house movies shall be borne by Councillors and Officers.

Travel Insurance

Councillors and Officers are encouraged to take out travel insurance, especially for any overseas travel. Receipts are required in all cases. Charges will be reimbursed by Council.

1.4 Other Expenses

Transport

Taxis/Uber/Car hire should only be used where they are the most efficient means of transport available and payment should be made by the traveller. Receipts are required in all cases. Charges will be reimbursed by Council.

Food and drinks

The majority of meals will be covered in the conference or event fee. Any other meals e.g.: dinners not included in the conference fee will be reimbursed. Council will not reimburse the purchase of coffee, alcohol or snacks.

1.5 Non Allowable Expenditure

Council will not reimburse expenditure in relation to the following items:

- Alcohol;
- Snacks;
- Any costs associated with accommodation that are outside room and breakfast (e.g.: mini bar, laundry, tips and gratuities);
- Airline club fees;
- Excess baggage claims;
- Any items lost or stolen;
- Tourism related costs (e.g.: day trips, excursions, activities, hire of bikes or boats etc);
- Reading materials (including newspapers, magazines, books etc);
- Traffic, parking or speeding fines;
- Travel costs not associated with the conference or event;
- In-flight or in-house movies or entertainment costs;
- Personal gifts, goods, services or souvenirs purchased; or
- Costs incurred for family or other persons travelling with Councillors and Officers (including meals, travel, incidentals etc).

- **Attendance by Spouse/Partner at Seminars and Conferences**

Attendance at any seminar or conference by a Councillor's or Officer's spouse/partner shall be at the expense of the Councillor or Officer in line with the following:

- Prior approval has been given by Council or the Mayor in consultation with the CEO.

1.6 Injury or Illness

Councillors or Officers who suffer from an injury or illness preventing them from attending a course, conference or workshop particularly where travel is involved should notify the Mayor and/or Director or CEO, preferably with enough notice for Council to either substitute an alternative Councillor or Officer or to cancel the intended travel and accommodation arrangements and any associated fees.

Failure to inform Council of non-attendance may result in Council seeking reimbursement.

Definitions

Personal Expense	Where pre-approved expenses are incurred by Councillors and Officers and meet the requirements of the Policy for reimbursement. <i>They must be accompanied by an official tax receipt.</i>
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Responsibilities

Governance and Corporate Accountability	Maintain the Interstate and Overseas Travel Register Ensure legislative requirements are met, research; coordinate consultation, review and update of the Policy	Ongoing
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Related Documents

- Councillor Code of Conduct
- Staff Code of Conduct

Monitoring and Evaluation

Governance and Corporate Accountability will ensure that this Policy is reviewed as required and as a result of changes to applicable legislation.

ATTACHMENT 1

**PUBLIC REGISTER***Travel Register - Form*

Travel information for the purposes of Regulation 12(a) of the Local Government Regulations 2015 which requires a Council to make available for public inspection details of overseas or interstate travel, (with the exception of interstate travel by land for less than 3 days) undertaken in an official capacity by Councillors or any member of Council staff in the previous 12 months.

Name:

Title:

City and State of Travel:

Country of Travel (if applicable):

Purpose of Travel:

.....

.....

Written report submitted to Council or Director (cc Governance & Corporate Accountability): ☐

Date of Travel: From: ____/____/____ To: ____/____/____

Airfares	\$
Conference fees	\$
Accommodation	\$
Meals	\$
Other	\$
	Total Cost \$

Signature: _____ Date: _____

Please return this form to Governance & Corporate Accountability

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.

RECOMMENDATION

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

BACKGROUND

The *Local Government Act 1989* requires a written record of an assembly of Councillors to form part of the Council Minutes.

The Chief Executive Officer must ensure that the written record includes the following:

- (a) Names of all Councillors and members of Council staff attending.
- (b) Matters considered.
- (c) Any conflict of interest disclosures made by a Councillor attending under subsection (3).
- (d) Whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly.

ISSUES AND DISCUSSION

An Assembly of Councillors means:

- A planned or scheduled meeting that includes at least half the Councillors and a member of Council staff (providing that the matter/s considered are intended or likely to be the subject of a future decision by the Council or an Officer decision under delegated authority); or
- An Advisory Committee of the Council where one or more Councillors are present.

Some examples include:

- Councillor Briefings – Strategy meeting, Councillor and Officer Discussion (Pre-Council meeting);
- Advisory Committees – Audit Committee, Mitchell Environment Advisory Committee, Mitchell Early Years Advisory Committee, Mitchell Fire Consultative Forum, Mitchell Youth Advisory Committee and Mitchell Heritage Advisory Committee.

ASSEMBLY OF COUNCIL RECORD (CONT.)

Lists of the Assembly of Councillors Records for the period October 2018 are attached.

CONSULTATION

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

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

There are no financial resource and asset management implications associated with this report.

POLICY AND LEGISLATIVE IMPLICATIONS

This report is consistent with Section 80A of the *Local Government Act 1989* which requires the Chief Executive Officer to ensure that the written record of an assembly of Councillors is reported at an ordinary meeting of Council as soon as practicable and is incorporated in the Minutes of that Council meeting.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

This is an administration process and does not have any environment and sustainability implications associated with this report.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

This report is consistent with Section 80A of the *Local Government Act 1989* which requires the Chief Executive Officer to ensure that the written record of an assembly of Councillors is reported at an ordinary meeting of Council as soon as practicable and is incorporated in the Minutes of that Council meeting.

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

GOVERNANCE AND CORPORATE PERFORMANCE

19 NOVEMBER 2018

8.4

ASSEMBLY OF COUNCIL RECORD

Attachment No: 1
Assembly of Council

ASSEMBLY OF COUNCILLORS RECORD

OCTOBER 2018

Assembly of Councillors -

- A planned or scheduled meeting that includes **at least half the Councillors** and a **member of Council staff**; and the matter/s considered are intended **or likely to be** subject of a future decision by the Council; **OR**
- An **Advisory Committee** of the Council where **one or more Councillors** are present.

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Strategy Briefing 1 October 2018	<u>In Attendance</u> Cr Rhonda Sanderson Cr David Atkinson (attended at 11.16am) Cr Bob Humm (attended at 11.16am) Cr Bill Chisholm Cr Bob Cornish Cr David Lowe Cr Fiona Stevens Cr Annie Goble (attended at 11.23am) <u>Apologies</u> Cr Rob Eldridge	Acting Chief Executive Officer Acting Director Development & Infrastructure Director Advocacy & Community Services Manager Finance & Assets Management Accounting Coordinator Manager Engineering & Major Projects	<ul style="list-style-type: none"> • VicRoads Discussion – New Regional Set Up • Financial Reporting for Councillors 	Nil

<p>Strategy Briefing 8 October 2018</p>	<p><u>In Attendance</u> Cr Rhonda Sanderson Cr Fiona Stevens Cr David Lowe Cr Annie Goble (attended at 1.10pm) Cr Rob Eldridge Cr Bill Chisholm (attended at 1.10pm) Cr Bob Cornish Cr David Atkinson Cr Bob Humm (attended at 1.19pm)</p> <p><u>Apologies</u> Nil</p>	<p>Chief Executive Officer Director Governance & Corporate Performance Director Development & Infrastructure Director Advocacy & Community Services Manager Finance & Assets Coordinator Economic Development Statutory Planning Coordinator Manager Development Approvals Manager Engineering & Major Projects Governance & Corporate Accountability Coordinator</p>	<ul style="list-style-type: none"> • Goulburn River Valley Tourism (GRVT) Council Briefing • Pre-briefing Danielle Green MP • Advocacy Discussion, Danielle Green MP • Draft Council Agenda 	<p>Nil</p>
<p>Strategy Briefing 15 October 2018</p>	<p><u>In Attendance</u> Cr Rhonda Sanderson Cr Fiona Stevens (attended at 2.40pm) Cr David Lowe Cr Annie Goble (attended at 1.54pm) Cr Rob Eldridge Cr Bill Chisholm Cr Bob Cornish Cr David Atkinson Cr Bob Cornish</p> <p><u>Apologies</u> Nil</p>	<p>Chief Executive Officer Director Governance & Corporate Performance Director Development & Infrastructure Director Advocacy & Community Services Coordinator Community Development & Youth Community Development Officer</p>	<ul style="list-style-type: none"> • Pre-briefing Don Firth • Advocacy Discussion, Don Firth, Candidate for Euroa • Age Friendly Projects • Council Agenda • Honbetsu School Delegation Civic Welcome 	<p>Nil</p>

Strategy Briefing 22 October 2018	<u>In Attendance</u> Cr Rhonda Sanderson (attended at 1.40pm) Cr Fiona Stevens Cr David Lowe Cr Bill Chisholm Cr Bob Cornish Cr David Atkinson Cr Bob Cornish <u>Apologies</u> Cr Annie Goble Cr Rob Eldridge	Chief Executive Officer Acting Director Governance & Corporate Performance Director Development & Infrastructure Director Advocacy & Community Services Manager Engineering & Major Projects Manager Strategic Planning Senior Strategic Planner Communications Coordinator	<ul style="list-style-type: none"> • Pre-briefing Fiona Deppler MP • Advocacy Discussion, Fiona Deppler MP • Township Signage • Broadford Structure Plan Emerging Options Paper 	Nil
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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.

RECOMMENDATION

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.

BACKGROUND

The property at 6 Cochrane Court, Wandong does not currently have a legal right of access to Broadford-Wandong Road due to the existence of a 30cm wide Council owned reserve along the west boundary of the property preventing legal access to Broadford-Wandong Road, a Council managed road.

This strip of Council land (tree reserve) was created via a condition placed on the Planning Permit No. P301595A for the original subdivision of the land that is now known as Cochrane Court. The purpose of the tree reserve is to prevent 'as of right' access to Broadford-Wandong Road. A copy of the title is shown in Attachment 1.

In August 2016, Council received a letter from the property owner of 6 Cochrane Court, Wandong requesting that Council consider the sale of part of this reserve to the

SALE OF LAND - BROADFORD-WANDONG ROAD, WANDONG (CONT.)

property owner, thus allowing them 'as of right' access to Broadford-Wandong Road and expanding their development opportunities for their property.

Figure 1 below identifies the area of land requested to be purchased to allow legal access to Broadford-Wandong Road. The area of land is 10 metres in length and 30cm wide and is located in the South-West corner of the property at 6 Cochrane Court.

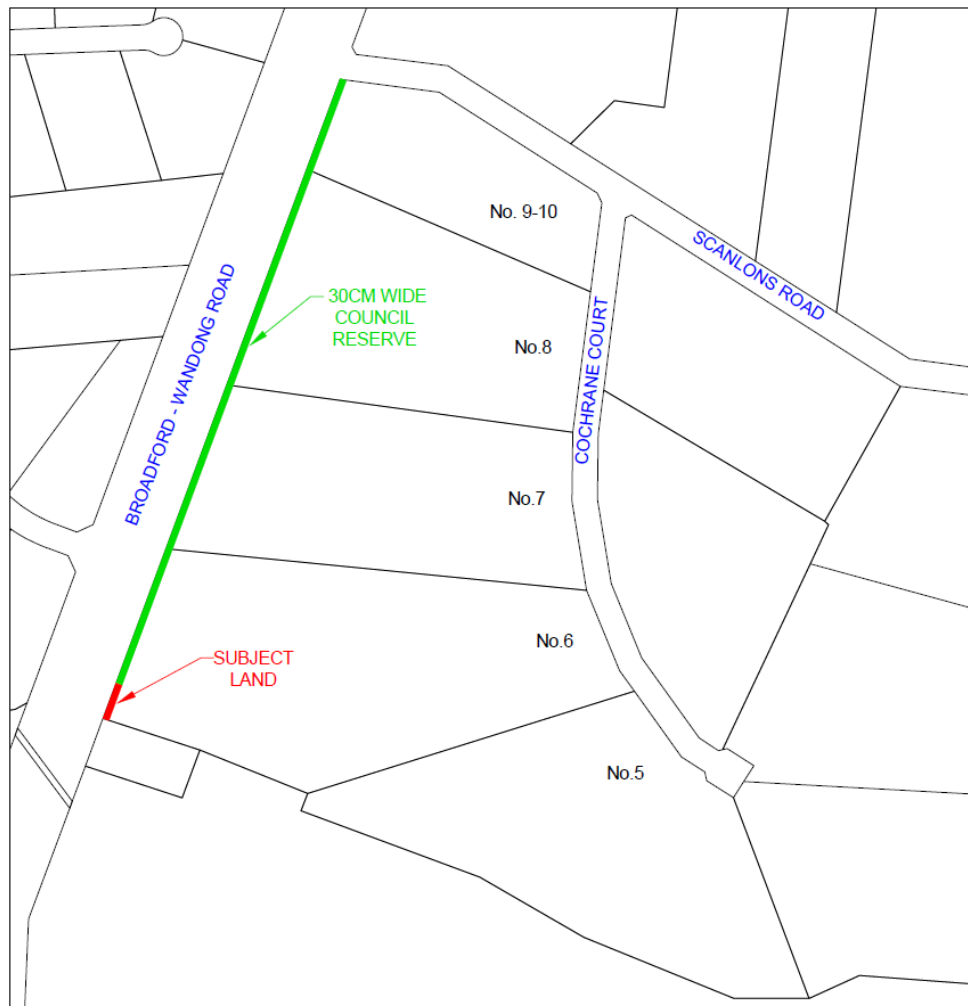


Figure 1: Location of land requested to be purchased

ISSUES AND DISCUSSION

Road Safety issues

In support of the request for Council to consider the part sale of this reserve to facilitate access to Broadford-Wandong Road, a traffic safety assessment report prepared by Transport and Traffic Solutions Pty. Ltd. has been provided to Council. This report is shown in Attachment 2.

The report concludes that the proposed new access to Broadford-Wandong Road will comply with all relevant standards and would not present a road safety issue. The Engineering Department supports this finding for a proposed single property access to this road. However, it is noted that the cumulative impact of multiple new entrances to

SALE OF LAND - BROADFORD-WANDONG ROAD, WANDONG (CONT.)

this road would lead to reduced safety along this stretch of Broadford-Wandong Road given the increased risk associated with increased traffic movements to and from the road. There are concerns that the precedent of potentially accepting this new access may lead to further requests. This is discussed further below.

Roadside vegetation issues.

The proposed location for the future vehicle access will not necessitate the removal of any significant roadside vegetation. This is due to the fact that an existing property access point has existed in this location for many years.

Change in environment

Since the original subdivision there have been no substantial changes in the environment to impact property access. It is considered that there are no new circumstances that would warrant a change from the original subdivision intent, which sought to remove access to Broadford-Wandong Road to this lot.

Other issues.

In considering the part sale of this tree reserve, officers consider it appropriate to consider the precedent that may be set for the future sale of Council owned reserves that serve the function of controlling, or rather restricting access to Council managed roads.

Tree reserves, also known as plantation reserves or vegetated buffers have been established in many locations across the Shire to control the manner in which access to roads is achieved through the removal of the direct abuttal of property to roads. By removing direct abuttal to roads, the legal right of access to a road is also removed.

The use of tree reserves serves to consolidate access points to/from new housing estates to predetermined intersection locations that exhibit better safety characteristics for the benefit of all road users.

The sale of this tree reserve will create a difficult precedent for the future management of these types of reserves that have been established at the time of sub-division with very clear intention of achieving a higher quality road safety outcome.

Future Actions

In the event the sale of land is supported, there are a number of processes to be undertaken to complete the sale. These are listed below;

- Planning Application to remove the reserve status of the subject land.
- Advertising the proposed sale of the land,
- Obtaining a valuation of the 3m² subject parcel of land,
- Subdivision and new titles to be issued.
- Sale of land.

The sale will be conditional that all costs are borne by the purchaser. Should the land sale go ahead, it will be a condition that the land be consolidated into the parcel of land at 6 Cochrane Court, Wandong.

SALE OF LAND - BROADFORD-WANDONG ROAD, WANDONG (CONT.)

Alternatively, if refused the property owner will be advised in writing of this decision and no further action would be required.

CONSULTATION

Council's Property Officer has been consulted to confirm the process required for the possible sale of Council land.

Council's Environment Team has also been consulted regarding the possible sale and had no concerns as no vegetation is proposed to be removed as part of the proposed sale and future use of land.

A public notice for the proposed sale of the land will need to be undertaken if Council supports the sale of this land.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

All costs associated with the subdivision and sale of the land would need to be met by the purchaser and at no cost to Council. These costs are estimated to be between \$1500 - \$2500.

Should sale of the land be supported, Council will receive a monetary benefit from the sale of the land, which is estimated at between \$1000 and \$2000.

There are no financial, resource or asset implications to refusing the request.

POLICY AND LEGISLATIVE IMPLICATIONS

There are no legislative or policy requirements that compel Council to sell this area of land or provide property access over it given the lands reserve status.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

There are no Sustainability Implications.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

SALE OF LAND - BROADFORD-WANDONG ROAD, WANDONG (CONT.)

CONCLUSION

Part of the land along Broadford-Wandong Road, Wandong currently known as Reserve 1 on PS428371C, Volume 10522 Folio 969, is the subject of a request to purchase by an adjoining landowner.

The sale of (part) of this reserve to the land owner at 6 Cochrane Court would allow the land owner to create a legal point of access to Broadford-Wandong Road.

Whilst no specific road safety or environmental issues have been raised concerning a future point of access to Broadford-Wandong Road, there is significant concern for the precedent that will be set for the future management of tree reserves throughout the Shire which serve the function of restricting access to Council managed roads.

For this reason, the sale of this land is not supported by Officers.

SALE OF LAND - BROADFORD-WANDONG ROAD, WANDONG (CONT.)

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

19 NOVEMBER 2018

9.1

**SALE OF LAND - BROADFORD-WANDONG
ROAD, WANDONG**

Attachment No: 1

Title Information



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10522 FOLIO 969

Security no : 124061656366P

Produced 09/08/2016 03:39 pm

LAND DESCRIPTION

Reserve 1 on Plan of Subdivision 428371C.

PARENT TITLE Volume 10500 Folio 206

Created by instrument PS428371C Stage 2 06/06/2000

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

MITCHELL SHIRE COUNCIL of 113 HIGH STREET BROADFORD VIC 3658

PS428371C Stage 2 06/06/2000

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS428371C FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: SCANLONS ROAD WANDONG VIC 3758

ADMINISTRATIVE NOTICES

NIL

eCT Control MITCHELL SHIRE COUNCIL

Effective from 18/08/2015

DOCUMENT END

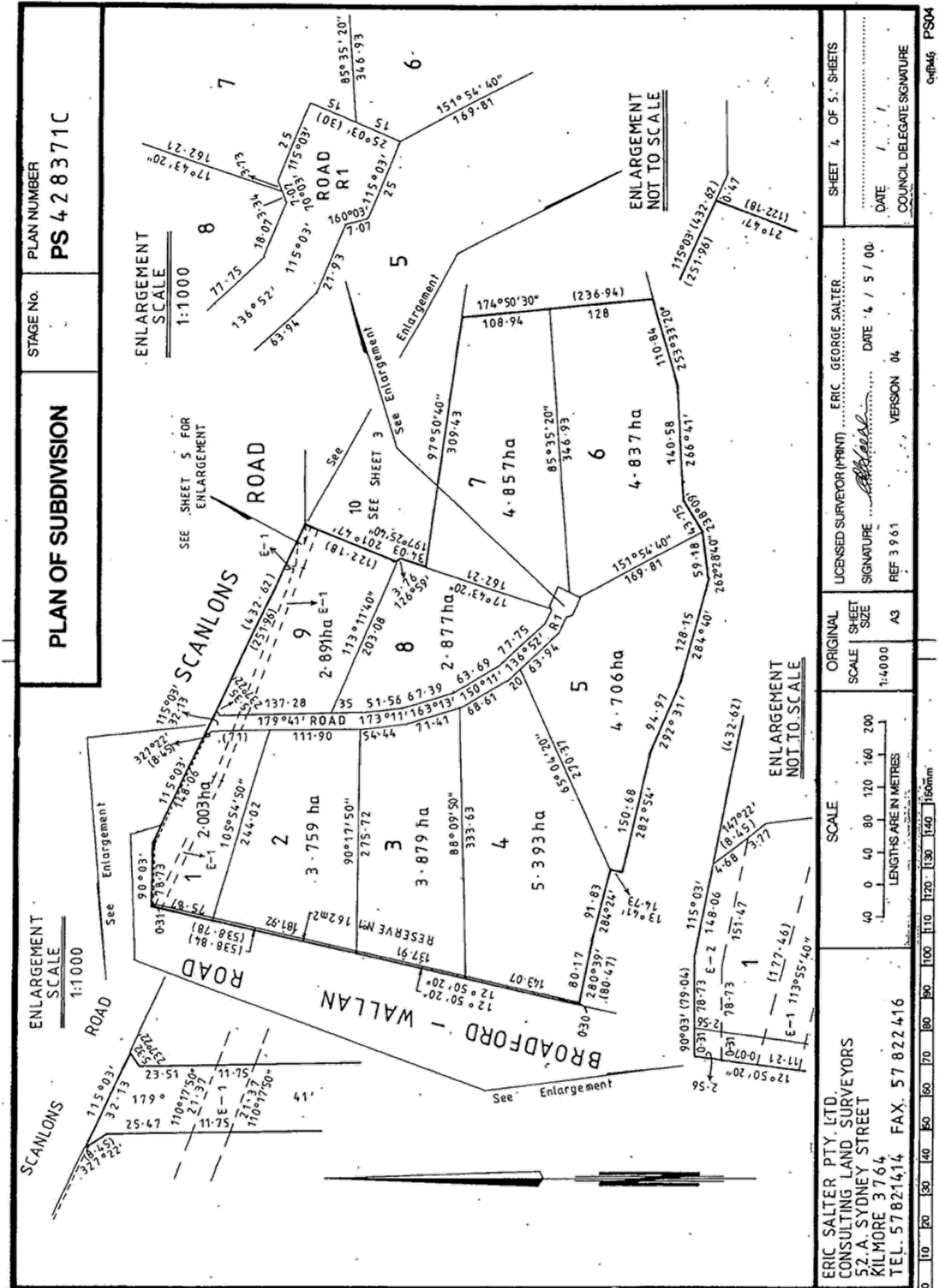
Home	Account: 324666		Authority Fee(GST exclusive): \$0.00 Service Fee(GST exclusive): \$0.00 GST Payable: \$0.00 Total: \$0.00	09/08/2016 03:39PM
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Delivered by LANDATA®. Land Victoria timestamp 09/08/2016 14:54 Page 1 of 6
 © State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

PLAN OF SUBDIVISION		STAGE No.	LTO USE ONLY EDITION 2	PLAN NUMBER PS 4 2 8 3 7 1 C
LOCATION OF LAND PARISH: GLENBURNIE TOWNSHIP: _____ SECTION: 0 CROWN ALLOTMENT: 16 (PART) CROWN PORTION: _____ LTO BASE RECORD: DCMB (RURAL) TITLE REFERENCES: VOL. 10128 FOL. 426 LAST PLAN REFERENCE/S: LOT 1 PS 326580L POSTAL ADDRESS: SCANLONS ROAD, WANDONG. 3758 (At time of subdivision) AMG Co-ordinates (of approx centre of land in plan) E 325 720 N 5 864 290 ZONE 55		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: MITCHELL SHIRE COUNCIL REF: 299,276 1. This plan is certified under Section 6 of the Subdivision Act 1988. 2. This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6. 3. This is a statement of compliance issued under Section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has/has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage _____ Council Delegate Council Seal Date 20 / 12 / 99 Re-certified under Section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /		
VESTING OF ROADS AND/OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON	STAGING This is/ is not a staged subdivision. Planning permit No. 301,595a DEPTH LIMITATION DOES NOT APPLY. PURPOSE OF THE PLAN VARIATION OF E-1 ON PS.326580L BY AGREEMENT WITH EASTERN ENERGY LTD.		
ROAD R1 RESERVE No.1	MITCHELL SHIRE COUNCIL MITCHELL SHIRE COUNCIL			
SURVEY: THIS PLAN IS NOT BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s) IN PROCLAIMED SURVEY AREA No.				
EASEMENT INFORMATION				LTO USE ONLY*
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	TRANSMISSION OF ELECTRICITY	SEE DIAG. SHEET 3	PS.326580L	S.E.C.V.
E-2	WATER SUPPLY	2.5	THIS PLAN	GOULBURN VALLEY REGION WATER AUTHORITY
RECEIVED <input checked="" type="checkbox"/> DATE 5 / 1 / 2000 THIS IS AN L.T.O. COMPILED PLAN CHECKED 9/6/2000 G.S. N. ... Assistant Registrar of Titles				
SHEET 1 OF 5 SHEETS				
ERIC SALTER PTY. LTD. CONSULTING LAND SURVEYORS 52, A. SYDNEY STREET KILMORE 3764 TEL. 57821414 FAX. 57822416		LICENSED SURVEYOR (PRINT) ERIC GEORGE SALTER SIGNATURE <i>[Signature]</i> DATE 18 / 11 / 99 REF 3961 VERSION 02		DATE 20 / 12 / 99 COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3



MITCHELL SHIRE COUNCIL

Council Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

19 NOVEMBER 2018

9.1

**SALE OF LAND - BROADFORD-WANDONG
ROAD, WANDONG**

**Attachment No: 2
Traffic Safety Assessment Report**



Transport & Traffic Solutions Pty Ltd
420 Victoria Street
Brunswick VIC 3056
Tel: +61 3 9940 1575
Fax: +61 3 9381 0700

Ms. Julie Hogan
6 Cochrane Court
Wandong
VIC 3758

1 June 2016

Dear Ms. Hogan,

**Re: Proposed 2 Lot Sub-division at 6 Cochrane Court, Wandong
Safety Assessment of the Proposed Site Access from Broadford-Wandong Road**

Further to our engagement, Transport & Traffic Solutions Pty Ltd (T&TS) has completed a safety assessment of the existing gravel access driveway which provides secondary access to your property located at 6 Cochrane Court, Wandong from Broadford-Wandong Road. Details of the safety assessment follows.

1. INTRODUCTION

It is understood that you are proposing to subdivide your property into two lots with the front lot including the existing dwelling to obtain access from Cochrane Court as per the existing conditions and the proposed rear lot and new dwelling to obtain access from Broadford-Wandong Road via the existing gravel access driveway.

It is also understood that prior to you submitting a planning permit application to subdivide the exiting lot into two lots, Council's Engineering Department has requested that a safety assessment be completed to confirm if the existing gravel driveway provides safe access to the proposed new lot.

2. EXISTING CONDITIONS

A site visit was undertaken on Monday 16 May 2016 between the hours 1pm and 2pm to assess the existing conditions adjacent to the site and to check and confirm the available sight distance at the existing gravel access driveway.

2.1 Broadford-Wandong Road

Broadford-Wandong Road is a sealed two-lane, two-way Council road which runs in a north-south direction between the towns of Broadford in the north and Wandong in the south. The road reservation is approximately 60 metres wide with a 7.0 metre wide sealed carriageway. A grass verge and open drain is located on both sides side of the carriageway. Refer Figure 1 and Figure 2 below.

Adjacent to the site, and directly north of the existing driveway the posted speed limit increases from 60km/h to 80km/h northbound. The alignment of the road is straight and flat, with an average downhill slope of approximately 6% approaching from the north.

Referring to Mitchell Shire Council's Public Road Register dated 8 September 2015, Broadford-Wandong Road is classified as a Link Road. A Link Road *"provides direct linkage between significant population centres and major traffic generators such as Residential, Industrial, Commercial, Agricultural and Tourist areas and Declared Roads. These Roads have an Identifiable Origin and Destination."*

¹ Mitchell Shire Council Road Management Plan, Version 4, 13 May 2013



Figure 1: Broadford-Wandong Road, looking north from the existing driveway



Figure 2: Broadford-Wandong Road, looking south from the existing driveway

2.2 Existing Traffic Volumes

An automatic traffic volume survey was conducted on Broadford-Wandong Road adjacent to the site by Trans Traffic Survey between Wednesday 13th April and Tuesday 20th April 2016. A summary of the traffic volumes for all vehicles is provided in Table 1 below. Refer Appendix A for a copy of the traffic volume summary.

Table 1: Traffic Volume Survey Results – Broadford-Wandong Road

	Direction		Combined	Average Speed	85 th Percentile Speed
	North	South			
Weekday Average (Monday-Friday)	523 vpd	524 vpd	1,047 vpd	73.1	83.7
MDWK Average AM Peak (8:00 to 9:00)	28 vph	70 vph	98 vph	74.7	85.0
MDWK Average PM Peak (17:00 to 18:00)	69 vph	33 vph	102 vph	73.9	86.1

A summary of the existing traffic volumes follows:

- The 24-hour two-way daily traffic volume for Broadford-Wandong Road is 1,047 vehicles per day.
- The two-way mid-week average AM peak traffic volume is 98 vph (9.4% peak hour to daily traffic volume ratio), with 28 vph (29%) travelling northbound and 70 vph (71%) travelling southbound.
- The two-way mid-week average PM peak traffic volume is 102 vph (9.7% peak hour to daily traffic volume ratio), with 69 vph (68%) travelling northbound and 33 vph (32%) travelling southbound.
- The combined weekday average speed is 73.1 km/h.
- The combined weekday 85th percentile speed is 83.7 km/h.

Further to the above:

- Approximately 6.8% of vehicles were commercial vehicles.

Based on the results of the traffic volume survey it can be seen that Broadford-Wandong Road acts as a low volume, high speed rural Link Road connecting Broadford to Wandong whilst providing access to residential properties either directly via access driveways or indirectly via connecting access roads. Further during AM and PM peak times the majority of traffic,



approximately 70%, is headed southbound and northbound respectively. This traffic movement pattern is typical of a road whose main function is to provide access to residential dwellings.

2.3 Casualty Accident Statistics

The casualty accident history adjacent to the site was sourced from the VicRoads' Crashstats² database. The database indicates that there were no casualty accidents recorded on Broadford-Wandong Road directly adjacent to the site and in particular between Epping-Kilmore Road and Scanlons Road in the last six year period.

Therefore it can be concluded that there are no serious safety concerns with the existing conditions of Broadford-Wandong Road directly adjacent to the site.

3. SAFETY ASSESSMENT

The existing gravel access driveway is located on the east side of Broadford-Wandong Road, approximately 130 metres south of Mount View Road and directly north of the unnamed creek.

Section 7 of the Austroads Guide to Road Design – Part 4: Intersections and Crossings – General, provides guidance on locating property access points. The guide states that in determining access point locations, *"sight distance, design vehicle turning paths and interference to through traffic by decelerating and accelerating vehicles should be considered at all sites"*. Therefore a check of these items will be completed to confirm if the existing gravel access driveway will provide safe access to/from the proposed lot including residential dwelling from/to Broadford-Wandong Road.

3.1 Sight Distance Check

3.1.1 Stopping Sight Distance

The Austroads Guide states that *"a downstream access connection should not be less than the stopping sight distance from the downstream side of the previous connection or intersection."* In this situation the distance between the existing access driveway and Mount View Road should be greater than or equal to the Stopping Sight Distance (SSD) requirement as per the Austroads Guide.

By achieving the SSD requirement, a driver of a vehicle that enters Broadford-Wandong Road from Mount View Road will have sufficient time to react and stop if there is a potential conflict with a vehicle entering Broadford-Wandong Road from the existing access driveway, and vice versa.

- SSD Check - Mount View Road to the Existing Access Driveway

For a posted speed limit of 80 km/h³, an approximate average downgrade of 6.5%, and a reaction time of 1.5 seconds⁴, the SSD requirement in accordance with the Austroads Guideline is equivalent to 118 metres.

- SSD Check - Existing Access Driveway to Mount View Road

For a posted speed limit of 80 km/h, an approximate average upgrade of 6.5%, and a reaction time of 1.5 seconds, the SSD requirement in accordance with the Austroads Guideline is equivalent to 92 metres.

The existing access driveway is located 130 metres south of Mount View Road. This distance is greater than the SSD requirement as per the Austroads Guide and as detailed above. Therefore the location of the existing gravel access driveway complies with the Austroads Guideline for spacing of intersections in accordance with the SSD requirement.

² The VicRoads Crashstats data base may not include accident data recorded after October 2015.

³ The posted speed limit has been selected in this case as it is not expected that traffic turning out of Mount View Road will exceed the 80km/h speed limit. This is due to the short section of road available prior to the speed limit changing to 60km/h.

⁴ A reaction time equivalent to 1.5 seconds is considered to be adequate in this situation as turning traffic from Mount View Road will predominately be made up of local traffic. Therefore drivers exiting Mount View Road will be very familiar with the existing access point location and the potential for traffic entering the major road.

3.1.2 Intersection Sight Distance

Section 3.4 of the Austroads Guide to Road Design – Part 4a: Unsignalised and Signalised Intersections provides guidance on sight distance requirements at property access points. The guide states that sight distances at property access points should comply with the Safe Intersection Sight Distance (SISD) and Minimum Gap Sight Distance (MGSD).

Safe Intersection Sight Distance

The Safe Intersection Sight Distance (SISD) is the “minimum distance, which should be provided on the major road at any intersection so as to provide sufficient distance for a driver of a vehicle on the major road to observe a vehicle on a minor road approach moving into a collision situation and to decelerate to a stop before reaching the collision point.” Section 3.2.2 of the Austroads Guide Part 4a sets out the SISD requirements of the major road.

Based on the recorded 85th percentile speed of 87 km/h, an approximate average downgrade of -6.0% north of the existing access driveway and -1.0% south of the existing access driveway, and a reaction time of 2 seconds, the SISD required to the north and south of the existing access driveway is 220 metres and 205 metres respectively.

At a distance of 5.0 metres⁵ (minimum) set back from the centre of the through lane (conflict point), the existing access driveway has an available sight distance of approximately 230 metres to the north and approximately 260 metres to the south. Refer Figure 3 to Figure 6 below. Therefore the available sight distance north and south of the existing access complies with the Austroads Guide SISD requirement.



Figure 3: Looking at the existing access driveway from the north



Figure 4: Looking north from the existing access driveway

⁵ Due to the low volume of traffic expected to use the existing access driveway combined with the low volume of traffic recorded on Broadford-Wandong Road, a sight distance check taken at the minimum distance of 5.0 metres from the conflict point is considered to be a more than adequate provision.



Figure 5: Looking at the existing access driveway from the south



Figure 6: Looking south from the existing access driveway

Referring to Figure 3 above, it is noted that the existing fold down sign located on the east side of the carriageway and north of the existing access driveway will partially obstruct a vehicle exiting the driveway. Therefore to improve visibility to the entering vehicle for oncoming traffic, it is recommended that the existing fold down sign be relocated to the opposite side of the carriageway.

Minimum Gap Sight Distance

The Minimum Gap Sight Distance (MGSD) *"is based on distances corresponding to the critical acceptance gap that drivers are prepared to accept when undertaking a crossing or turning manoeuvre at intersections."* Section 3.2.3 of the Austroads Guide Part 4a sets out the MGSD requirements for traffic entering the major road. Table 2 below sets out the MGSD for the expected turning movements at the existing access driveway.

Table 2: Traffic Volume Survey

Movement	Critical Acceptance Gap (sec)	85th %ile Speed of Approaching Vehicle (km/h)	MGSD (m)
Left Out	5	84.9	118
Right Out	5	84.9	118
Right In	4	82.5	92

Based on on-site measurements, each expected turn movement at the existing access driveway has an available MGSD greater than 200 metres. Therefore the available sight distance north and south of the existing access complies with the Austroads Guide MGSD requirement.

3.2 Interference to Through Traffic

Section 12.3.1 of the Infrastructure Design Manual v4.4.2 (IDM), states that traffic volumes for undeveloped residential allotments should normally be based upon a daily traffic generation rate equivalent to at least 10 vehicle movements per day per lot.

Based on the Broadford-Wandong Road AM and PM peak hour to daily traffic volume ratio of 9.4% and 9.7% respectively, it is estimated that during the AM and PM peak periods the proposed residential allotment will generate approximately 1 vehicle movement per hour i.e. one vehicle exiting the site during the AM peak period and one vehicle entering the site during the PM peak period.

Therefore it is not expected that one vehicle exiting and entering the access driveway to/from Broadford-Wandong Road during the AM and PM peak hours respectively will interfere with the movement of through traffic along Broadford-Wandong Road during these time periods.



3.3 Existing Site Access Driveway

Based on a visual inspection of the existing gravel access driveway during the site visit, it has been determined that the layout of the access driveway is sub-standard. Further the condition of the gravel surface has deteriorated in some areas with overgrown grass.

Therefore to improve access for turning vehicles it is recommended that the existing access driveway be upgraded to comply with the Infrastructure Design Manual's standard drawing no. SD 255 – Typical Swale Drain Vehicle Crossing (Rural Entrance).

4. FINDINGS

The key findings of this Safety Assessment are detailed below:

- Based on the historical Crashstats data it can be concluded that there are no serious safety concerns with the existing conditions of Broadford-Wandong Road directly adjacent to the site.
- The distance between the existing access driveway and Mount View Road complies with the Stopping Sight Distance requirement of the Austroads Guideline, and hence the spacing between the existing access driveway and Mount View Road is greater than the minimum requirement.
- The available sight distance north and south of the existing access driveway complies with the Safe Intersection Sight Distance requirement of the Austroads Guideline when measured at a minimum distance of 5.0 metres (minimum) set back from the centre of the through lane (conflict point).
- It is recommended the existing fold down sign located on the east of the Broadford-Wandong Road carriageway north of the existing access driveway be relocated to the western side to improve inter-visibility between drivers and vehicles on the major road (southbound approach) and access driveway approach.
- Due to the low volume of traffic recorded on Broadford-Wandong Road and the volume of traffic expected to enter and exit the site during the AM and PM peak periods, it is not expected that vehicles using the access driveway will interfere with the movement of through traffic.
- It is recommended that the existing access driveway be upgraded to comply with the Infrastructure Design Manual's standard drawing no. SD 255 – Typical Swale Drain Vehicle Crossing (Rural Entrance).

5. CONCLUSION

Based on the findings of this safety assessment combined with the above recommendations being adopted by the responsible authority, it can be concluded that the utilisation of the existing Broadford-Wandong Road access driveway for the purpose of providing primary access to one residential dwelling is an adequate provision as it will not have a detrimental impact on the operation and safety of the Broadford-Wandong Road.

If you have any further queries please do not hesitate to contact me on 9940- 1575 or 0437-682-170.

Yours sincerely,

Michael Marsicovetere
Director
Transport & Traffic Solutions Pty Ltd



ATTACHMENT A – TRAFFIC VOLUME SURVEY DATA RESULTS

AUTOMATIC COUNTER SUMMARY AND DATA SHEET

TRANS TRAFFIC SURVEY

trafficsurvey.com.au

T. 1300 883 936 - F. 1300 882 932 - E. traffic@trafficsurvey.com.au - W. www.trafficsurvey.com.au

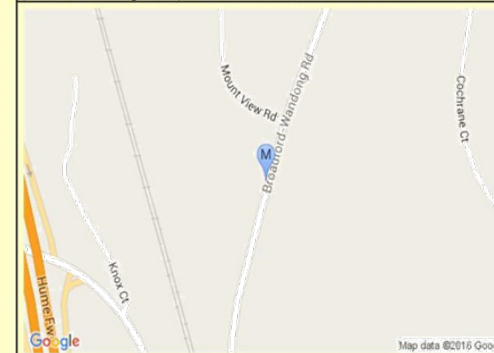
AUTOMATIC COUNT SUMMARY

Street Name :	Broadford-Wandong Rd	Location :	South Of Mount View Rd
Suburb :	Wandong	Start Date :	00:00 Wed 13/April/2016
Metrocount ID	Y624M6HR	Finish Date :	00:00 Wed 20/April/2016
Site ID Number :	2683	Speed Zone :	80 km/h
Prepared By :	Vo Son Binh	Email:	binh@trafficsurvey.com.au

GPS information Lat 37° 20' 58.68 North Long 145° 1' 39.06 East		Direction of Travel		
		Combined	Northbound	Southbound
Traffic Volume :	Weekdays Average	1,047	523	524
(Vehicles/Day)	7 Day Average	1,008	505	503
Weekday AM	06:00	98	36	70
Peak hour starts PM	12:00	102	69	37
Speeds :	85th Percentile	83.5	82.9	84.2
(Km/Hr)	Average	73.2	73.4	73.0
Classification % :	Light Vehicles up to 5.5m	93.2%	93.0%	93.4%

Location

GPS Information [Load Google Map \(internet required\)](#)
(Latitude, Longitude) -37.349632,+145.027517




[Speed Data](#) [Speed Graph](#) [Speed Bin](#)
[Volume Data](#) [Volume Graph](#) [Classification](#)



QUALITY ASSURED COMPANY BY AS/NZS ISO 9001:2008
OH&S SYSTEM CERTIFIED TO AS/NZS ISO 4801:2001
ENVIRONMENT MANAGEMENT SYSTEM CERTIFIED TO AS/NZS ISO14001:2004

AUTOMATIC COUNTER SUMMARY AND DATA SHEET

													
Site	Broadford-Wandong Rd												
Direction	Combined ▼ Back to Site Summary Page												
Day Date	Monday 18/04/2016	Tuesday 19/04/2016	Wednesday 13/04/2016	Thursday 14/04/2016	Friday 15/04/2016	Saturday 16/04/2016	Sunday 17/04/2016	7 days		Weekday		Weekend	
AM Peak	09:00	10:00	10:00	06:00	07:00	09:00	11:00	Total	Average	Total	Average	Total	Average
PM Peak	15:00	16:00	12:00	16:00	16:00	19:00	17:00	N/A	09:00	N/A	06:00	N/A	09:00
00:00	0	1	2	6	2	5	11	27	4	11	2	16	8
01:00	2	3	2	4	2	1	3	17	2	13	3	4	2
02:00	0	0	2	0	0	2	6	10	1	2	0	8	4
03:00	0	2	0	1	0	2	1	6	1	3	1	3	2
04:00	1	6	1	2	4	2	1	17	2	14	3	3	2
05:00	17	19	19	23	17	8	5	108	15	95	19	13	7
06:00	39	40	42	42	50	7	7	227	32	213	43	14	7
07:00	58	65	62	70	74	18	20	367	52	329	66	38	19
08:00	102	95	100	96	98	55	32	578	83	491	98	87	44
09:00	73	80	85	54	68	65	55	480	69	360	72	120	60
10:00	71	50	52	55	49	80	61	418	60	277	55	141	71
11:00	58	43	64	61	49	81	80	436	62	275	55	161	81
12:00	54	54	52	62	57	97	73	449	64	279	56	170	85
13:00	66	50	62	67	49	83	75	452	65	294	59	158	79
14:00	60	71	74	59	77	86	60	487	70	341	68	146	73
15:00	89	96	101	108	87	79	76	636	91	481	96	155	78
16:00	98	97	81	92	104	68	67	607	87	472	94	135	68
17:00	103	111	97	93	108	80	59	651	93	512	102	139	70
18:00	56	66	58	63	58	43	41	385	55	301	60	84	42
19:00	27	22	25	49	44	38	31	236	34	167	33	69	35
20:00	21	17	23	36	31	19	19	166	24	128	26	38	19
21:00	14	15	15	25	18	22	24	133	19	87	17	46	23
22:00	7	8	12	17	16	17	8	85	12	60	12	25	13
23:00	3	3	5	9	16	7	1	44	6	36	7	8	4
Total	1019	1014	1036	1094	1078	965	816	7022	1003	5241	1047	1781	896
% Heavy	8.34%	8.38%	6.95%	6.67%	6.77%	6.42%	3.19%	6.78%		7.40%		4.94%	

AUTOMATIC COUNTER SUMMARY AND DATA SHEET




Site Broadford-Wandong Rd

Direction Northbound


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Day Date	Monday 18/04/2016	Tuesday 19/04/2016	Wednesday 13/04/2016	Thursday 14/04/2016	Friday 15/04/2016	Saturday 16/04/2016	Sunday 17/04/2016	7 days		Weekday		Weekend	
AM Peak	08:00	07:00	06:00	06:00	07:00	09:00	09:00	Total	Average	Total	Average	Total	Average
PM Peak	15:00	15:00	12:00	14:00	16:00	19:00	17:00	N/A	06:00	N/A	06:00	N/A	09:00
									12:00		12:00		17:00
00:00	0	1	1	5	1	5	6	19	3	8	2	11	6
01:00	1	1	1	2	1	0	3	9	1	6	1	3	2
02:00	0	0	1	0	0	1	3	5	1	1	0	4	2
03:00	0	1	0	1	0	1	1	4	1	2	0	2	1
04:00	1	1	0	1	0	1	0	4	1	3	1	1	1
05:00	2	2	2	5	3	4	2	20	3	14	3	6	3
06:00	4	3	5	4	9	1	3	29	4	25	5	4	2
07:00	9	15	14	14	19	5	7	83	12	71	14	12	6
08:00	30	30	24	28	30	18	13	173	25	142	28	31	16
09:00	39	43	48	20	32	25	28	235	34	182	36	53	27
10:00	30	18	26	25	25	34	35	193	28	124	25	69	35
11:00	27	20	28	24	23	39	37	198	28	122	24	76	38
12:00	31	30	27	31	27	50	32	228	33	146	29	82	41
13:00	34	24	28	33	23	42	40	224	32	142	28	82	41
14:00	28	37	39	32	42	48	40	266	38	178	36	88	44
15:00	53	64	62	65	53	35	36	368	53	297	59	71	36
16:00	63	60	51	60	62	40	33	369	53	296	59	73	37
17:00	71	78	68	58	71	39	25	410	59	346	69	64	32
18:00	37	43	42	42	32	23	19	238	34	196	39	42	21
19:00	18	15	20	28	30	22	19	152	22	111	22	41	21
20:00	12	10	15	22	20	15	14	108	15	79	16	29	15
21:00	10	9	11	17	14	9	11	81	12	61	12	20	10
22:00	6	8	9	13	14	6	2	58	8	50	10	8	4
23:00	2	2	4	6	12	6	1	33	5	26	5	7	4
Total	508	515	526	536	543	469	410	3507	505	2628	523	879	445
% Heavy	8.66%	7.77%	7.41%	6.90%	7.37%	5.97%	3.17%	6.87%		7.61%		4.66%	

AUTOMATIC COUNTER SUMMARY AND DATA SHEET

													
Site	Broadford-Wandong Rd												
Direction	Southbound ▼ Back to Site Summary Page												
Day Date	Monday 18/04/2016	Tuesday 19/04/2016	Wednesday 13/04/2016	Thursday 14/04/2016	Friday 15/04/2016	Saturday 16/04/2016	Sunday 17/04/2016	7 days		Weekday		Weekend	
AM Peak	09:00	11:00	10:00	06:00	04:00	10:00	10:00	Total	Average	Total	Average	Total	Average
PM Peak	15:00	12:00	12:00	16:00	14:00	16:00	16:00	N/A	10:00	N/A	04:00	N/A	10:00
00:00	0	0	1	1	1	0	5	8	1	3	1	5	3
01:00	1	2	1	2	1	1	0	8	1	7	1	1	1
02:00	0	0	1	0	0	1	3	5	1	1	0	4	2
03:00	0	1	0	0	0	1	0	2	0	1	0	1	1
04:00	0	5	1	1	4	1	1	13	2	11	2	2	1
05:00	15	17	17	18	14	4	3	88	13	81	16	7	4
06:00	35	37	37	38	41	6	4	198	28	188	38	10	5
07:00	49	50	48	56	55	13	13	284	41	258	52	26	13
08:00	72	65	76	68	68	37	19	405	58	349	70	56	28
09:00	34	37	37	34	36	40	27	245	35	178	36	67	34
10:00	41	32	26	30	24	46	26	225	32	153	31	72	36
11:00	31	23	36	37	26	42	43	238	34	153	31	85	43
12:00	23	24	25	31	30	47	41	221	32	133	27	88	44
13:00	32	26	34	34	26	41	35	228	33	152	30	76	38
14:00	32	34	35	27	35	38	20	221	32	163	33	58	29
15:00	36	32	39	43	34	44	40	268	38	184	37	84	42
16:00	35	37	30	32	42	28	34	238	34	176	35	62	31
17:00	32	33	29	35	37	41	34	241	34	166	33	75	38
18:00	19	23	16	21	26	20	22	147	21	105	21	42	21
19:00	9	7	5	21	14	16	12	84	12	56	11	28	14
20:00	9	7	8	14	11	4	5	58	8	49	10	9	5
21:00	4	6	4	8	4	13	13	52	7	26	5	26	13
22:00	1	0	3	4	2	11	6	27	4	10	2	17	9
23:00	1	1	1	3	4	1	0	11	2	10	2	1	1
Total	511	499	510	558	535	496	406	3515	503	2613	524	902	456
% Heavy	8.02%	9.02%	6.47%	6.45%	6.17%	6.85%	3.20%	6.69%		7.19%		5.21%	

AUTOMATIC COUNTER SUMMARY AND DATA SHEET



Site [Back to Site Summary Page](#)

Direction


Day

Note: #N/A "Modal Speed" means too few data points

Hour Start	Total Vehicles	Average Speed	85th percentile	Modal Speed	Minimum Speed	Maximum Speed	Standard Deviation
00:00	3	75.5	78.7	97	46.3	103.7	0.9
01:00	2	69.8	81.2	91	54.6	98.0	3.3
02:00	0	N/A	N/A	N/A	N/A	N/A	N/A
03:00	0	N/A	N/A	N/A	N/A	N/A	N/A
04:00	2	56.4	66.5	69	42.0	73.8	2.3
05:00	19	75.7	85.0	91	42.8	103.4	10.5
06:00	42	73.4	84.9	85	41.1	95.7	11.5
07:00	65	73.3	84.6	74	35.1	107.1	12.3
08:00	98	74.7	85.0	78	37.5	102.2	11.9
09:00	70	74.2	86.8	71	33.9	111.7	11.6
10:00	56	73.4	83.1	73	40.4	108.9	11.3
11:00	53	74.0	84.8	76	24.9	102.1	11.4
12:00	56	74.9	86.1	73	26.1	107.6	12.3
13:00	57	74.3	85.0	74	39.3	105.7	11.0
14:00	67	74.0	86.2	74	25.4	115.1	12.7
15:00	95	74.0	84.7	73	42.0	100.0	10.2
16:00	92	75.4	87.6	80	30.0	113.7	12.3
17:00	102	73.9	86.1	74	20.8	114.9	12.5
18:00	58	72.7	84.2	69	39.2	98.6	11.1
19:00	33	75.7	87.7	73	41.7	116.7	12.9
20:00	26	73.5	87.9	78	37.7	107.9	13.7
21:00	17	74.6	85.0	78	44.0	107.9	11.6
22:00	12	74.9	82.5	90	49.7	108.6	9.3
23:00	7	70.8	77.7	102	42.5	102.8	8.4
Summary	1032	73.1	83.7	79	38.1	104.8	10.2

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AUTOMATIC COUNTER SUMMARY AND DATA SHEET



Site [Back to Site Summary Page](#)

Direction


Day

Note: #N/A "Modal Speed" means too few data points

Hour Start	Total Vehicles	Average Speed	85th percentile	Modal Speed	Minimum Speed	Maximum Speed	Standard Deviation
00:00	2	65.6	66.9	84	36.3	96.5	1.9
01:00	1	79.2	81.5	101	57.5	108.6	3.3
02:00	0	N/A	N/A	N/A	N/A	N/A	N/A
03:00	0	N/A	N/A	N/A	N/A	N/A	N/A
04:00	1	44.0	54.2	55	43.9	57.1	0.0
05:00	3	76.6	82.9	99	45.8	103.9	8.5
06:00	5	71.6	79.9	90	41.4	90.4	9.2
07:00	14	72.0	80.5	73	34.3	102.5	11.6
08:00	28	74.7	84.2	77	36.7	106.4	10.1
09:00	36	75.7	86.4	75	26.7	114.5	10.4
10:00	26	74.8	83.4	76	42.1	103.1	10.7
11:00	23	73.7	82.9	70	35.9	103.2	9.6
12:00	29	77.0	86.7	77	15.2	104.0	11.7
13:00	27	75.7	85.5	75	46.2	111.8	10.2
14:00	35	74.6	85.0	75	38.8	114.4	12.2
15:00	59	75.8	85.5	73	38.9	101.9	9.8
16:00	58	77.2	87.9	81	40.6	117.2	11.5
17:00	69	74.5	85.0	73	8.0	116.3	12.1
18:00	38	75.8	86.6	75	44.1	106.0	11.1
19:00	22	74.7	85.2	72	43.1	117.0	11.8
20:00	16	75.8	90.2	83	38.2	117.0	13.7
21:00	12	76.4	88.6	72	45.2	110.9	12.2
22:00	10	73.6	82.1	74	49.5	106.0	11.0
23:00	5	73.0	83.5	110	38.8	112.0	12.7
Summary	519	73.3	82.5	79	38.5	105.5	9.8

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AUTOMATIC COUNTER SUMMARY AND DATA SHEET



Site [Back to Site Summary Page](#)

Direction

Day

Note: #N/A "Modal Speed" means too few data points

Hour Start	Total Vehicles	Average Speed	85th percentile	Modal Speed	Minimum Speed	Maximum Speed	Standard Deviation
00:00	1	85.3	90.5	111	56.4	110.8	0.0
01:00	1	60.3	80.9	81	51.6	87.4	3.3
02:00	0	N/A	N/A	N/A	N/A	N/A	N/A
03:00	0	N/A	N/A	N/A	N/A	N/A	N/A
04:00	1	68.8	78.8	84	40.2	90.5	4.6
05:00	16	74.8	87.1	83	39.7	102.8	12.5
06:00	37	75.3	89.8	79	40.9	101.0	13.8
07:00	51	74.5	88.6	75	36.0	111.6	13.0
08:00	70	74.6	85.9	79	38.3	98.0	13.8
09:00	34	72.6	87.2	68	41.1	109.0	12.9
10:00	30	72.0	82.8	70	38.7	114.8	12.0
11:00	30	74.3	86.6	81	13.8	101.0	13.2
12:00	27	72.8	85.5	69	37.1	111.2	12.9
13:00	30	73.0	84.5	74	32.5	99.5	11.8
14:00	32	73.3	87.4	72	11.9	115.8	13.3
15:00	36	72.1	84.0	74	45.0	98.1	10.7
16:00	34	73.7	87.3	79	19.4	110.3	13.0
17:00	33	73.3	87.1	75	33.6	113.5	12.9
18:00	20	69.5	81.7	63	34.2	91.2	11.1
19:00	11	76.7	90.2	74	40.4	116.4	14.0
20:00	10	71.1	85.5	73	37.2	98.7	13.7
21:00	5	72.8	81.3	83	42.8	104.9	11.1
22:00	2	76.2	82.9	106	50.0	111.1	7.6
23:00	2	68.6	71.9	94	46.3	93.6	4.1
Summary	513	73.0	84.9	79	37.6	104.1	10.7

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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

Property No.:	118578
Title Details:	Lot 225 on Plan of Subdivision 547624J (Volume 11225 Folio 691)
Applicant:	Chris Smith & Associates
Zoning:	General Residential Zone – Schedule 1
Overlays:	Development Plan Overlay – Schedule 8
Objections Received:	9 objections have been received.
Cultural Heritage Management Plan Required:	No. The proposed two lot subdivision is exempt from requiring a Cultural Heritage Management Plan.
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 PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

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.

SITE AND SURROUNDS

Subject Site Description

The subject land is located at 5 Springridge Boulevard in Wallan (Lot 225 on PS547324J), with street frontage and access along the northern property boundary. The subject site is located approximately 140 metres west of the Northern Highway, along the primary entrance to the western edge of the Springridge Estate.

The subject land is a rectangular lot with a width of approximately 20 metres and a depth of 34 metres, with a total area of 680m². The site is currently vacant and contains a constructed crossover along the western side of the site's frontage.

The nature strip along the site frontage contains an existing street tree and light pole; both have been identified on the plan of proposed subdivision for reference and incorporated into the proposed design.

Springridge Boulevard is a fully sealed urban collector road, with kerb and channel and footpath fronting the subject land. All expectant utility services - sewer, water, electricity and drainage – are provided within this road reserve.

Surrounding Area

The surrounding land is developed for residential purposes, as part of the major growth corridor to the north of the Wallan township. The site is located in proximity to the entrance of the Springridge Estate entrance with the Northern Highway to the east.

The site is located approximately 130m to the west of the Northern Highway, which serves as the primary north-south thoroughfare through the Wallan Township. The Highway to the east runs to Kilmore in the north, and to the Melbourne-bound Hume Highway to the south. The Wallan Town Centre is approximately 1.8km to the south of the subject site. The Wallan Train Station is approximately 3.4km to the south east of the subject site.

The typical built form of this estate being single-storey detached dwellings.

PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

Planning Background

There have been no previous planning permit applications lodged on the subject site.

Title/Restrictions/Agreements

The site is burdened by Covenant PS547624J that seeks to govern neighbourhood character and built form across the estate, including minimum floor area, fencing and setbacks. The Covenant requires a dwelling on the burdened lots to obtain written consent from Pretty Sally Holdings Pty Ltd prior to the construction. It is noted that this covenant will cease to affect the burdened lot 15 years after the day upon which the plan was registered. The proposal for a two (2) lot subdivision does not breach the Covenant in anyway.

All lots within PS547624J do not contain a single dwelling restriction or a restriction preventing the lots from being subdivided. Therefore, all lots within the plan could apply to be subdivided or have more than a single dwelling on the lot. This includes the dwellings along Springridge Boulevard.

The subject site is also burdened by Section 173 Agreement AE095284R that is in relation to the pre-development agreement between Pretty Sally Holdings Pty Ltd and Mitchell Shire Council. The agreement is not applicable to the proposal as the agreement has ended as the developer has complied with their obligations.

The subject site is affected by Statement AG432820B. The statement was prepared on behalf of VicRoads, to register that compensation has been paid to a previous matter. This instrument is not applicable to the proposal.

A drainage easement traverses through the property along the southern property boundary.

PROPOSAL

The application is proposing a two (2) lot subdivision. The proposed lot layout is as follows:

- Proposed lot 1 will be rectangular in shape and have an overall area of 340sqm. Lot 1 will have frontage onto Springridge Boulevard of 10 metres and an overall lot depth of 34 metres. A 2 metre wide easement will traverse through the rear of the lot for the purpose of drainage. Lot 1 will utilize the existing crossover.
- Proposed lot 2 will be rectangular in shape and have an overall area of 340sqm. Lot 2 will have frontage onto Springridge Boulevard of 10 metres and an overall lot depth of 34 metres. A 2 metre wide easement will traverse through the rear of the lot for the purpose of drainage. A vehicle crossover is proposed for lot 2 to allow for vehicle access onto Springridge Boulevard. A proposed crossover is required to access lot 2.

A copy of the proposed plan of subdivision is attached to this report.

PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

PLANNING SCHEME PROVISIONS

Zoning

General Residential Zone

The site is affected by the General Residential Zone and pursuant to Clause 32.08-3 of the Mitchell Planning Scheme a planning permit is required to subdivide land.

Overlays

Development Plan Overlay – Schedule 8

The site is affected by the Development Plan Overlay pursuant to Clause 43.04 of the Scheme. It is noted that a Development Plan has already been prepared for the area and no permit is required under this provision of the Scheme.

Particular Provisions

The following particular provisions are relevant to the planning permit application.

Clause 56 Residential Subdivision

A detailed Clause 56 assessment in relation to the proposed residential subdivision will be included as an attachment to the report.

State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF)

There are a number of policies of the SPPF and LPPF relevant to the consideration of this application. The most relevant are addressed in the discussion section below however a full list of applicable policies is included as an attachment to this report.

Wallan Structure Plan

The Wallan Structure Plan identifies Springridge Estate as existing residential and does not detail where infill development is to occur within the Springridge Estate. Furthermore, the structure plan identifies Springridge Blvd as a collector street. A collector street generally serves low to moderate capacity and moves traffic from a local street to an arterial road.

Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF)

There are a number of policies of the PPF and LPPF relevant to the consideration of this application. The most relevant are addressed in the discussion section below however a full list of applicable policies is included as an attachment to this report.

PUBLIC NOTIFICATION (ADVERTISING)

Formal notification of the application was given by means of sending letters to adjoining land owners and occupiers and placing a sign on the site.

PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

A total of 9 objections have been received. The grounds of objection are summarised later in this report and a brief response provided.

REFERRALS

External

The application was not required to be referred to any external referral authorities under section 55 of the *Planning and Environment Act 1987* (the Act).

Internal

The application was discussed internally with Councils Engineering Department which has resulted in a number of standard conditions to be placed on the permit should one be issued.

DISCUSSION

The subject site is found within the General Residential Zone which has a number of stated objectives. Of relevance to the assessment of this application are the following objectives:

- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

In officer's assessment the proposed subdivision is in accordance with the relevant stated objectives of the zone as listed above in that the proposal is respective of the neighbourhood character of the area and it encourages a diversity of housing types and growth in a good location.

The proposal for creation of two lots of 340 square metres is consistent with the wider settlement pattern of the Springridge with has a high number of lots in the size range of 300 to 400 square metres.

The proposal satisfies the requirements of Clause 56 of the Mitchell Planning Scheme which establishes objectives and standards for neighbourhood character, lot design, access and water supply. The proposed lots will provide for diversity in lot sizes and integrate with the surrounding area.

The proposed lots will have access to existing gas, sewage, telecommunication, water and drainage infrastructure. Each lot will have its own vehicle access and no common areas are proposed. In accordance with zone requirements (Clause 32.08-3) each lot must contain at least 25% garden area. This equates to 85 square metres of garden area for each lot. A condition will be included on the planning permit to ensure that the requirement of 25% garden area is achieved. Overall the proposed lots are consistent with lot design in the estate, will not add a burden on the existing infrastructure and add lot and dwelling diversity.

The Northern Highway is located east of the subject site, which has direct access to the Wallan Township. The Wallan Township is within 2 kilometres from the subject site and has access to services, educational, recreational and community services.

PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

The benefits of smaller lots sizes will reduce the cost for future residents. Lowering the overall cost for the lot and future dwelling construction allows individuals (i.e. first home buyers) to enter the market and provide for affordability.

Particular Provisions

Clause 56 Residential Subdivision & Clause 65 General Decision Guidelines

Pursuant to General Residential Zone (Clause 32.08-3) a planning permit is required to subdivide land. An application must then meet the requirements of Clause 56 which sets out all the detailed standards and objectives a proposal such as this must satisfy. In summary the current proposal is considered appropriate against these measures and a detailed Clause 56 assessment is included as an attachment to the report.

In addition to Clause 56, Clause 65 of the Planning Scheme establishes a series of decision guidelines to address in the assessment of such a proposal. Officers assessment is that the proposed subdivision satisfies the general decision guidelines for subdivisions and that a permit should issue. A more detailed assessment against these provisions is attached to this report.

In summary the subject site is located within an established residential area. The subject site is suitable for subdivision as all services and required infrastructure are available to the proposed lots. The surrounding area is and will be developed for residential use, and the intended use of the new lots will also be residential. Therefore, the subdivision is not considered to impact on any surrounding land uses.

Each lot will have a frontage onto Springridge Boulevard of 10 metres and an overall lot depth of 34 metres. The lots area will be 340 square metres which is more than capable of containing a dwelling.

The proposed lots will add to the availability of land and diversity in lots sizes for future residents of the municipality. The proposed two lots are considered to have a minimal effect on the overall density within the Springridge Estate. The layout of the subdivision is considered to functional in relation to the existing roads. Therefore, in officer's assessment the subdivision is appropriate and should be supported.

Other considerations

The Subject site is affected by Covenant PS547624J. This covenant requires written consent to be obtained from Pretty Sally Holdings Pty Ltd prior to the construction of a dwelling. Pretty Sally Holdings Pty Ltd and Springridge Estate have Design Guidelines that are required to be followed. The design guidelines govern neighbourhood character in relation to building materials and built form.

In accordance with the Covenant plans must be submitted to the Developer for review. If the plans comply with the design guidelines they can be endorsed by the developer. The plans must be endorsed by the developer prior to a building permit being issued.

OBJECTORS' CONCERNS

The objections received in relation to the current proposal cover a number of matters and are addressed below:

PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

Objection	Response
Financial burden/impact on property values	Financial burden and the impact on property values is not a consideration under the Planning Scheme.
Street setbacks of future dwellings	No development is being assessed as part of the application. Future development will be required to comply with building requirements.
Covenants affect the subject site	Covenant PS547624J affects the subject land. This covenant does not prevent further subdivision of the site. The Covenant will continue to apply to both lots.
The lot layout is inconsistent with surrounding lot sizes	The lot layout is inconsistent with the adjoining lots; however, it is noted that within the Springridge Estate there are several smaller lots which are similar in size to the proposal. Clause 15.01-3S Subdivision design requires diverse and sustainable neighbourhoods. Clause 16.01-3S Housing diversity aims provide for a range of housing types to meet diverse needs. It is considered that diversity in lot sizing is in accordance with relevant planning policy.
The two small lots will have detrimental impact on the overall impression of Springridge	As detailed earlier in the report, there are several smaller lots within the Springridge Estate. The proposed lots are not considered to have a detrimental impact on the overall impression of Springridge.
Increased vehicle movements	It is considered that the increased vehicle movements from an additional dwelling will have minimal impact on the road network for the area.
Overshadowing caused from future development	No development is proposed because of the subdivision. Future development would be required to comply with ResCode and address overshadowing.
The proposal does not integrate with the surrounding environment	It is considered that the proposal will integrate with the surrounding area as each lot will have frontage onto Springridge Boulevard.
Generalisation as to the type of people who could possibly live on the properties once they are developed.	This is not a consideration within the Planning Scheme requirements.

PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

Impact on streetscape character/ neighbourhood character	The subdivision will create two lots with frontage onto Springridge Boulevard. The site will allow for suitable landscaping and building setbacks will be required to comply with the existing restrictions on the current title.
Impact on views	The proposal is for subdivision only. The site was developed for residential purposes and any dwelling proposed is not considered to impact on any views.
Traffic/car parking issues	It is considered that the increased vehicle movements as a result of the additional lot will be minimal. The future development will be required to comply with car parking requirements of Clause 52.16
Built form/conjecture on prospective townhouses	The application is for subdivision only and does not propose any development.
Variance with the Springridge Design Guidelines	The Design Guidelines to not restrict subdivision from occurring.
Wallan as a rural town	The subject site is located within the Urban Growth Boundary and infill development is encouraged in accordance with relevant policy.
Private Open Space	Pursuant to Clause 32.08 a minimum garden area of 25% is required. A condition will be included on the planning permit to ensure the garden area is met.

CONCLUSION

The application has been assessed against the relevant Integrated Planning Policy Framework, the relevant Municipal Strategic Planning Policy Framework, the General Residential Zone, Clause 56 Residential Subdivision and the General Decision Guidelines of Clause 65. It is considered that the proposal is generally in accordance with relevant planning policy and a planning permit should be issued subject to conditions outlined below.

RECOMMENDATION

THAT Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a recommendation in respect of Application No. PLP207/18 for a two lot subdivision at Lot 225 on Plan of Subdivision 547624J (Volume 11225 Folio 691), known as 5 Springridge Boulevard WALLAN VIC 3756, subject to the following conditions:

General

PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

1. Before the Certification of the Plan of Subdivision under the *Subdivision Act 1988*, 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) A building envelope with the minimum dimensions of 9 metres by 15 metres in accordance with Clause 56.04-2 of the Mitchell Planning Scheme.
2. The layout of the subdivision as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.
3. Construction activities must be managed so that the amenity of the area is not detrimentally affected through the:
 - a) transport of materials, goods or commodities to or from the land;
 - b) inappropriate storage of any works or construction materials;
 - c) hours of construction activity;
 - d) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, reflection or glare, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil; and
 - e) presence of vermin.to the satisfaction of the Responsible Authority.
4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
5. 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.
6. 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.

PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

7. Before the issued of Statement of Compliance Statement of Compliance under the *Subdivision Act 1988* , the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following:
- a) A garden area of a minimum of 25% must be provided for proposed Lot 1 and Lot 2.

Except with the written consent of the Responsible Authority.

The application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act.

The owner under this permit must pay to the Responsible Authority the reasonable costs incurred by the Responsible Authority in the preparation or review, execution and registration of the Section 173 agreement.

Telecommunications

8. 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.
9. 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

PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

- 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.

Engineering Conditions

- 10. Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, the permit holder must construct a vehicle crossing to each lot to a residential standard in accordance with Mitchell Shire Council's Standard to the satisfaction of the Responsible Authority, unless otherwise agreed in writing by the Responsible Authority.
- 11. Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, the permit holder must construct at no cost to Council, drainage works between each of the proposed lots and the Council nominated point of discharge to the satisfaction of the Responsible Authority.
- 12. Any road(s), footpath(s) and/or other infrastructure damaged as a result of the construction works (including but not limited to trenching and excavation for utility service connections, movement of vehicles and the likes), must be reinstated to the satisfaction of the Responsible Authority and at the cost of the permit holder.

Permit expiry

- 13. This permit will expire if one of the following circumstances applies:
 - a) The plan of subdivision is not certified within 2 years of the date of this permit;
 - b) 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*.

PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

PERMIT NOTES

Relevant Authority	Information provided to assist the applicant or owner
Council Building Unit	<p>Please note that this approval does not constitute a Building Permit. You should enquire with Council's Building Services Unit on 5734 6230 to ascertain if a building permit is required for this proposal.</p> <p>This planning permit has NOT been assessed against the requirements of ResCode.</p>
Council Engineering Services Unit	<p>A legal point of discharge must be obtained from Council prior to the construction of the drainage.</p> <p>A road-opening permit must be obtained from Council's Engineering Services Unit before any vehicle crossover is constructed.</p>
Council Environmental Health Unit	<p>An application to install a Septic Tank System must be submitted to the Environmental Health Unit including any prescribed fee and plans detailing the distance of the system from boundaries and the size of the effluent area.</p>

PLANNING PERMIT APPLICATION PLP207/18 FOR TWO LOT SUBDIVISION AT 5 SPRINGRIDGE BOULEVARD, WALLAN (CONT.)

MITCHELL SHIRE COUNCIL

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DEVELOPMENT AND INFRASTRUCTURE

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

**Attachment No: 1
Clause 56 Assessment**

PLP207/18 – 5 Springridge Boulevard, Wallan

Clause 56 Assessment: (Residential Subdivision)

<p>56.03-5: Neighbourhood character objective</p> <p>Standard C6</p> <p>Subdivision should:</p> <ul style="list-style-type: none"> • Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme. • Respond to and integrate with the surrounding urban environment. • Protect significant vegetation and site features. 	<p>Complies</p> <p>The proposed lot size and layout is consistent with that of the surrounding land. The subdivision to create an additional lot is considered to be consistent with the varying sizes and layout that can be found within the Springridge Estate.</p> <p>The proposed subdivision is respectful to the existing neighbourhood character and is consistent with relevant objectives and policy set out in the Scheme. The proposal will respond and integrate with the surrounding urban environment.</p> <p>No vegetation will be impacted upon as a result of the proposal. The subject site is void of any significant vegetation. There are no other significant features on the land.</p>
<p>56.04-2: Lot area and building envelopes objective</p> <p>Standard C8</p> <p>An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:</p> <ul style="list-style-type: none"> • That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or • That a dwelling may be constructed on each lot in accordance with the requirements of this scheme. <p>Lots of between 300 square metres and 500 square metres should:</p> <ul style="list-style-type: none"> • Contain a building envelope that is consistent with a development of the lot approved under this scheme, or • If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope. <p>If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.</p> <p>Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.</p>	<p>Complies</p> <p>The proposal creates two suitably sized vacant lots. The proposed lots will both be 340sqm in area. It is considered that each lot will be capable of accommodating self-contained dwellings.</p> <p>Future dwellings on the site will be able to achieve good energy efficiency from the siting and design. It is considered that each lot will allow for adequate private open space, vehicle access and landscaping.</p> <p>No building envelope has been shown on the proposed plan of subdivision. An amended plan of subdivision will be requested as a condition requirement to require a building envelope to be shown on the plan of subdivision. The subject site is able to accommodate a 10 metres by 15 metres building envelope or a 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.</p>

<p>A building envelope may specify or incorporate any relevant siting and design requirement.</p> <p>Any requirement should meet the relevant standards of Clause 54, unless:</p> <ul style="list-style-type: none"> • The objectives of the relevant standards are met, and • The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act. 	
<p>56.04-3: Solar orientation of lots objective</p> <p>Standard C9</p> <p>Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.</p> <p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> • The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south. • Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north. • Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street. 	<p>Complies</p> <p>It is considered that the lots have appropriate solar orientation. The long axis of the lots are within the range of north 20 degrees west to north 30 degrees or east 20 degrees north to east 30 degrees.</p> <p>The proposed lots are between 300 square metres and 500 metres. It is highly likely that the proposed lots will contain dwellings that are to be built on the boundary. The long axis of the lots should be within 30 degrees east and 20 degrees west of north. The proposed lots will have a northern frontage onto Springridge Boulevard.</p> <p>The dimensions of the lots are adequate to protect solar access to the lots, when dwellings are on the lots. The relationship of each lot to the street is unlikely to be impacted.</p>
<p>56.04-5: Common areas objective</p> <p>Standard C11</p> <p>An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</p> <ul style="list-style-type: none"> • The common area to be owned by the body corporate, including any streets and open space. • The reasons why the area should be commonly held. • Lots participating in the body corporate. • The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held. 	<p>N/A</p> <p>No common property area is proposed on the site.</p>
<p>56.06-8: Lot access objective</p> <p>Standard C21</p>	<p>Complies</p>

<p>Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.</p> <p>Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.</p> <p>The design and construction of a crossover should meet the requirements of the relevant road authority.</p> <p>Refer to table for design of streets and networks (Table C1)</p>	<p>The road layout and the proposed location of driveways for each lot will allow for safe vehicle access to and egress from each lot.</p> <p>Both lots will access an existing urban road in Springridge Boulevard. Lot 1 will utilise the existing crossover from Springridge Boulevard. Lot 2 will be accessible via a proposed vehicle crossover from Springridge Boulevard.</p> <p>Both of the lots have frontages in excess of 7.5 metres and have areas greater than 300sqm.</p> <p>A mandatory condition on the planning permit will be included requiring that the design and construction of the crossover must meet the requirements of the Responsible Authority (as the land does not abut an arterial road).</p>
<p>56.07-1: Drinking water supply objective</p> <p>Standard C22</p> <p>The supply of drinking water must be:</p> <ul style="list-style-type: none"> Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority. Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority. 	<p>Complies</p> <p>The proposed lots will be supplied with drinking water and a provision will be placed on the planning permit as a requirement. Proposed Lot 1 is already connected to water supply. Proposed Lot 2 can easily be connected to this service.</p>
<p>56.07-2: Reused and recycled water objective</p> <p>Standard C23</p> <p>Reused and recycled water supply systems must be:</p> <ul style="list-style-type: none"> Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Human Services. Provided to the boundary of all lots in the subdivision where required by the relevant water authority. 	<p>Complies</p> <p>No reused and recycled water supply system is proposed as part of the subdivision. It is considered that that the future development of the proposed lots can implement the reuse of water by installing rainwater tanks when the lots are developed.</p> <p>No secondary reticulated supply is known to be available to the subject site.</p>
<p>56.07-4: Urban run-off management objectives</p> <p>Standard C24</p> <p>Waste water systems must be:</p> <ul style="list-style-type: none"> Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority. Consistent with any relevant approved domestic waste water management plan. <p>Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>	<p>Complies</p> <p>A reticulated wastewater system is already provided to the site. Both lots will be required to be connected to a reticulated sewerage system as part of the subdivision of the land and this provision will be placed on the planning permit as a requirement.</p>

<p>56.07-3: Waste water management objective</p> <p>Standard C25</p> <p>The urban stormwater management system must be:</p> <ul style="list-style-type: none"> • Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority. • Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of urban run-off is proposed. • Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended. • Designed to ensure that flows downstream of the subdivision site are restricted to predevelopment levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts. 	<p>Complies</p> <p>The subject land is a lot on a relatively recent urban subdivision. The surrounding estate features established urban stormwater infrastructure that is fully capable of supporting the proposed subdivision.</p> <p>The system has the capacity to accommodate urban runoff from the proposed lots in terms of both water quality and rate of discharge.</p>
<p>56.08-1 Site management objectives</p> <p>Standard C26</p> <p>A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:</p> <ul style="list-style-type: none"> • Erosion and sediment. • Dust. • Run-off. • Litter, concrete and other construction wastes. • Chemical contamination. • Vegetation and natural features planned for retention. <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.</p>	<p>Complies</p> <p>This proposal for subdivision does not result in major construction. The works will be limited to the construction of the second crossover, as shown on the proposed plan of subdivision.</p> <p>It is considered that the construction activity will have minimal adverse impacts. Nonetheless, a condition requiring management of erosion, dust, run-off, litter, construction wastes, chemical contamination, etc. will be placed on the planning permit as a requirement.</p>
<p>56.09-1 Shared trenching objectives</p> <p>Standard C27</p> <p>Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.</p>	<p>Complies</p> <p>Services to the lots are provided within the existing road reserve. The proposed subdivision provides for efficient connection to these various utility services from existing and proposed infrastructure.</p> <p>Shared trenching opportunities exist for the connection of services to both lots.</p>

<p>56.09-2 Electricity, telecommunications and gas objectives</p> <p>Standard C28</p> <p>The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</p> <p>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</p> <p>The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.</p> <p>Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.</p>	<p>Complies</p> <p>Where available, it will be necessary for all requirements of the relevant gas, electricity and telecommunications authority to be complied with prior to the issue of a Statement of Compliance for the subdivision.</p>
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DEVELOPMENT AND INFRASTRUCTURE

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

Attachment No: 2

**State and Local Planning Policy Framework -
applicable policies PLP207/18**

State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF)

The following clauses of the SPPF and LPPF are considered relevant to this application

Clause 11.01-1S Settlement	This clause is relevant and has the following objective: <i>To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.</i>
Clause 11.02-1S Supply of urban land	This clause is relevant and has the following objective: <i>To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.</i>
Clause 11.03-2S Growth areas	This clause is relevant and has the following objective: <i>To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.</i>
Clause 15.01-1S Urban design	This clause is relevant and has the following objective: <i>To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</i>
Clause 15.01-3S Subdivision design	This clause is relevant and has the following objective: <i>To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.</i>
Clause 15.01-5S Neighbourhood Character	This clause is relevant and has the following objective: <i>To recognise, support and protect neighbourhood character, cultural identity, and sense of place.</i>
Clause 16.01-1S Integrated housing	This clause is relevant and has the following objective: <i>To promote a housing market that meets community needs.</i>
Clause 16.01-2S Location of residential development	This clause is relevant and has the following objective: <i>To locate new housing in designated locations that offer good access to jobs, services and transport.</i>
Clause 16.01-3S Housing diversity	This clause is relevant and has the following objective: <i>To provide for a range of housing types to meet diverse needs.</i>

Clause 16.01-4S Housing affordability	This clause is relevant and has the following objective: <i>To deliver more affordable housing closer to jobs, transport and services.</i>
Clause 21.02-1 Urban growth	This clause is relevant and has the following objective: <ul style="list-style-type: none"> • <i>To plan for the orderly development of existing settlements.</i> • <i>To manage urban growth.</i>
Clause 21.06-1 Urban environment	This clause is relevant and has the following objective: <i>To enhance the presentation of towns and their main road entrances.</i> <i>To enhance the safety of neighbourhoods.</i>
Clause 21.07-1 Residential development	This clause is relevant and has the following objective: <i>To provide variety and choice in housing styles and densities.</i>
Clause 21.11-9 Wallan	This clause is relevant and has the following objective: <ul style="list-style-type: none"> • <i>Reinforce visual and physical connections to Wallan's surrounding landscape setting.</i> • <i>Embrace the existing topography, heritage and natural elements of the site, and integrate these features into the development of Wallan to create a sense of place that is authentic and distinct.</i> • <i>Ensure new residential communities are designed to respond to the natural environment and landscape setting.</i> • <i>Encourage infill development within established residential areas.</i>

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

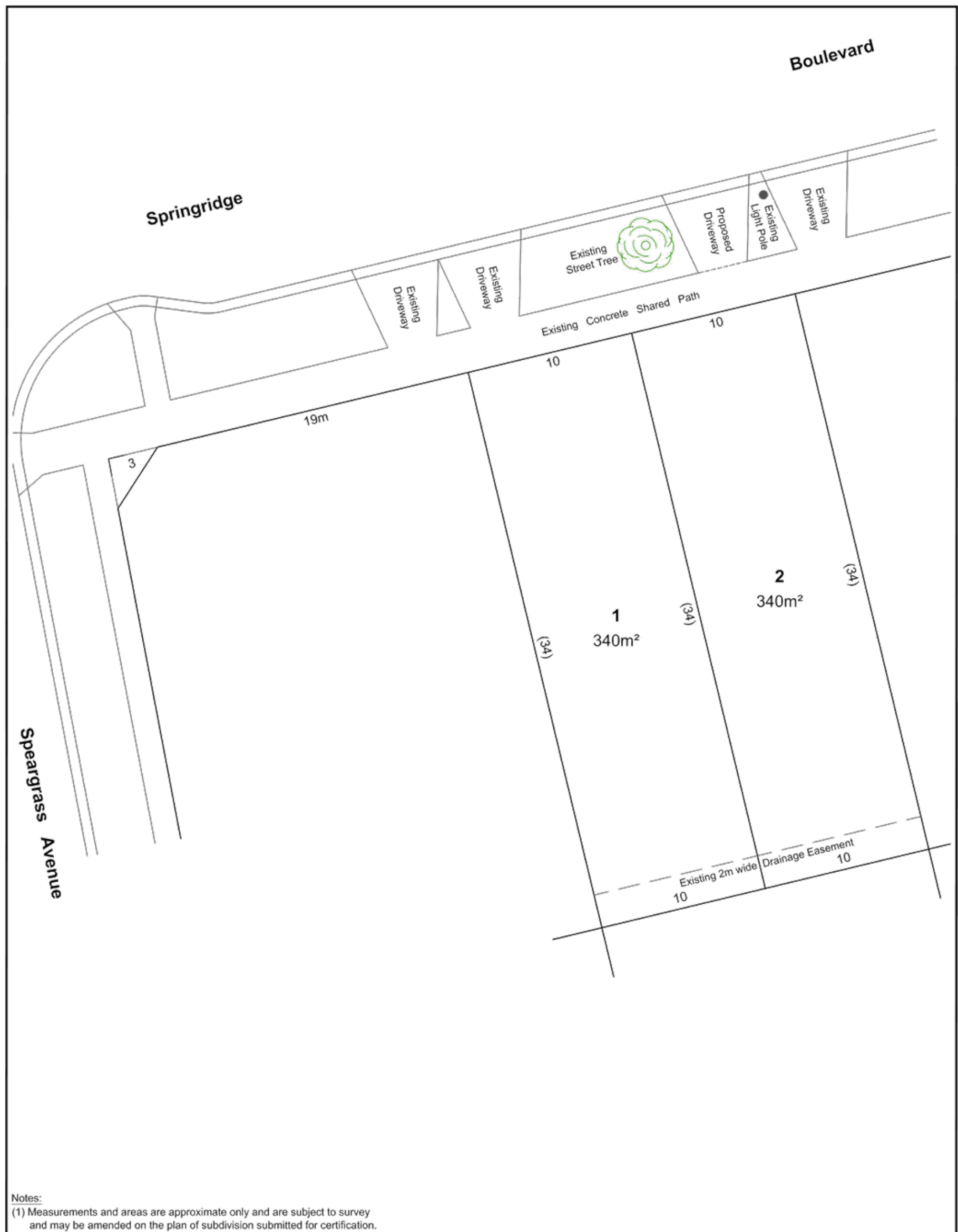
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**PLANNING PERMIT APPLICATION PLP207/18
FOR TWO LOT SUBDIVISION AT 5
SPRINGRIDGE BOULEVARD, WALLAN**

Attachment No: 3

Proposed Plan of Subdivision



Notes:

- (1) Measurements and areas are approximate only and are subject to survey and may be amended on the plan of subdivision submitted for certification.

REVISION	DATE	ZONE



Scale 1:200 @ A3

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Designed
 Drawn Col Rogers 17th July, 2018
 Checked Duncan Lewis 18th July, 2018
 Approved

R Singh & RK Kamboj
Two Lot Subdivision
 5 Springridge Boulevard
 Wallan
Plan of Proposed Subdivision

Drawing No. 18111/01 Rev. 0
 Sheet No. 1 of 1 1811101v0.dwg A3
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 OTHERWISE NOT TO BE INCULCATED.

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

**Attachment No: 4
Clause 65 Assessment**

PLP207/18 – 5 Springridge Boulevard, Wallan
Clause 65 General Decision Guidelines Assessment

The suitability of the land for subdivision.

The subject site is located within an established residential area. The subject site is suitable for subdivision as all services are available to the proposed lots. Conditions will be placed on the planning permit to ensure the lots are connected to gas, sewage, telecommunication, water and drainage infrastructure.

The existing use and possible future development of the land and nearby land.

The surrounding area is and will be developed for residential use, and the intended use of the new lots will also be residential. Therefore the subdivision is not considered to impact on any surrounding land uses.

The availability of subdivided land in the locality, and the need for the creation of further lots.

The proposed lots will add to the availability of land and diversity in lots sizes for future residents of the municipality.

The effect of development on the use or development of other land which has a common means of drainage.

There is existing drainage infrastructure in the area and the proposed lots are not foreseen to cause impacts on the existing infrastructures.

The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.

The subdivision is simply creating two side-by-side lots that will fit in with the physical characteristics of the land. There is no vegetation to be removed.

The density of the proposed development.

The proposed two lots are considered to have a minimal effect on the overall density within the Springridge Estate.

The area and dimensions of each lot in the subdivision.

Each lot will have a frontage onto Springridge Boulevard of 10 metres and an overall lot depth of 34 metres. The lots area will be 340 square metres which is more than capable of containing a dwelling.

The layout of roads having regard to their function and relationship to existing roads.

The layout of the subdivision is considered to functional in relation to the existing roads. Each lot will have access to the existing road network.

The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.

The movement of pedestrians and vehicles throughout the subdivision will be appropriate and the ease of access to all lots will be achieved. Vehicles will be able to access the site via vehicle crossovers and pedestrians will have access to an existing footpath.

The provision and location of reserves for public open space and other community facilities.

Public open space is located with the Springridge Estate which the future residents will be able to utilize.

The provision of off-street parking.

Off-street parking can be utilised within the existing street network.

The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.

The availability and provision of utility services are available to the proposed lots. The existing site is already fully serviced and connecting the services to the additional lot can be achieved.

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

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.

RECOMMENDATION

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

BACKGROUND

At the Ordinary Council meeting of 19 March 2018, a Notice of Motion was moved and resolved as follows:

THAT officers prepare a brief report to Council regarding means available to Council to prevent residential premises from being constructed with their sole or main access via a fire access track.

Whilst it is acknowledged that the concerns and consequential intent of this Notice of Motion relate to private property access via Fire Access Tracks, this report also seeks to draw attention to the wider issue of private property access via roads or tracks that are not 'Public Roads' maintained by Council. In other words, properties that have access to a 'Road Reserve' that does not contain a physical road maintained by Council.

Concern was also expressed regarding the inherent risks to vulnerable people such as children and people with mobility issues, the frail and ill, in building homes in areas with limited vehicular accessibility.

ISSUES AND DISCUSSION

To gain a comprehensive understanding of the issues raised in the Notice of Motion it is important to first make a clear distinction between Council obligations towards 'Public Roads' and that of 'Unused Roads' and 'Fire Access Tracks'.

Public Roads

A 'road' is a Public Road by virtue of its inclusion in the Shire's Public Road register. A road authority (Council) has a statutory duty to inspect, maintain and repair a Public Road to the standards it has itself set in its Road Management Plan (RMP).

Any road or road segment that does not appear on the Shires Public Road Register is not a Public Road for the purposes of the *Road Management Act 2004*.

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

In other words, for a road to be identified as a 'Public Road', Council must have made a commitment (via the Public Road Register) to maintain it in accordance with its RMP.

Unused Roads

The term 'Unused Road' can have many interpretations, however for the purposes of this report, an unused road is defined as any 'Road Reserve' (the corridor of land also known as a Government Road) that does not contain a 'Public Road'. i.e. a physical road that Council maintains.

There are many unused roads located across the Mitchell Shire that exist from the original subdivision of land. These 'roads' were created and 'reserved' for future road purposes.

Many of these unused roads contain (informal) tracks have been used for many years, typically by property owners, to access remote parts of their property that may not be accessible via internal farm tracks. Property owners / farmers may also use these tracks to move between different properties for their farming operations.

Some of these tracks may also serve as access to areas of Crown Land, State Forest or National Parks while others may also be identified as Fire Access Tracks as discussed below.

When these tracks are not identified on the Public Road register, they are not maintained by Council.

Many unused road reserves exist in their natural state. i.e. contain no form of track at all. These road reserves can exhibit significant environmental values due to their natural undisturbed state and in some instances can contain rare examples of native remnant vegetation not present elsewhere throughout the local area due to historical land clearing practices for farming purposes.

The creation of new roads or tracks in such road reserves for property access purposes requires careful consideration by Council as the Responsible Planning Authority due to these environmental values.

Fire Access Tracks

Fire Access Tracks are specifically identified for their strategic value in providing access to remote areas for the CFA for fire suppression purposes. A track has the 'status' of a Fire Access Track by virtue of its inclusion in the Municipal Fire Management Plan.

Fire Access Tracks are not Public Roads for the purposes of the Road Management Act, therefore they are not maintained in accordance with Councils Road Management Plan.

Rather, the maintenance of Fire Access Tracks is essentially an agreement between CFA and Council to ensure ongoing access for fire fighting vehicles during the declared fire season.

Requests for maintenance or vegetation clearance of Fire Access Tracks are required to be received from District 12 CFA via the Municipal Fire Management Planning Committee (MFMP) in the lead up to the fire season.

This maintenance is not carried out for the specific benefit of any other local property access function, although it is acknowledged that this intermittent maintenance carried

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

out on these tracks will inadvertently serve to benefit local users of these tracks to some degree.

Upon review of Council's mapping system, it has been estimated that at present there are 74 Fire Access Tracks listed in the database across Mitchell Shire with a total length of 157.3 kilometers. It is estimated that approximately 50% of these tracks would be located within road reserves, and 50% are located on private property at the agreement of the land owners.

Private access via tracks and unused roads

Property owners who derive property access via a Fire Access Track or any other road or track that is not a 'Public Road', whether regular or occasional usage, are responsible for identifying and carrying out any additional discretionary maintenance of these tracks that is required to satisfy their own access needs.

A Road Opening Permit must be obtained from Council for any works undertaken in any road reserve and any works consistent with a general driveway / vehicle crossing maintenance is exempt for these requirements.

Access to Residential Properties

On occasion, rural properties within the Shire may have limited road access and this issue is accentuated when new dwellings are proposed to be constructed on such rural lots.

Where a property has direct abuttal to a 'road reserve', this property enjoys an 'as of right' privilege (legal right) to access to that road reserve, regardless of whether this road reserve contains a 'public road' (i.e. a road maintained by Council).

In such cases, Council cannot deny access to that road reserve. The question will inevitably become to what standard that access is maintained and who is responsible for the maintenance.

This issue is most prevalent where Planning Permit applicants propose use and development of rural properties for new dwellings.

Through such applications, if multiple points of access are available, officers will always seek to encourage the use of the best and most appropriate access i.e. to a 'Public Road' maintained by Council. However, this is not always possible as often rural properties will only have one possible or designated 'as of right' access.

Where a Planning Permit is supported and where access is only possible via a road reserve that contains a track or lower standard road (possibly identified as a Fire Access Track) or in some cases no track at all, officers will review the application on merit and seek to use appropriate conditions including Section 173 Agreements on title to alert current and future owners that their access is derived via a track (Unused Road) which is not a 'Public Road' maintained by Council.

The Section 173 Agreement registered on title, coupled with conditions on the permit itself, is intended to ensure the property owner acknowledges this fact and that any requirements for future access track maintenance will be borne by them. Sample wording of such a condition is included in the attached document.

Officers endeavor to alert and discourage applicants from inappropriately siting dwellings in areas with restricted access. However, it is difficult to refuse planning permits on this reason alone if access is available to a road reserve. i.e. 'as of right'.

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

Unfortunately the practice of applying a Section 173 Agreement to the Planning Permit is a relatively new practice and many approvals exist prior to this practice where land owners are potentially not aware of their responsibilities to maintain access to their properties.

Other Issues

The ability to apply such agreements as referenced in the foregoing is limited to circumstances where a planning permit is required for use of the land for a dwelling.

Properties within the Farming Zone that are greater than 40Ha (100 acres) enjoy an 'as of right' privilege to construct a new dwelling. Therefore, no planning permit is required and therefore there is no ability for to review any such proposal and apply appropriate conditions relating to any future property access to serve the new dwelling.

Further, a private building surveyor may issue the Building Permit, which will further diminish Council's visibility to such proposed development.

The opportunity exists to investigate, through the recently commenced 'Rural Land Use Strategy', the revision and implementation of appropriate land sizes triggers for Planning Permits where proposals for a new dwelling create a demand for new or additional access arrangements.

CONSULTATION

This matter was discussed internally with the Engineering and Major Projects Department, the Operations and Parks Department, Development Approvals Department and Strategic Planning Department.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

There are significant possible costs for Council if they were required to upgrade tracks (including Fire Access tracks) across the Shire for regular ongoing residential access. Therefore, the approach of imposing agreements upon owners through planning permit conditions is deemed an appropriate response.

POLICY AND LEGISLATIVE IMPLICATIONS

Relevant policy and legislation considered through the drafting of this report includes the following:

- *Road Management Act 2004*
- *Road Management Plan 2018*
- *Road Register*
- *Planning & Environment Act 1987*
- *Mitchell Planning Scheme*

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

Often the upgrade or maintenance of such tracks can have implications or impacts on road side vegetation. This is another reason for officers to closely review any such applications for lots with limited or reduced access.

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

CHARTER OF HUMAN RIGHTS IMPLICATIONS

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

Officers will continue to review applications, as and when they are triggered to firstly ensure they have appropriate access and if multiple access points are available to a site, encourage the use of most appropriate access. In the event that access is only possible via an 'Unused Road', use shall be made of appropriate permit conditions and by placement of agreements on title, that acknowledges the standard of access being utilised (from a practicable and safety point of view) and with whom future maintenance responsibilities lie.

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

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

19 NOVEMBER 2018

9.3

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

Attachment No: 1

Sample Condition

Sample Section 173 Agreement to be applied through condition

[Before the development starts / Before the use starts], 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) The land owner agrees to maintain the property access from the end of the Council maintained public road on Street Name through to the property access point or points as approved by Council. This access must be maintained to the following minimum conditions by the property owner to the satisfaction of the Responsible Authority:
 - i. Carriageway generally to be provided at a width of 3.0m;
 - ii. Pavement generally be of a depth of 100mm compacted crush rock/gravel;
 - iii. Suitable and effective road culverts or pavement scour protection to provide the appropriate level of property access required;
 - iv. Ensure stormwater is captured, contained and discharged via appropriate stormwater drainage infrastructure that eliminates scour and erosion of the road reserve and that concentrated stormwater flows are discharged in a manner consistent with (all relevant legislation / the requirements of the Water Act 1989).
 - v. Support property access by the CFA, including provision of constructed passing areas every 400m if not available within the constructed carriageway;
 - vi. If access is to a dwelling on the land the access must support appropriate all-weather emergency service access.
 - vii. No native vegetation is to be removed, damaged or detrimentally impacted through the use, maintenance or construction of the access except through approval or consent of the Responsible Authority;
 - viii. Any works on the access, other than minor maintenance works require Council consent and approval via a works in the road reserve consent application;
- (b) The Council reserves the right to carry out any road maintenance works along this access as deemed appropriate or to direct the property owner to carry out appropriate works to maintain suitable access through the road reserve in line with this agreement and Local Government Act 1989 Schedule 10, Clause 11(d) and 12(d).
- (c) The land owner acknowledges the use of the access is not exclusive and the rights of the public to utilise the road reserve remain at all times.

The owner must pay the reasonable costs for the preparation, execution and registration of the Section 173 Agreement.

[Before the development starts / Before the use starts], a copy of the Titles Office registration number (dealing number) for the Section 173 Agreement must be provided to Council as proof of registration.

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: Notice of Motion 921

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.

RECOMMENDATION

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.

BACKGROUND

At the 18 September 2017 Council meeting the following Notice of Motion was passed:

MOTION

MOVED: CR. B. CHISHOLM

SECONDED: CR. D. LOWE

THAT Council Officers prepare a report to Council on the background, number, location and maintenance costs associated with the vegetation buffers/screens that Council manages or will manage into the future. The report should also include possible ways with better planning, can we make this type of infrastructure better able to cope with the possible effects of climate change into the future (i.e. Location, usability etc.) and ways in which maintenance can be reduced.

CARRIED

RESPONSE TO NOTICE OF MOTION 921 VEGETATION BUFFERS (CONT.)

ISSUES AND DISCUSSION

For the purposes of this report a “*vegetation buffers/screens*” as referred to in the Notice of Motion has been taken to mean narrow linear reserves in Council’s ownership. This was verified with mover of the motion in the preparation of this report. These strips or corridors of land may also be referred to as ‘*Plantation Reserves*’.

As these reserves are not formally specifically categorised within Councils asset register, this review has been undertaken via a desktop analysis of GIS maps and aerial photography.

What is the purpose of Vegetation buffers?

While the specific purpose for the creation of these reserves is not always entirely clear, we can speculate as to the reasons for their creation when we consider the range of factors that may have led to the creation of these reserves in the past.

Vegetation reserves have been created in the past for the following reasons;

- Protection of existing environmental and/or aesthetic values;
- Protection of identified habitat and wildlife migration corridors;
- Augment the available roadside space for walking paths or other public use;
- Creation of vegetated buffers or plantation reserves between existing roads and new residential roads to preserve and enhance residential amenity;
- To secure additional roadside land for future road widening or upgrade, particularly adjacent to arterial roads;
- To control access to roads through the removal of the direct abuttal or ‘legal right to access’ to a road reserve for newly created lots;
- Creation of vegetated buffers or plantation reserves between undeveloped land and new developments to preserve and enhance amenity of the undeveloped land and remove the obligation for the landowner of the undeveloped land toward half-cost residential style fencing.

How many Vegetation Buffers exist across the Shire?

In total thirty-nine (39) reserves were identified across the Shire. The width of the reserves ranged from 10cm to 20m wide, with an average width of 5.7m. Reserve lengths ranged from 32m to 2km.

The combined land area dedicated to these reserves is 96,313.75m² or 9.6Ha.

Where are these Vegetation Buffers located?

As indicated in the table below, vegetation buffers exist throughout the shire in a range of locations. Attachment 1 further outlines these areas in greater detail.

Beveridge	1
Broadford	3
Kilmore	12
Kilmore East	2
Pyalong	2
Seymour	3
Wallan	13

RESPONSE TO NOTICE OF MOTION 921 VEGETATION BUFFERS (CONT.)

Wandong-Heathcote Junction	3
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How much does it cost to maintain these Vegetation Buffers?

The maintenance costs of each of the identified reserves varies greatly as some receive regular maintenance, such as those that have walking tracks and footpaths, whilst others are seen simply as an extension of a rural roadside which are not subject to any form of proactive maintenance regime.

Approximately 10% of the identified reserves are part of a regular mowing program (many of these are adjacent to other open space), costing Council approximately \$720 year. A quarter of the reserves are part of the roadside slashing program, this costs Council approximately \$360 annually (based on a single cut). This equates to \$1,080 to maintain the existing reserves either through mowing and slashing.

If Council was to maintain all the reserves as part of the regular mowing program it is estimated to cost Council approximately \$7,200 a year. However, some sites are likely to not be practical or accessible to mow.

Some of the reserves, such as those in-between VicRoads managed road reserves and private property are difficult to access for maintenance purposes.

Benchmarking

Enquiries were made with six (6) other local government areas regarding the management of 'plantation reserves'. One detailed (1) response was received and four (4) responded that they did not have any information available on these reserves.

The Council that responded in detail stated that they apply an average width of 0.1m to their "*access restriction strips*" and this generally gets absorbed into the roadside reserve. This is done to minimise maintenance requirements. Historically these reserves were larger. Where the reserves include a shared path for example they are on average 3 to 5m in width and included in the parks maintenance program.

Future Reserves, Planning and Maintenance

The number of future vegetation buffer reserves is unknown as development occurs.

The creation of plantation reserves is no longer common practice; however, they can be used on occasion. In the past the width of these reserves has varied. This report recommends that the standard width of reserves created for the primary purpose of restricting vehicular access (access exclusion strips) is 10cm. It is considered applying this standard to future reserves will both achieve restriction of access whilst also minimising Councils maintenance requirements and liabilities. The minimum width would also seek to increase resilience to climate change impacts particularly as it relates to minimizing bushfire risk.

CONSULTATION

Discussion with the mover of the motion regarding the detail and scope of the Notice of Motion assisted in writing this report.

Council's Environment Coordinator consulted with Council's Manager Development Approvals, Manager Engineering and Major Projects, Transport & Development Coordinator, Property Officer, Parks and Gardens Coordinator, Parks and Gardens

RESPONSE TO NOTICE OF MOTION 921 VEGETATION BUFFERS (CONT.)

team members and other local government environment and parks maintenance teams in the preparation of this report.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The maintenance of these reserves is difficult to quantify as many are managed in conjunction with the adjoining roadside or open space areas.

Currently Council spends approximately \$1,080 to maintain the existing plantation reserves through mowing and slashing.

If Council was to maintain all of the reserves as part of the regular mowing program it would cost Council approximately \$7,200 a year. However, some sites are not practical or accessible to mow.

POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy or legislative implications as a direct result of this report. However, it is worth noting that Council has responsibilities for the management of Council owned and managed land under legislation including the *Catchment and Land Protection Act* 1994 and *Country Fire Authority* 1958. Reserves can be created, and section 173 agreements made under the *Planning and Environment Act* 1987.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

Plantation reserves can provide important habitat and wildlife corridors for native species, whilst providing public amenity and shade.

Landscaping design should also take into consideration future climatic conditions.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

Council owns several narrow linear reserves throughout the shire. These reserves are variable in area and maintenance requirements.

In order to minimise Council's future maintenance requirements and exposure to bushfire risk and other climate change liabilities, this report recommends that the standard width of new access exclusion strips is 10cm. To formalize this arrangement it is recommended that Council makes a recommendation to the Technical Committee of the Local Government Infrastructure Design Association that the standard width of access exclusion strips be 10cm.

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

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.

RECOMMENDATION

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.

BACKGROUND

At its meeting on 19 February 2018, Council passed a Notice of Motion (932) that stated:

"Council officers undertake a needs assessment of school children's pedestrian safety and prepare costings for the following two infrastructure improvements in the vicinity of Kilmore-Lancefield Road and Conway Street in Kilmore and refer these to the 2018-2019 Capital Works Program for consideration and whilst doing so, consider the relevance to the existing crossings:

1. *The installation of a new supervised Children's Crossing in Conway Street near Kilmore-Lancefield Road.*
2. *The completion of the missing link footpath on the North side of Kilmore-Lancefield Road between Kingsgate Village and Church Street."*

It is noted that Item 2 of this motion was funded as part of the 2018-2019 Capital Works Program and is currently in the early planning stages of delivery.

NOTICE OF MOTION 932 - INVESTIGATION OF PEDESTRIAN MOVEMENT NEAR KILMORE PRIMARY SCHOOL (CONT.)

This report considers the remaining Item 1 and the relevance of the existing crossings in this area in line with the Notice of Motion No. 932.

ISSUES AND DISCUSSION

Figure 1 below details the current footpath network and locations of existing Supervised Children's Crossing infrastructure that currently services this precinct. An additional Supervised Children's Crossing (not shown in Figure 1) is located in Sutherland Street adjacent to Assumption College.

Figure 1 also identifies the proposed missing link footpath along the north side Kilmore-Lancefield Road which has been funded as part of the 2018-2019 Capital Works Program as well as a missing link footpath identified in Conway Street for consideration in future budgets.

NOTICE OF MOTION 932 - INVESTIGATION OF PEDESTRIAN MOVEMENT NEAR KILMORE PRIMARY SCHOOL (CONT.)



Figure 1. Locality and Pedestrian Facility Plan.

Existing footpaths and Children's Crossings cater for most pedestrian movements in this precinct, however pedestrian movements in an East-West direction along Kilmore-Lancefield Road across the intersection with Conway Street are not currently well catered for.

This is the desired path of travel for School Children (in particular students attending Kilmore Primary School) who reside in residential areas to the west of Kilmore.

NOTICE OF MOTION 932 - INVESTIGATION OF PEDESTRIAN MOVEMENT NEAR KILMORE PRIMARY SCHOOL (CONT.)

Site observations conducted during morning and afternoon school commuting periods revealed that pedestrians travelling East-West to/from Kilmore Primary School will generally cross Conway Street near the intersection of Kilmore Lancefield Road, utilising the existing footpath along the southern side of Kilmore-Lancefield Road. The existing supervised Children's Crossing located near Kulin Drive is also utilised. This movement requires pedestrians to cross at the intersection of Conway Street and Kilmore Lancefield Road.

This crossing is not supported by any pedestrian priority treatment and requires pedestrians to cross the road using their own judgement.

Options for consideration

To improve the safety of pedestrians in this precinct, a number of options are available for consideration. These options are:

1. Construct a footpath on the north side of Kilmore Lancefield Road between Willowmavin Estate and the existing Children's Crossing on Kilmore Lancefield Road (on the frontage of the Kilmore Primary School) as planned in the 2018-2019 Capital Works Program;
2. Construct a footpath on the East side of Conway Street between Kilmore-Lancefield Road and existing footpaths near the Kilmore CFA.
3. Provide a new supervised Children's Crossing on Conway Street near the intersection of Kilmore-Lancefield Road;

New footpath on the North side of Kilmore-Lancefield Road

This footpath link was identified as a key missing link footpath for this precinct due primarily to its function as an important off-road connection between growing residential areas to the West of Kilmore and the Kilmore Town Centre. The project has received funding in the 2018-2019 Capital Works Program and planning is currently underway.

The construction of this footpath will not only provide a key link between these residential areas and the Town Centre, but it will offer an alternative path of travel for school aged children travelling between these residential areas and the Kilmore Primary School via the existing Supervised Children's Crossing on Kilmore-Lancefield Road adjacent to this Primary School.

The full effectiveness of this new footpath in attracting use by school aged children is largely dependent on the establishment of more suitable travel behaviors which would include the use of the existing supervised Children's Crossing on Kilmore-Lancefield Road adjacent to Kilmore Primary School.

The administration of the Kilmore Primary School could promote greater use of this existing Children's Crossing to promote consistent ongoing use of this new footpath.

The attractiveness of this new footpath link for use by Kilmore Primary School children could be further enhanced through the relocation of this existing Children's Crossing further west along Kilmore-Lancefield Road to be more centrally located along the

NOTICE OF MOTION 932 - INVESTIGATION OF PEDESTRIAN MOVEMENT NEAR KILMORE PRIMARY SCHOOL (CONT.)

frontage of Kilmore Primary School, however this could also serve to diminish the convenience of this Children's Crossing for pedestrians moving between Sutherland Street and Church Street (i.e. towards the Town Centre). This option would require further consultation with the Kilmore Primary School. At this stage, the relocation of this crossing is not recommended.

New footpath on East side of Conway Street

The construction of a new footpath along the East side of Conway Street between Kilmore-Lancefield Road and the Kilmore CFA would provide for pedestrian movement between St.Patricks Primary School and Kilmore Primary School and beyond to the Kilmore Town Centre.

In the past, Council has received a small number of requests for this footpath to be built, however officers did not observe a significant demand for this footpath during site visits. It was observed that many students travelling between St.Patricks Primary School and the Kilmore Town Centre use the VicTrack land between Conway Street and Sutherland Street. Due to these site observations, this footpath is not considered a high priority.

New Supervised Children's Crossing on Conway Street (near Kilmore-Lancefield Road)

The provision of a new supervised Children's Crossing in Conway Street near the intersection of Kilmore-Lancefield Road would assist with the East-West movement of pedestrians along Kilmore-Lancefield Road.

During site observations of this precinct, a pedestrian count was carried out to establish the current usage profile of this intersection by pedestrians, particularly school aged children. These observations are summarised in Table 1 below along with the most recent count data from the existing 4 Children's Crossings in the area.

Table 1. Pedestrian crossing data.

Location	Speed Zone	Primary School aged Children (C)	Vehicles per hr (V)	Multiple C x V	Date	Meets Crossing Warrants	Meets Supervision Warrants
Conway Street near Kilmore Lancefield Road	50	52	391	20332	Oct-2018	Yes	Yes
Conway Street, midblock @ School	40	305	399	121695	Nov-2017	Yes	Yes
Kilmore Lancefield Road near Church Street	40	31	441	13671	Mar-2016	Yes	Yes
Kilmore Lancefield Road near Kulin Drive	60	20	608	12160	Oct-2015	Yes	Yes
Sutherland Street, midblock @ School	40	50	163	8150	Oct-2015	Yes	Yes

 - Existing Crossing

NOTICE OF MOTION 932 - INVESTIGATION OF PEDESTRIAN MOVEMENT NEAR KILMORE PRIMARY SCHOOL (CONT.)

The installation of new Children's Crossing is a road management function that is delegated to Council provided that the crossings meet the required VicRoads warrants. Where these warrants are not met, VicRoads approval is required.

The warrants are as follows;

- Number of children, **C** (minimum 20, crossing road within 20m of proposed crossing location)
- Number of vehicles in the hour, **V** (minimum 50).

From a funding perspective, the implementation of any new Children's Crossing is at the complete discretion of Council, however for a given Children's Crossing to be eligible for the State Governments Children's Crossing subsidy scheme, the following warrants must be met;

- Number of children, **C** (minimum 20)
- Number of vehicles in the hour, **V** (minimum 100), and
- **C x V** must exceed 5,000.

From the observations recorded on site, this location would be eligible for the installation of a Children's Crossing and would also be eligible for a subsidised Children's Crossing Supervisor under the State Government scheme.

The implementation of any new Children's Crossing is governed by the requirements outlined in the Traffic Engineering Manual, Vol 1 – Chapter 4, item 3. In line with this manual, any new crossing must adhere to set back distances from any intersection. The minimum distance that any new Children's Crossing can be considered in the proximity of an intersection is 15m, however it is the officers recommendation that this distance should be increased to a minimum setback distance from Kilmore-Lancefield Road of 30m due to traffic safety and sightline purposes.

Evaluation of options

The construction of a new footpath along the north side of Kilmore-Lancefield Road will significantly improve the travel options for school aged children throughout this precinct and will offer significant risk reductions for pedestrian movement in an East-West direction along Kilmore-Lancefield Road.

Further, the future construction of a footpath along the East side of Conway Street will further enhance the travel options in this precinct whilst making the best use of existing Children's Crossing infrastructure in this precinct. This project will be referred to the Capital Program for funding consideration.

Whilst the current usage profile being experienced at the intersection of Conway Street and Kilmore-Lancefield Road meets the warrants for the installation of a supervised Children's Crossing, it is anticipated that much of this demand for East-West pedestrian movement can be met through the construction of the new footpath on the North side of Kilmore-Lancefield Road.

The use of the new footpath and the appropriate use of the existing supervised Children's Crossings in this precinct should be further encouraged and promoted by the administration of both primary schools in this precinct.

NOTICE OF MOTION 932 - INVESTIGATION OF PEDESTRIAN MOVEMENT NEAR KILMORE PRIMARY SCHOOL (CONT.)

It is recommended that the travel patterns of school aged children are monitored once the new footpath on the North side of Kilmore-Lancefield Road is constructed. Should pedestrian traffic crossing Conway Street at Kilmore-Lancefield Road remain steady, further consideration of a Children's Crossing at this location could be considered in future budgets.

Existing Children's Crossings

The existing supervised Children's Crossings in this precinct were also reviewed for relevance in line with the Notice of Motion. In general, these Children's Crossings are well sited and operating effectively with no substantial operational issues noted.

The four crossings support the predominate pedestrian desire lines and movements, with the exception being the movement previously discussed in this report. All 4 sites meet the warrants for the provision of a supervised Children's Crossing based on the most recent counts.

It is considered that all four crossings continue to be required to facilitate the safe movement of school children throughout the precinct. The provision of the footpath on the northern side of Kilmore Lancefield Road should suitably cover all major pedestrian desire lines from the two primary schools with some encouragement from the Primary School administration.

CONSULTATION

The Kilmore Primary School was consulted as part of the 2018/2019 Capital Works Program project to provide a footpath on the northern side of Kilmore Lancefield Road. The school strongly supported this project and its early delivery.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

A new footpath on the northern side of Kilmore-Lancefield Road has been funded in the 2018/2019 Capital Works Program at a cost of \$150,000. This project is currently under development and is proposed to be delivered within the financial year. Once delivered the footpath will be included in Councils asset management system for ongoing maintenance activities in line with our adopted Road Management Plan.

The provision of a new footpath on the East side of Conway Street is estimated to cost \$80,000.

The provision of a new Children's Crossing in Conway Street is estimated to cost \$25,000 in initial infrastructure expenditure, while ongoing costs to supervise this crossing are approximately \$17,000 annually.

POLICY AND LEGISLATIVE IMPLICATIONS

There are no known policy or legislative implications associated with the contents of this report.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

There are no substantial environmental impacts identified with the provision of this footpath. The footpath will provide significant improvements in active transport outcomes for the community.

NOTICE OF MOTION 932 - INVESTIGATION OF PEDESTRIAN MOVEMENT NEAR KILMORE PRIMARY SCHOOL (CONT.)

CHARTER OF HUMAN RIGHTS IMPLICATIONS

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

The footpath on the north side of Kilmore Lancefield Road from the Willowmavin Country Estate through to Church Street should be provided in line with the project adopted in Council's 2018-2019 budget. This footpath, along with support from school administration and the use of the existing crossing infrastructure will significantly improve safety for school children and other pedestrians in the area.

The ongoing demand for a potential Children's Crossing in Conway Street near Kilmore-Lancefield Road should be monitored once the construction of the above footpath is completed.

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.

RECOMMENDATION

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

Victorian Civil and Administrative Tribunal (VCAT) activity update.

Upcoming appeals

The following is an update of the upcoming VCAT appeals.

APPEAL DATE	REFERENCE NOS.	ADDRESS	PROPOSAL	APPEAL AGAINST
26 October 2018 – awaiting decision	VCAT – P768/2018 Council – PLP199/17	530 Arkells Lane, Bylands	Use and development of the land for a transfer station	Appeal against Council's notice of decision to grant a planning permit
22 November 2018	VCAT – P1079/2018 Council – PLP298/17	440 Doctors Creek Road, Clonbinane	Use of the land for a place of assemble (recreation use) and accommodation	Appeal against Council's notice of decision to grant a planning permit
14 January 2019	VCAT – P1364/2018 Council – PLP328/17	9 Eden Place, Wallan	Construction of 6 dwellings on a lot	Appeal against Council's refusal to grant a planning permit
1 April 2019 (2 days) – Hearing 4 February 2019 – Compulsory Conference	VCAT – P1751/2018 Council – PLP015/18	Wallara Waters, 170 Wallan Whittlesea Road, Wallan	Staged Multi-lot subdivision	Appealing VicRoads Conditions included on the permit

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

5 February 2019	VCAT – P1835/2018 Council – PLP177/17	67 High Street, Wallan	4 lot subdivision	Appeal against Council's refusal to grant a planning permit
Compulsory Conference – 31 January 2019 Hearing Date – 21 March 2019	VCAT – P2029/2018 Council – PLP218/13	85 Reservoir Road, Broadford	Staged multi-lot subdivision, removal of easements and removal of native vegetation	Appeal against Council's refusal to grant a planning permit

VCAT decisions since last reportTrawool Resort, 8100 & 8150 Goulburn Valley Highway, Trawool

In regards to the appeal of Council's refusal to grant a planning permit for the Use of the above property for a place of assembly (Respite and Recovery Centre) and accommodation, Council received an order from the Tribunal that the applicant sought leave to withdraw their appeal and that leave is given. Therefore, the decision of Council to refuse the planning permit application stands and no hearing is required.

Activities Carried out Under Delegation

A list of planning permit applications dealt with under delegated powers for the month of October 2018 are included below.

Permit No.	Address	Description of Permit	Decision	Date Approved
South Ward				
PLP209/18	1280 Wallan Whittlesea Road UPPER PLENTY	Buildings and works for an agricultural building	Planning Permit	11/10/18
PLP132/17	Station Street WALLAN	17 lot subdivision SPEAR S104425P	Planning Permit	11/10/18
PLP120/18	4 Stanley Street WALLAN	Multi unit development	Planning Permit	15/10/18
PLP113/18	2/6 Freeway Drive WALLAN	Use of the land for a restricted recreation facility	Planning Permit	15/10/18
PLP251/17	71 Darraweit Road WALLAN	Multi-lot staged subdivision of the land and removal of native vegetation	Planning Permit	17/10/18
PLP119/18	646 Northern Highway WALLAN	Removal of an easement	Planning Permit	24/10/18
PLP173/18	99 Rail Street HEATHCOTE JUNCTION	Building and work for an outbuilding	Planning Permit	23/10/18
PLP203/18	22 Whiteside Street BEVERIDGE	Erect and display advertising signage (3 major promotion signs, 2 pole signs, 2 promotion signs)	Planning Permit	23/10/18

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

PLP189/18	6 Milne Court WALLAN	Subdivision of the land and creation of an easement	Planning Permit	23/10/18
Central Ward				
PLP245/18	33 The Elms Boulevard KILMORE	Building and work associated with a residential building	Planning Permit	05/10/18
PLP179/18	9 Meade Court KILMORE	Development of the land for an outbuilding	Planning Permit	11/10/18
PLP241/18	42 Melbourne Street KILMORE	Two lot subdivision - SPEAR S130238S	Planning Permit	11/10/18
PLP272/16.01	100 Forbes Moranding Road KILMORE	Use and development of a dwelling (replacement dwelling) and associated shed	Section 72 Amendment	11/10/18
PLP152/17	25 Powlett Street KILMORE	Development of the land for 4 units and alterations to existing structure on site, partial demolition and creation of access to a Road Zone - Category 1	Planning Permit	15/10/18
PLP251/13.03	33 Jamieson Street BROADFORD	Residential subdivision in stages and removal of native vegetation	Section 72 Amendment	04/10/18
PLP201/18	12A Melrose Drive KILMORE	Development of the land for a dwelling	Planning Permit	23/10/18
PL6278/06.02	70 Kilmore Lancefield Road KILMORE	Use and development of the land for the purpose of a nursing home (aged care facility) and a Retirement Village and associated car parking and to alter access to a Road Zone (Category 1) within a Residential 1 Zone	Notice of Decision to Amend	24/10/18
North Ward				
PLP239/18	62 Station Street SEYMOUR	VICSMART Buildings and works for the construction of a fence and demolition of existing fence	Planning Permit	03/10/18
PLP213/18	65 West Road PYALONG	Development of the land for an outbuilding	Planning Permit	11/10/18
PLP192/18	32-34 Tallarook Street SEYMOUR	Alterations to a building and advertising signage	Planning Permit	11/10/18
PLP1983/18	Hume Freeway TALLAROOK	Alterations and additions to a service station	Planning Permit	18/10/18
PLP237/17	1090 Heathcote East Baynton Road GLENHOPE	Use and development of the land for a dwelling	Planning Permit	22/10/18
PLP187/17	70 Hildene Lane HILLDENE	Use and development of the land for accommodation (host farm), farm shed, hot house, prayer rooms and swimming pool	Planning Permit	22/10/18

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

P306963/12.01	595 Homewood Road WHITEHEADS CREEK	Use and development of a wind energy facility and associated infrastructure and removal of native vegetation	Section 72 Amendment	29/10/18
PLP198/18	McIntosh Road NULLA VALE	Buildings and works for a dwelling	Planning Permit	31/10/18

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report. Failure to comply with the Child Safe Standards and associated legal responsibilities would be a breach of human rights.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

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.

MOTION

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.

Councillor Comment:

Hidden Valley is a housing estate comprising a variety of different properties on various block sizes varying from several acres to 400sq meters.

Hidden Valley Boulevard leads from the Northern Highway down through the bottom of the valley and joins Valley Drive at a roundabout. Valley Drive leads from Hidden Valley Boulevard past an entrance to the (currently being built) Retirement Village through to the roundabout that rejoins Hidden Valley Boulevard.

The original speed limit was set for the whole of the Hidden Valley estate at 50 kms per hour.

A movement was started approximately 6 years ago to have this reduced, particularly where the Boulevard passes a children's playground, the Golf clubhouse and the cross over between the 9th and 10th Holes of the Golf course.

There is numerous school bus "pick up" and "drop off" points along these stretches of road. There are no indented stopping points.

This was investigated at the time and instead of reducing the speed limit it was increased to 60 kph along these stretches of road.

Since that time numerous accidents have taken place leading to Armco crash barriers being installed along the descent into the valley floor.

Increased signage has been installed with numerous warning signs both for road hazards, wildlife protection and advisory speed limits for the dangerous roads.

The increased building along these stretches of Valley Drive and Hidden Valley Boulevard has increased the risk of accidents and injuries.

NOTICE OF MOTION: NO. 955 - SPEED ZONES IN HIDDEN VALLEY (CONT.)

It is to be noted that the estate does not generally have footpaths and the roads are generally narrow. Sufficiently narrow for the State Government to state they were too narrow to run a bus service through the estate (notwithstanding the school bus runs)

A petition was recently commenced and received several hundred signatures.

Unfortunately, some of these were lost in a traffic incident (not on Hidden Valley) but there is still evidence of approximately 90 signatures having been included in that petition. The petitioners are reluctant to restart their activities.

Officer comment

Officers from the Engineering Department have, in the past, reviewed speed limits along various sections of roads in the Hidden Valley Estate as requested by various elements of the community, however these reviews were rather more isolated in nature and as such did not identify any compelling evidence for a reduction in speed zones. With the passage of time, and additional development the opportunity exists for a more comprehensive review of speed limits on key collector roads. In order to produce a comprehensive review of the speed zones along key collector roads including Hidden Valley Boulevard and Valley Drive officers propose the use of an expert traffic consultant to complete this work.

Financial implications

Officers estimate a review will cost between \$3,000 - \$5,000 and be carried out by an experienced Traffic Engineering consultant.

Signed: _____

Cr David Lowe

Date: 8/11/2018

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.

RECOMMENDATION

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

BACKGROUND

The 2016 Council Elections were held on 22 October 2016. New committee and organisation delegates were appointed on 8 November 2017. This report is presented in response to NOM 881 of the 21 November 2016 meeting which requested that each Councillor submits a Delegate Report for inclusion in the monthly Council Meeting agenda, commencing from the December 2016 meeting.

The Delegates Reports will include:

- a) Activities attended as a nominated Council Delegate; and
- b) Other activities attended as a Council representative.

The Report will not include:

- a) Assemblies of Councillors (as they are already reported in Council Agendas);
- b) Private meetings.

The Report should be verifiable by the Councillor from the Councillor's Council Diary.

DISCUSSION

Councillors have attended a number of meetings in this period as per their appointments as delegate and other activities as a Council representative as per Attachment 1.

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

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

DELEGATES REPORTS

19 NOVEMBER 2018

12.1

DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS

Attachment No: 1

Delegates report

Councillor Delegate Report – October 2018

Cr David Atkinson

Cr Atkinson submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

16 October 2018 - Harley Hammond Annual general meeting with very few members but enough to form a new committee followed by a normal Committee of Management meeting, Broadford

Other meetings and events attended as a Council representative include:

1 October 2018 - Citizenship Ceremony, Broadford

6 October 2018 - Launch of Kilmore Community Magazine with another Central Ward Councillor

6 October 2018 - Seymour Show Off and “official opening” with another Central and Northern Ward Councillor

11 October 2018 - Email Security Information session, Council Chamber, Broadford

11 October 2018 - Seniors Concert at Broadford Hall with other Councillors

11 October 2018 - Goulburn River Tourism Research Presentation on how Agri-tourism is changing, Broadford Hotel with other Councillors

12 October 2018 - Outdoor Cinema, Kilmore run by Kilmore Community House

22 October 2018 - Kilmore Radio with Cr Chisholm

24 October 2018 - Australia Day Committee session, Broadford

25 October 2018 - Helped cook breakfast at Broadford Depot with other Councillors and staff

Cr Bill Chisholm

Cr Chisholm submitted the following Delegate report for this period:

14 October 2018 - Tooborac War Memorial Committee meeting, Tooborac

17 October 2018 - Pyalong Recreation Reserve Committee meeting, Pyalong

26 October 2018 – Chief Executive Officer Review meeting, Broadford

31 October 2018 - Mitchell Fire Advisory Committee Brigades meeting, Broadford

Other meetings and events attended as a Council representative include:

1 October 2018 - Citizenship Ceremony, Broadford

5 October 2018 - Seymour Show Council Stall, Seymour

6 October 2018 - Seymour Show Opening Ceremony, Seymour

7 October 2018 - Tallarook Market Community Support, Tallarook
9 October 2018 - Wallan Town Heart Opening, Wallan
10 October 2018 - Seymour and District Historical Society 'Seymour 175' anniversary celebrations meeting
11 October 2018 - Goulburn Valley Tourism Presentation, Broadford Hotel
11 October 2018 - Seymour Business and Tourism meeting, Broadford
16 October 2018 - Tallarook Hall Rebuilding Community Meeting, Tallarook School
19 October 2018 - Art beyond the Divide Opening, Seymour
20 October 2018 - Tastes of the Goulburn Mitchell Shire Council Stall, Seymour
22 October 2018 - Kilmore Radio Show, Kilmore
25 October 2018 - Staff BBQ, Broadford Depot
25 October 2018 - Managing Climate Risk in Agriculture Seminar, George Kereford Hotel, Beechworth
27 October 2018 - Mia Mia Flower Show Community event with the Mayor of City of Greater Bendigo
27 October 2018 - Octoberfest, Tooborac Hotel
27 October 2018 - Tooborac Primary School Fete
27 October 2018 - Mitchell Shire Movie Night, Tooborac

Cr Bob Cornish

Cr Cornish submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

Other meetings and events attended as a Council representative include:

1 October 2018 - Citizenship Ceremony, Broadford

Cr Rob Eldridge

Meetings and events attended as a delegate:

10 October 2018 – Greenhill Reserve Committee of Management

Cr Annie Goble

Cr Goble submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

Other meetings and events attended as a Council representative include:

1 October 2018 – Citizenship Ceremony, Broadford

Cr Bob Humm

Cr Humm submitted the following Delegate report for the period September and October:

Meetings and events attended as a delegate:

9 October 2018 - JJ Clancy KFNC, Chair the Annual General meeting

19 October 2018 - Waste Forum Meeting Barooga

30 October 2018 - Municipal Fire Management Planning Committee Meeting, Broadford

31 October 2018 - Municipal Fire Consultative Forum Meeting, Brigades asking for a Memorandum of Understanding to be put in place with Goulburn Valley Water on fire plug inspections similar to Yarra Valley Water and questions on legal liabilities regarding non-working water plugs

Other meetings and events attended as a Council representative include:

29 September 2018 - Kilmore Scout Market

29 September 2018 - Community Budget Consultation

1 October 2018 – Citizenship Ceremony, Broadford

5 October 2018 - LB Davern Grant Announcements

6 October 2018 - Launch of Kilmore Community Magazine

6 October 2018 - Seymour Show Support Function

9 October 2018 - Wallan Town Heart Grant Announcement

18 October 2018 - Cobram Landfill, New Waste Cover System Expanding Life of Landfill EPA approved

25 October 2018 - Broadford Outdoor Staff Breakfast

Cr David Lowe

Cr Lowe submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

Other meetings and events attended as a Council representative include:

1 October 2018 – Citizenship Ceremony, Broadford

Cr Rhonda Sanderson

Cr Sanderson submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

9 October 2018 - Kings Park Committee of Management meeting, Second Oval Outbuilding, Kings Park, Seymour

11 October 2018 - Goulburn River Valley Tourism (GRVT) Board Meeting, Mitchell Shire Council Chamber, High Street, Broadford. The main topics of discussion were: the website update, governance, and updates on tourism related activities within the four member shires of Mitchell, Murrindindi, Shepparton and Strathbogie

11 October 2018 - Goulburn River Valley Tourism (GRVT) Board Annual General Meeting, Mitchell Shire Council Chamber, High Street, Broadford. Four new Directors were appointed to the Board, including myself

11 October 2018 - Goulburn River Valley Tourism (GRVT) Industry Presentation, Broadford Hotel, High Street, Seymour. Guest speaker, Jade Miles, spoke on the topic of Agri-tourism.

17 October 2018 - Rural Councils' Victoria Annual General meeting and Mayors, CEOs and Councillors Forum, Arts Centre, Melbourne. The main speakers included State MPs, the Minister for Regional Development and Agriculture, the Opposition Leader, the Minister for Local Government, and the Shadow Minister for Local Government

17 October 2018 - Australian Light Horse Memorial Park Committee of Management AGM and General Meeting, Ken Hall Pavilion, Kings Park, Tallarook Street, Seymour. Topics discussed at the general meeting included: track maintenance; a new track; the 1914-1918 History Project; an app for the Park; Seymour's 175th celebrations; and an Armistice Day event at the Park on 11 November 2018

19 October 2018 - Municipal Association of Victoria (MAV) State Council, Collins Street, Melbourne. Representatives from the 79 Victorian Councils attended this forum. On behalf of Mitchell Shire Council, I moved and spoke to a motion which was then carried

25 October 2018 - Northern Councils meeting, Moreland City Council Chamber, Coburg. The main discussions were reflections on the past year and state election promises

Other meetings and events attended as a Council representative include:

1 October 2018 – Mitchell Shire Council Citizenship Ceremony, Broadford Shire Hall, Broadford. I was honoured to confer Australian Citizenship on 23 local residents at this very positive ceremony

3 October 2018 - State Funding Announcement and Official Opening of New Tie-up Stalls, Seymour Racing Club, Kobyboyn Road, Seymour. The State Minister for Racing, Martin Pakula, officially opened 28 new tie-up stalls at the Seymour Racing Club bringing the total number of stalls to 150. Audio-visual upgrades were also

launched. This was a great opportunity to be updated by Board members on initiatives at the course

3 October 2018 – Goulburn Valley Health Mental Health Services Community Expo, Anglican Hall, Anzac Avenue, Seymour

4 October 2018 - Meeting with Federal Minister, Strathbogie Council Chambers, Bury Street, Euroa. Elected representatives from Mansfield, Murrindindi, Strathbogie and myself met with the Federal Minister for Regional Services, Local Government, Sport and Decentralisation Senator Bridget McKenzie to discuss regional issues

5 October 2018 - State Government announcement, LB Davern Reserve, Wandong. The Member for Northern Victoria Jaclyn Symes announced \$216,670 for a lighting upgrade for the JJ Clancy Reserve oval at Kilmore and a \$250,000 grant for upgrades to two netball/tennis courts and lights at LB Davern Reserve Wandong. The AFL is contributing \$25,000 to the JJ Clancy project and MSC is contributing \$379,000 to both projects. I was pleased to make a speech of welcome and thanks

5 October 2018 – Mitchell Shire Council Budget Consultation 'Listening Post', Seymour A&P Society 'Great Seymour Show Off', Kings Park, Tallarook Street, Seymour. A great night was held at the Seymour Show from 4-9pm. This year's event celebrated the 160th anniversary of the Show. The evening's entertainment included a torchlight parade to celebrate the 125th Anniversary of the Seymour CFA and a fantastic fireworks display

7 October 2018 - Mitchell Shire Council Budget Consultation 'Listening Post', Tallarook Farmers' Market, Railway Place, Tallarook. A perfect spring day drew a large crowd to the market

7 October 2018 - Queen's Scout Award, Seymour Scout Hall, Howe Street, Seymour. Cassandra Sherwood received her Queen's Scout Award after three years of work - a fantastic achievement

9 October 2018 – Mitchell Shire Council Wallan Town Heart Official Opening, Free Library building, High Street, Wallan. The Member for Yan Yean Danielle Green, the Deputy Chair of NorCen (Kilmore and Wallan branches of Bendigo Bank) Bruce Nicholls and myself made speeches and officially opened the Wallan Town Heart

10 October 2018 - Seymour and District Historical Society 'Seymour 175' anniversary celebrations meeting, Pioneer Library, Tallarook Street, Seymour. A number of community organisations met to discuss the main events: a parade and static displays on 10 November 2018

11 October 2018 - Seymour Business & Tourism meeting, Broadford Hotel, High Street, Broadford. 'Seymour in Spring' events and the Tastes of the Goulburn festival were key discussion points

12 October 2018 - Re-dedication of Private Spiers Grave, Seymour Cemetary, Kobyboyn Road, Seymour. The Member for McEwen Rob Mitchell was the main speaker at this service which was attended by family members, Steph Ryan MP, Seymour RSL members and others

13 October 2018 - Wandong History Group Open Day, Wandong Public Hall, Rail Street, Wandong. A great display, including photos, on the topic of the 'Sawmills of Mt Disappointment'

13 October 2018 - Kilmore Historical Society exhibition, Kilmore Courthouse, Powlett Street, Kilmore. A display from the Society's photographic collection entitled 'Faces & Places' was on view

13 October 2018 - Seymour Skate Festival, Chittick Park, Pollard Street, Seymour. A fantastic festival organised by Mitchell Shire Youth Services, Mitchell Shire Council Youth Council and the Volume Committee in partnership with the YMCA. As well as the Victorian Skate Park League Competition there was live music, a mechanical bucking bull, an inflatable obstacle course, and other activities. Local services including the police were on hand to engage with local youth with the aim of reducing the effects of ice

14 October 2018 - Clonbinane Community Action Group and CFA bushfire simulation, Clonbinane Hall, Linton Street, Clonbinane. Over 70 people attended an interactive fire display with 3D imagery which simulated a fire impacting Clonbinane. The key messages were: have a fire plan, prepare your home, don't rely on technology for a warning nor on the CFA to defend your property in the event of a major fire

16 October 2018 - Tallarook Mechanics Institute (TMI) Committee of Management (CoM) meeting, Tallarook Primary School, Main Road, Tallarook. The Tallarook Mechanics Institute Committee of Management and the Committee's co-opted Rebuild Working Group met to discuss governance issues and TMI rebuild ideas

16 October 2018 - Mitchell Shire Council TMI Rebuild meeting, Tallarook Primary School, Main Road, Tallarook. Twenty-three people attended this meeting including community members, Council staff and three Councillors. The main topics of discussion related to: the tender process for an architect, at the CoM's request, to assist the insurer's builders; building improvements suggested by the CoM (e.g. external bifold doors, decking, pergola, larger kitchen); and, the CoM's recommendation for the use of the \$200k State Government grant (architect, bifold doors, furniture)

18 October 2018 - State funding announcement, Harley Hammond Reserve, Hamilton Street, Broadford. The Member for Northern Victoria Jaclyn Symes announced a \$500k grant towards new female friendly changerooms at Harley Hammond Reserve and \$100k towards a sprung floor at Wandong Stadium. I was pleased to make a speech of thanks

18 October 2018 - State funding announcement, Wallan Bowling Club, Duke Street, Wallan. The State Minister for Sport John Eren announced a \$70k grant towards bowling green lighting. I was again pleased to make a speech of thanks

19 October 2018 - Seymour and District Art Society 'Art Beyond the Divide' exhibition official opening, Wine x Sam, Anzac Avenue, Seymour. This was a fantastic exhibition and I was pleased to witness the official opening and awarding of prizes

21 October 2018 - Seymour and District Historical Society 'Seymour 175' meeting, Pioneer Library, Tallarook Street, Seymour. This meeting was held to finalise the program for the events of Saturday 10 November celebrating the 175th Anniversary of the Naming of Seymour. There will be a parade from 2pm followed by static displays at Kings Park and a pop-up cinema at dusk

22 October 2018 - State Government sod turn event, Hadfield Park, Bentinck Street, Wallan. The Member for Yan Yean, Danielle Green, assisted by clients of Goulburn Options disability support service, turned the first sod for the construction of a 'Changing Places' toilet and change facility adjacent to the Community Bank Adventure Playground. This toilet will contain an adult sized height adjustable changing bench. I was pleased to make a speech of thanks for the State Government's \$100k grant towards this project

22 October 2018 - State Government funding announcement, Kings Park, Tallarook Street, Seymour. The Member for Northern Victoria Jaclyn Symes announced \$897k in grants for Seymour's Revitalisation and other projects including improvements to three parks (Kings, Goulburn, Chittick), a feasibility study for the Seymour to Tallarook link to the Great Victorian Rail Trail and a Seymour Rail Heritage Centre project

24 October 2018 - AICD Essential Directors Update, Bendigo Jockey Club, Bendigo. This Australian Institute of Company Directors update focussed lessons learnt regarding recent governance failures (e.g. Royal Commission into Misconduct in Banking, Superannuation and Financial Services), regulatory changes and upcoming focus areas for regulatory bodies

28 October 2018 - VicFishKids event, Goulburn Park, Guild Street, Seymour. Over one thousand children attended fishing clinics and hundreds more had the opportunity to try their hand at fishing at this extremely popular event at Goulburn Park. The decommissioned swimming pool shell was refilled from the river using the old pump house and assistance from the Tallarook CFA

28 October 2018 - Seymour and District Historical Society 'Seymour 175' anniversary celebrations meeting, Seymour RSL, Crawford Street, Seymour. Most of the groups involved in the 'Seymour 175' Parade attended this final planning session

30 October 2018 - State Government/Mitchell Shire Council Playspace Sod Turn, Coffey Drive, Wallan. The Member for Yan Yean, Danielle Green, turned the first sod in the Coffey Drive playspace development. I was pleased to make a speech of thanks for the State's \$255k contribution towards three new playspaces in Wallan: Coffey Drive, Roulston Way and Lisa Place. MSC is contributing \$75k

30 October 2018 - Seymour Cemetary Trust Community Consultation, Chittick Park Community Place, Pollard Street, Seymour. This consultation related to the possible removal of trees at the Cemetary Trust's Pioneer Park in Crawford Street, Seymour

31 October 2018 - State Coalition Election Commitment Announcement, Seymour Bowling Club, Lesley Street, Seymour. The Leader of the Victorian Nationals, Peter Walsh, and the Member for Euroa, Steph Ryan, announced an election promise regarding the creation of a Goulburn Corridor Growth Authority covering Shepparton, Strathbogie and Mitchell municipalities and which will be based in Seymour

31 October 2018 - The Leader of the State Opposition and the Liberal Party, Matthew Guy, together with Peter Walsh and Steph Ryan, made an election promise to begin construction of the Kilmore Bypass in 2020-21 from the Broadford-Kilmore Road roundabout to the Northern Highway south of Kilmore

Cr Fiona Stevens

Cr Stevens submitted the following Delegate report for the period September and October:

Meetings and events attended as a delegate:

4 October 2018 – Chaired the Annual General meeting for the Seymour Old Courthouse Committee

5 October 2018 - Roadsafe Committee meeting, Shepparton

10 October 2018 - Mitchell Early Learning Reference Group meeting, Broadford

10 October 2018 - Chaired the Seymour Tennis Club Annual General meeting, Seymour

31 October 2018 - Chaired the Annual General meeting for Committee of Management for the Tallarook Cricket Reserve, Tallarook

Other meetings and events attended as a Council representative include:

4 September 2018 - Meeting of the rebuilding of the Tallarook Mechanic Institute Hall, Tallarook

5 September 2018 - Kilmore Assumption College Councillors and ELT attended the Marlhes Restaurant to support student advancement in their hospitality training program

19 September 2018 – Broadford Secondary College, invited to attend to inspect the new facilities and say farewell to the old prior to being demolished

23 September 2018 - Historical Society meeting regarding planning for the 175th Celebration of Seymour

26 September 2018 - Official opening of the Beveridge Community Centre

1 October 2018 - Mitchell Shire Citizenship Ceremony, Broadford

3 October 2018 - Chittick Park Skate Park for the ICE Grant funding announcement by Jaclyn Symes MP for local youth

11 October 2018 - Meeting regarding the progression of the Broadford Structure Plan, Broadford

16 October 2018 - Community meeting for the rebuilding of the Tallarook Mechanic's Institute, Tallarook

17 October 2018 - Regional Councils Victoria Annual General meeting and Forum, Melbourne Arts Centre

25 October 2018 - Shire Works Depot and met with roads and parks and garden staff while sharing breakfast, Broadford

28 October 2018 - Goulburn Park and participated in the Free Vickidsfish event, Seymour

28 October 2018 - Seymour RSL meeting to finalise matters surrounding the pending 175th Seymour celebrations

13 GENERAL BUSINESS

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

14 URGENT BUSINESS

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

15 CONFIDENTIAL BUSINESS**RECOMMENDATION**

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

15.1 Confirmation of Minutes of previous Confidential Meeting

15.2 Re-opening of Meeting to members of the public

16 DATE OF NEXT MEETING

The next Ordinary meeting of Council is scheduled to be held on Monday 17 December 2018 at the Mitchell Council Chambers, 113 High Street Broadford, commencing at 7.00pm.

17 CLOSE OF MEETING