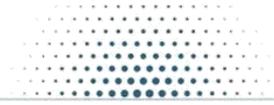


**STRATEGIC RESOURCE PLAN 2019 – 2022.**

Mitchell Shire Council



Income / Expenditure Item	Assumption
	2.0% hourly rate increase and 1.0% banding increments and end of band payments. Years 2-4 of the SRP have been set at 3.0%.
Contractors, materials and utilities	Utility costs are forecast to increase by 43.7% in 2018/19, mainly as a result of increased electricity costs. With a large number of electricity generating assets expected to be feeding into the grid by the end of 2018/19, the industry expects electricity prices to peak in 2018/19. Materials, contractors and consultants are forecast to increase by 2.5%. Consultants and contractors are reviewed in detail each financial year as part of the annual budget process.
Bad and doubtful debts	Council has assumed a nil increase to bad and doubtful debts in response to continued focus on strong debt recovery to reduce Council's receivables.
Finance Costs	Principal and interest forecasts have been based on existing loan schedules and an interest rate of 5.0% for the following new borrowings, <ul style="list-style-type: none"> <li>• 2017/18 -</li> <li>• 2018/19 \$0.83M</li> <li>• 2019/20 \$2.85M</li> <li>• 2020/21 \$2.22M</li> <li>• 2021/22 \$2.69M</li> </ul> At the time of borrowing Council will undertake a competitive process seeking to minimise interest rates as best as possible.
Depreciation	Depreciation has been forecast on a calculation utilising the percentage depreciation rate specific to each asset class and the assumed value of assets within these classes each year.
Other	All other costs have assumed no increase.

**Strategic Resource Plan Model**

The following financial statements have been prepared and form Council's four-year Strategic Resource Plan.

- Standard Income Statement
- Standard Balance Sheet
- Statement of Changes in Equity
- Standard Cash Flow Statement
- Standard Capital Works Statement
- Statement of Human Resources

## STRATEGIC RESOURCE PLAN 2019 – 2022.

Mitchell Shire Council



## Budgeted Standard Income Statement

For the four years ending 30 June 2022

	Forecast	Budget	Strategic Resource Plan Projections		
	2017/18 \$'000	2018/19 \$'000	2019/20 \$'000	2020/21 \$'000	2021/22 \$'000
<b>Income</b>					
Rates and charges	40,673	42,600	44,521	46,317	48,262
Statutory fees and fines	897	1,086	1,059	1,150	1,153
User fees	5,793	6,532	6,588	6,801	7,022
Grants - Operating	7,904	10,753	10,921	11,232	11,563
Grants - Capital	7,653	7,178	823	5,473	923
Contributions - monetary	4,308	2,274	1,133	1,153	1,149
Contributions - non-monetary	7,500	7,500	7,500	7,500	7,500
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	47	-	-	-	-
Other income	850	744	968	1,001	1,037
<b>Total income</b>	<b>75,625</b>	<b>78,667</b>	<b>73,513</b>	<b>80,627</b>	<b>78,609</b>
<b>Expenses</b>					
Employee costs	23,202	25,743	28,106	29,976	31,577
Materials and services	19,294	19,647	20,626	21,600	21,888
Bad and doubtful debts	17	13	13	13	13
Depreciation and amortisation	15,313	13,279	13,821	14,576	15,624
Borrowing costs	854	809	854	851	859
Other expenses	1,408	1,415	1,444	1,462	1,481
Net cost reduction target*	-	-	(423)	(1,195)	(1,899)
<b>Total expenses</b>	<b>60,088</b>	<b>60,906</b>	<b>64,441</b>	<b>67,283</b>	<b>69,543</b>
<b>Surplus/(deficit) for the year</b>	<b>15,537</b>	<b>17,761</b>	<b>9,072</b>	<b>13,344</b>	<b>9,066</b>
<b>Total comprehensive result</b>	<b>15,537</b>	<b>17,761</b>	<b>9,072</b>	<b>13,344</b>	<b>9,066</b>

\* The forecast figures represent the cumulative effect of \$400K in 2019/20, \$700K in 2020/21, and \$600K in 2021/22 adjusted for inflation.

## STRATEGIC RESOURCE PLAN 2019 – 2022.

Mitchell Shire Council



## Budgeted Standard Balance Sheet

For the four years ending 30 June 2022

	Forecast	Budget	Strategic Resource Plan		
	2017/18 \$'000	2018/19 \$'000	2019/20 \$'000	2020/21 \$'000	2021/22 \$'000
<b>Assets</b>					
<b>Current assets</b>					
Cash and cash equivalents	37,709	32,339	34,690	35,440	37,524
Trade and other receivables	4,268	7,389	7,389	7,389	7,389
Inventories	112	112	112	112	112
Non-current assets classified as held for sale	122	-	-	-	-
Other assets	680	680	680	680	680
<b>Total current assets</b>	<b>42,891</b>	<b>40,520</b>	<b>42,871</b>	<b>43,621</b>	<b>45,705</b>
<b>Non-current assets</b>					
Trade and other receivables	25	25	25	25	25
Investments in associates and joint ventures	5	5	5	5	5
Property, infrastructure, plant & equipment	465,842	482,751	489,177	502,187	508,924
<b>Total non-current assets</b>	<b>465,872</b>	<b>482,781</b>	<b>489,207</b>	<b>502,217</b>	<b>508,954</b>
<b>Total assets</b>	<b>508,763</b>	<b>523,301</b>	<b>532,078</b>	<b>545,838</b>	<b>554,659</b>
<b>Liabilities</b>					
<b>Current liabilities</b>					
Trade and other payables	5,518	5,531	5,546	5,562	5,579
Trust funds and deposits	2,826	2,826	2,826	2,826	2,826
Provisions	5,468	5,508	3,988	3,858	3,508
Interest-bearing loans and borrowings	1,801	2,115	2,401	2,608	3,718
<b>Total current liabilities</b>	<b>15,613</b>	<b>15,980</b>	<b>14,761</b>	<b>14,854</b>	<b>15,631</b>
<b>Non-current liabilities</b>					
Provisions	3,685	1,380	1,855	2,565	2,565
Interest-bearing loans and borrowings	14,155	12,870	13,319	12,932	11,910
<b>Total non-current liabilities</b>	<b>17,840</b>	<b>14,250</b>	<b>15,174</b>	<b>15,497</b>	<b>14,475</b>
<b>Total liabilities</b>	<b>33,453</b>	<b>30,230</b>	<b>29,935</b>	<b>30,351</b>	<b>30,106</b>
<b>Net assets</b>	<b>475,310</b>	<b>493,071</b>	<b>502,143</b>	<b>515,487</b>	<b>524,553</b>
<b>Equity</b>					
Accumulated surplus	250,523	270,862	278,313	291,399	298,703
Reserves	224,787	222,209	223,830	224,088	225,850
<b>Total equity</b>	<b>475,310</b>	<b>493,071</b>	<b>502,143</b>	<b>515,487</b>	<b>524,553</b>

## STRATEGIC RESOURCE PLAN 2019 – 2022.

Mitchell Shire Council

Budgeted Statement of Changes in Equity  
For the four years ending 30 June 2022

	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
<b>2017/18 Forecast Actual</b>				
Balance at beginning of the financial year	459,773	233,877	212,824	13,072
Surplus/(deficit) for the year	15,537	15,537	-	-
Transfer to other reserves	-	(2,734)	-	2,734
Transfer from other reserves	-	3,843	-	(3,843)
<b>Balance at end of the financial year</b>	<b>475,310</b>	<b>250,523</b>	<b>212,824</b>	<b>11,963</b>
<b>2018/19 Budget</b>				
Balance at beginning of the financial year	475,310	250,523	212,824	11,963
Surplus/(deficit) for the year	17,761	17,761	-	-
Transfer to other reserves	-	(2,573)	-	2,573
Transfer from other reserves	-	5,151	-	(5,151)
<b>Balance at end of the financial year</b>	<b>493,071</b>	<b>270,862</b>	<b>212,824</b>	<b>9,385</b>
<b>2019/20</b>				
Balance at beginning of the financial year	493,071	270,862	212,824	9,385
Surplus/(deficit) for the year	9,072	9,072	-	-
Transfer to other reserves	-	(2,741)	-	2,741
Transfer from other reserves	-	1,120	-	(1,120)
<b>Balance at end of the financial year</b>	<b>502,143</b>	<b>278,313</b>	<b>212,824</b>	<b>11,006</b>
<b>2020/21</b>				
Balance at beginning of the financial year	502,143	278,313	212,824	11,006
Surplus/(deficit) for the year	13,344	13,344	-	-
Transfer to other reserves	-	(2,868)	-	2,868
Transfer from other reserves	-	2,610	-	(2,610)
<b>Balance at end of the financial year</b>	<b>515,487</b>	<b>291,399</b>	<b>212,824</b>	<b>11,264</b>
<b>2021/22</b>				
Balance at beginning of the financial year	515,487	291,399	212,824	11,264
Surplus/(deficit) for the year	9,066	9,066	-	-
Transfer to other reserves	-	(2,952)	-	2,952
Transfer from other reserves	-	1,190	-	(1,190)
<b>Balance at end of the financial year</b>	<b>524,553</b>	<b>298,703</b>	<b>212,824</b>	<b>13,026</b>

## STRATEGIC RESOURCE PLAN 2019 – 2022.

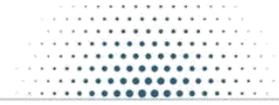
Mitchell Shire Council

Budgeted Standard Cash Flow Statement  
For the four years ending 30 June 2022

	Forecast	Budget	Strategic Resource Plan		
	2017/18	2018/19	2018/19	2019/20	2020/21
	\$'000	\$'000	\$'000	\$'000	\$'000
	Inflows	Inflows	Inflows	Inflows	Inflows
	(Outflows)	(Outflows)	(Outflows)	(Outflows)	(Outflows)
<b>Cash flows from operating activities</b>					
Rates and charges	40,673	42,600	44,521	46,317	48,262
Statutory fees and fines	897	1,086	1,059	1,150	1,153
User fees	5,794	6,532	6,588	6,801	7,022
Grants - operating	7,904	10,753	10,921	11,232	11,563
Grants - capital	10,773	4,057	823	5,473	923
Contributions - monetary	4,309	2,274	1,133	1,153	1,149
Interest received	675	511	733	763	797
Other receipts	175	233	235	238	240
Employee costs	(23,190)	(25,730)	(28,092)	(29,960)	(31,560)
Materials and services	(19,294)	(19,647)	(20,626)	(21,600)	(21,888)
Other payments	(1,425)	(1,428)	(1,457)	(1,475)	(1,494)
Net cost reduction target	-	-	423	1,195	1,899
<b>Net cash provided by/(used in) operating activities</b>	<b>27,291</b>	<b>21,241</b>	<b>16,261</b>	<b>21,287</b>	<b>18,066</b>
<b>Cash flows from investing activities</b>					
Payments for property, infrastructure, plant and equipment	(22,471)	(25,785)	(14,196)	(20,200)	(15,725)
Proceeds from sale of property, infrastructure, plant and equipment	788	954	405	694	515
<b>Net cash provided by/ (used in) investing activities</b>	<b>(21,683)</b>	<b>(24,831)</b>	<b>(13,791)</b>	<b>(19,506)</b>	<b>(15,210)</b>
<b>Cash flows from financing activities</b>					
Finance costs	(854)	(809)	(854)	(851)	(859)
Proceeds from borrowings	-	830	2,850	2,221	2,695
Repayment of borrowings	(1,647)	(1,801)	(2,115)	(2,401)	(2,608)
<b>Net cash provided by/(used in) financing activities</b>	<b>(2,501)</b>	<b>(1,780)</b>	<b>(119)</b>	<b>(1,031)</b>	<b>(772)</b>
<b>Net increase/(decrease) in cash &amp; cash equivalents</b>	<b>3,108</b>	<b>(5,370)</b>	<b>2,351</b>	<b>750</b>	<b>2,084</b>
Cash and cash equivalents at the beginning of the financial year	34,601	37,709	32,339	34,690	35,440
<b>Cash and cash equivalents at the end of the financial year</b>	<b>37,709</b>	<b>32,339</b>	<b>34,690</b>	<b>35,440</b>	<b>37,524</b>

## STRATEGIC RESOURCE PLAN 2019 – 2022.

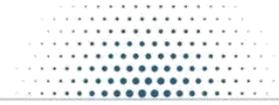
Mitchell Shire Council

Budgeted Standard Capital Works Statement  
For the four years ending 30 June 2022

	Forecast	Budget	Strategic Resource Plan Projections		
	2017/18 \$'000	2018/19 \$'000	2019/20 \$'000	2020/21 \$'000	2021/22 \$'000
<b>Property</b>					
Land	243	2,163	-	2,221	258
<b>Total land</b>	<b>243</b>	<b>2,163</b>	<b>-</b>	<b>2,221</b>	<b>258</b>
Buildings	6,169	2,785	632	200	200
Heritage buildings	-	-	-	300	-
<b>Total buildings</b>	<b>6,169</b>	<b>2,785</b>	<b>632</b>	<b>500</b>	<b>200</b>
<b>Total property</b>	<b>6,412</b>	<b>4,948</b>	<b>632</b>	<b>2,721</b>	<b>458</b>
<b>Plant and equipment</b>					
Plant, machinery and equipment	663	3,436	1,231	2,403	1,742
Fixtures, fittings and furniture	219	295	310	310	310
Computers and telecommunications	1,392	1,124	735	625	555
Library books	160	180	180	180	180
<b>Total plant and equipment</b>	<b>2,434</b>	<b>5,035</b>	<b>2,456</b>	<b>3,518</b>	<b>2,787</b>
<b>Infrastructure</b>					
Roads	1,828	6,389	4,246	3,453	5,308
Bridges	993	272	488	440	440
Footpaths and cycleways	815	2,034	724	774	770
Drainage	170	303	274	224	330
Recreational, leisure and community facilities	1,319	1,627	1,067	1,308	4,005
Waste management	3,768	4,510	1,120	2,590	1,170
Parks, open space and streetscapes	4,358	359	339	1,022	401
Off street car parks	6	226	-	-	-
Other infrastructure	359	83	2,850	4,450	56
<b>Total infrastructure</b>	<b>13,616</b>	<b>15,803</b>	<b>11,108</b>	<b>14,261</b>	<b>12,480</b>
<b>Total capital works expenditure*</b>	<b>22,462</b>	<b>25,786</b>	<b>14,196</b>	<b>20,500</b>	<b>15,725</b>
<b>Represented by:</b>					
New asset expenditure	6,412	8,976	4,696	9,871	4,333
Asset renewal expenditure	10,019	13,685	7,459	8,998	10,684
Asset expansion expenditure	338	-	-	-	-
Asset upgrade expenditure	7,864	3,125	2,041	1,331	708
<b>Total capital works expenditure</b>	<b>24,633</b>	<b>25,786</b>	<b>14,196</b>	<b>20,200</b>	<b>15,725</b>
<b>Funding sources represented by:</b>					
Grants	5,636	5,488	823	5,473	923
Contributions	42	500	-	-	-
Sales	1,103	954	405	694	515
Council Cash	15,681	18,014	10,118	12,112	11,592
Borrowings	-	830	2,850	2,221	2,695
<b>Total capital works expenditure</b>	<b>22,462</b>	<b>25,786</b>	<b>14,196</b>	<b>20,500</b>	<b>15,725</b>

## STRATEGIC RESOURCE PLAN 2019 – 2022.

Mitchell Shire Council

Budgeted Statement of Human Resources  
For the four years ending 30 June 2022

	Forecast	Budget	Strategic Resource Plan		
	2017/18	2018/19	2019/20	2020/21	2021/22
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Staff expenditure</b>					
Employee costs - operating	23,126	25,355	28,021	29,890	31,488
Employee costs - capital	480	612	649	672	696
<b>Total staff expenditure</b>	<b>23,606</b>	<b>25,967</b>	<b>28,670</b>	<b>30,562</b>	<b>32,184</b>
	FTE	FTE	FTE	FTE	FTE
<b>Staff numbers</b>					
Employees	284.5	293.6	305.7	313.1	318.1
<b>Total staff numbers</b>	<b>284.5</b>	<b>293.6</b>	<b>305.7</b>	<b>313.1</b>	<b>318.1</b>

A summary of human resources expenditure categorised according to the organisational structure of Council is included below:

Department	Budget 2018/19 \$'000	Comprises		
		Full Time \$'000	Part time \$'000	Casual \$'000
Advocacy and Community Services	11,754	4,952	4,286	2,516
Development and Infrastructure	9,034	9,245	753	36
Executive Services	392	392	-	-
Governance and Corporate Performance	4,175	3,315	860	-
Total permanent staff expenditure	25,355	17,904	5,899	2,552
Other employee related costs	388			
Capitalised labour costs	612			
<b>Total expenditure</b>	<b>26,355</b>			

A summary of the number of full time equivalent (FTE) Council staff in relation to the above expenditure is included below:

Department	Budget 2018/19	Comprises		
		Full Time	Part time	Casual
Advocacy and Community Services	140.7	51.5	54.4	34.8
Development and Infrastructure	101.9	92.5	8.9	0.5
Executive Services	2.0	2.0	-	-
Governance and Corporate Performance	42.8	34.0	8.8	-
Total permanent staff expenditure	287.4	180.0	72.1	35.3
Capitalised labour costs	6.2			
<b>Total staff</b>	<b>293.6</b>			

**Mitchell Shire Council**

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**8.2 REQUEST FOR ACQUISITION OF PART OF COUNCIL OWNED LANEWAY**

**Author:** Teresa Hendy - Property Officer

**File No:** CP/05/001-03

**Attachments:**

1. Letter of Request to Purchase
2. Plan of School Property and Laneway 04
3. Walking Routes

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**SUMMARY**

Council has received a request to purchase part of an unused road in Wandong. The road is known as Laneway 04 and is located between Affleck Street and Dry Creek Crescent, Wandong. The road runs along the eastern boundary of the original Wandong Primary School ground and the western boundary of the additional land acquired for the school in 2017.

Council received a request from the Department of Education and Training to purchase the section of road adjacent to the Wandong Primary School for inclusion in the primary school grounds.

**RECOMMENDATION**

**THAT** Council:

1. Authorise a Public Notice for the proposed discontinuance of part of Laneway 04 Wandong, as shown on Attachment 2 of this report, under Section 206 and Schedule 10, Clause 3 of the *Local Government Act 1989* to be placed in a local newspaper and on Council's website as required under section 207 and schedule 82A and Section 223 of the *Local Government Act 1989*.
2. Authorise that such notice state that, if discontinued, the part of Laneway 04 Wandong as shown on Attachment 2 of this report would be sold to the Minister of Education for inclusion in the property of the Wandong Primary School.
3. Consider submissions received under Section 223 of the *Local Government Act 1989* in relation to the proposal at a Community Questions and Hearings Committee Meeting, should submissions be received in relation to the proposal.
4. Proceeds from the sale of the discontinued laneway are to be applied to the construction of the missing link footpath along Affleck Street and Wandong Avenue.

**BACKGROUND**

Council was first contacted in July 2015 by the Property Management Unit of the Department of Infrastructure and Sustainability Division - Department of Education and Training (the Department) enquiring whether Council would be prepared to enter into a long-term lease or sell part of the road adjacent to the school.

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**REQUEST FOR ACQUISITION OF PART OF COUNCIL OWNED LANEWAY (CONT.)**

The interest in the road in 2015, was due to investigations into the potential purchase of the land on the eastern side of the road at 41-49 Wandong Avenue, being privately owned land made up of five (5) parcels, with the objective being to purchase and add the land to the school landholding.

At the time, the Department was advised that Council was open to consideration of selling part of the road so that it could be added to the school property. The addition of the road would mean that the two larger properties could be encompassed into one school campus with one enclosing fence and all school facilities able to be easily accessed by students and staff.

The Department has now purchased the land at 41-49 Wandong Avenue and has approached Council formally to request consideration of the sale of the section of the road. Attachment 2 shows the current school site, the newly purchased land on which there are temporary classrooms, and the section of Laneway 04 requested to be purchased.

**ISSUES AND DISCUSSION**

The current circumstances at the school, which has the road separating the original school site and the new site, requires a transfer system so that school children can always be supervised when moving across the road between the two sites, with all facilities being on the original school site except for portable classrooms. This system, which is required for student safety and security, adds pressure on timeframes and staffing resources during the school day.

Verbal enquiries and discussion with school staff indicate that there is little use of the road by the public and occasional drive throughs by the Police and Country Fire Authority (CFA) for surveillance and to ensure accessibility to the school.

Many of the students are dropped off to school at the church car park on the corner Dry Creek Crescent and Wandong Avenue, then walk down the road to the school ground.

The road is an important component to enable the expansion of the school to occur in a fully functional way to make optimum use of the new land. The sale of the section of the road is therefore considered a sale which would be of practical benefit to the school and school community whilst having minimal impact on the immediate local community.

If a person was walking to the corner of Wandong Avenue and Dry Creek Road, the difference in walking distance via Affleck Street and Wandong Avenue, rather than the road, is an increase in distance of approximately 60m. Attachment 3 shows the two walking routes.

Should the sale of the proposed discontinued laneway proceed, the proceeds of the sale would be applied to constructing the missing link footpath along Affleck Street and Wandong Avenue.

In order to be able to sell the land in the road, Council must discontinue the section of road under Section 206, Schedule 10 Clause 3 of the *Local Government Act 1989* (the Act). This process requires giving public notice of the intention to discontinue the part of the road proposed to be sold and accept submissions under Section 223 of the Act. Any person who makes a submission would be entitled to make the submission to a

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REQUEST FOR ACQUISITION OF PART OF COUNCIL OWNED LANEWAY (CONT.)

Community Questions and Hearings Committee Meeting or be represented by another person.

The road is not listed in Council's Public Road Register.

### **CONSULTATION**

The school has contacted residents along the road regarding the proposed purchase of the land and the future use of the road, with advice provided to Council of there having been no negative responses or objections expressed.

As the land in the road would be sold to a Minister, Section 191 of the Act exempts Council of both requirements, one, to give public notice of the intention to sell or exchange land in a local paper and two, to accept public submissions under Section 223 of the Act. However, in the interests of transparency and community consultation, the public notice in the local paper of the proposal to discontinue part of the road would additionally give details of the proposal to sell part of the road to the school. There is a local Wandong community newsletter in which Council may also be able to place information to advise the wider community of the consideration of the proposed discontinuance and subsequent sale of land to the school.

Council's Engineers have advised that they have no objection to the closure of the section of road and the sale of that section of road to the Department. Comment was requested from Council's Community Development Officer for access and inclusion considerations. The Community Development Officer did not raise concerns regarding the sale and recommended that sufficient all ability access and access for emergency vehicles to the school grounds be considered by the school should the sale proceed. The treatment of the land in the road would be determined by the school in accordance with various legislation and other requirements. As previously discussed, the relevant emergency services, Police and CFA, will be consulted regarding the proposed sale.

In 2015, at the time of the initial request, Council contacted Goulburn Valley Water (GVW) due to the authority having infrastructure in the road. GVW subsequently confirmed the presence of the infrastructure in the road and advised that they would require an easement to be placed over the road to protect their asset should the sale go ahead.

The section of road proposed to be sold must be discontinued prior to sale by a notice published in the Victoria Government Gazette as required by the *Local Government Act 1989*, Section 206 and Schedule 10. The Gazetteal would give public notice of the discontinuance of the section of road and the sale of the land to the Department.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

There has not been a valuation of the land in the road and therefore the value of the section of road requested to be purchased is not known at this time.

As the land is proposed to be sold to a State Government Department, the valuation would be carried out by the Valuer General, with the instruction for the valuation to come from the Minister's Office.

There are several costs associated with the proposal, all of which are proposed to be borne by the Department, with Council administering the process.

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**REQUEST FOR ACQUISITION OF PART OF COUNCIL OWNED LANEWAY (CONT.)**

The steps to sell the section of road include a survey of the road resulting in a Plan of Subdivision with two titles and the creation of the easement, lodgement and registration of the new titles and legal fees for the settlement and transfer of the land. The approximate total for these costs would be between \$5,000 and \$6,000.

It is expected that there would be financial benefit to Council from the sale.

All proceeds from the sale will be transferred to the Property Proceeds Reserve and held for future capital projects.

**POLICY AND LEGISLATIVE IMPLICATIONS**

The sale of part of Laneway 04 in Wandong would be consistent with the role and objectives of Council in line with the *Local Government Act 1989* and in addition meets the objectives of Council policies and plans.

**Mitchell 2020 Community Plan states:***Council's Role*

*Accessible health provision, learning and employment sites, a strong local economy, local shops, public transport, accessible natural environments – all help people to live good lives.*

*The heart of what local government is about is supporting a better life for people and helping to build resilient communities, now and over the longer term.*

*Council, through the local partnerships it forms, has real power to affect change in the social well-being of our communities. Its key roles are to:*

- *Provide strategic leadership*
- *Design and deliver services with well-being in mind*
- *Measure and report wellbeing outcomes*

*Community Priorities:*

*Understand that the anticipated growth in the community will be matched by greater diversity of need and expectation in the areas of health, education, community service and recreation.*

*Support an expansion of the range and depth of educational facilities and services in response to growth and the needs of the community at all stages in its lifecycle.*

**SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

There are no known environmental impacts associated with the proposed sale. The creation of the easement over GVW infrastructure will ensure that this GVW asset is protected.

The giving of Public Notice will provide the community the opportunity to voice its views on the proposal however, whilst there may be minor inconvenience to a small number of local residents who walk through the road, the resulting campus consolidation for the school may be considered by the community to be an outcome of overriding benefit.

**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 Ministerial request by the Department of Education and Training to purchase part of Laneway 04 in Wandong, adjacent to the Wandong Primary School, has come about due to the purchase of land at 41-49 Wandong Avenue for the expansion of the school. The newly acquired land is however separated from the existing school by Laneway 04 which runs north south between Affleck Street and Dry Creek Road.

The proposed sale of a section of road to the Department for consolidation of the school campus will not have a significant impact on neighbours along the road and will have minimal impact on the immediate local community, whilst securing significant benefits for the school. The construction of the missing link footpath along Affleck Street and Wandong Avenue would assist in minimising any adverse impact.

It is therefore proposed to commence the first step in the process of consideration to discontinue the section of Laneway 04 as described in this report and gauge community opinion by carrying out Council's general duty of procedural fairness by consultation under Section 223 of the *Local Government Act 1989*. The outcome of the of public notice and Section 223 submissions process will indicate whether the road is reasonably required for public use.

Should it be determined at a future Council Meeting that the road is not reasonably required for public use, it is proposed to proceed with the necessary steps to prepare and sell the land in part of Laneway 04 as identified in Attachment 2 to the Minister for Education.

REQUEST FOR ACQUISITION OF PART OF COUNCIL OWNED LANEWAY (CONT.)

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **GOVERNANCE AND CORPORATE PERFORMANCE**

**16 APRIL 2018**

**8.2**

**REQUEST FOR ACQUISITION OF PART OF  
COUNCIL OWNED LANEWAY**

**Attachment No: 1**

**Letter of Request to Purchase**



Department of  
Education & Training

Victorian School Building Authority

33 St Andrews Place  
East Melbourne Victoria 3002  
Telephone: 03 9637 2000  
DX210083

COR 29608

Ms Teresa Hendy  
Property Officer  
Mitchell Shire Council  
113 High Street  
BROADFORD 3658

Dear Ms Hendy

I am writing to advise that the Department of Education and Training wishes to acquire a portion of a laneway located between Wandong Primary School and the site at 41-49 Wandong Avenue, Wandong.

The Department purchased the 41-49 Wandong Avenue site in 2016 as a site extension for the school to provide additional capacity for future growth.

In the interests of student safety and overall risk management, it is strongly preferable that the two land parcels are not separated by a public laneway. Consequently, we wish to acquire a portion of this laneway to create a contiguous site. Attached is a plan that illustrates the area of land in question.

We look forward to your advice regarding the process should this request be approved by the Mitchell Shire Council.

If you would like further information, you may contact Ms Sue Lim, Property Officer, Property Management Unit, Victorian School Building Authority, Infrastructure and Finance Services Group, Department of Education and Training, on 9637 3091 or by email: [lim.sue.j@edumail.vic.gov.au](mailto:lim.sue.j@edumail.vic.gov.au).

Yours sincerely

**Tom Kirkland**  
Executive Director, Delivery  
Victorian School Building Authority

24/11/2017

Your details will be dealt with in accordance with the *Public Records Act 1973* and the *Privacy and Data Protection Act 2014*. Should you have any queries or wish to gain access to your personal information held by this department please contact our Privacy Officer at the above address.



LUR029608



- WANDONG PS
- 41-49 WANDONG AVE
- LAND TO BE ACQUIRED

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **GOVERNANCE AND CORPORATE PERFORMANCE**

**16 APRIL 2018**

**8.2**

**REQUEST FOR ACQUISITION OF PART OF  
COUNCIL OWNED LANEWAY**

**Attachment No: 2**

**Plan of School Property and Laneway 04**

Attachment 2 – Plan of School Property and Laneway 04



# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **GOVERNANCE AND CORPORATE PERFORMANCE**

**16 APRIL 2018**

**8.2**

**REQUEST FOR ACQUISITION OF PART OF  
COUNCIL OWNED LANEWAY**

**Attachment No: 3**

**Walking Routes**

Attachment 3 – Blue walking route approx. 260m, red walking route approx. 320m



### 8.3 REQUEST TO PURCHASE PART OF ROAD IN WALLAN

**Author:** Teresa Hendy - Property Officer

**File No:** CP/05/027

**Attachments:**

1. Beauview Drive Title Plan
2. Beauview Drive and surrounds
3. 240 Wallan Heights Road Subdivision Plan
4. Wallan Structure Plan and Topography
5. Part of road subject to purchase request

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#### SUMMARY

A request has been received from a resident in Wallan to purchase part of an unused road which is adjacent to their property. The road name is Beauview Drive, the road branches off Old Sydney Road.

This report discusses the matters relating to the request and proposes the next step which may be taken, being the giving of Public Notice for the consideration of road discontinuance with a view for potential sale of this land.

#### RECOMMENDATION

**THAT** Council:

1. Authorise a Public Notice to be placed in a local newspaper and on Council's website as required under section 207 and schedule 82A and section 223 of the *Local Government Act 1989*. That the Public Notice provide details of the consideration of the road discontinuance under Section 206 and Schedule 10, Clause 3 of the *Local Government Act 1989* of the western part of Beauview Drive, Wallan, as identified on Attachment 3 of this report.
2. At a future Community Questions and Hearings Committee Meeting, consider any submissions received in response to the Public Notice.

#### BACKGROUND

The request to purchase the land in the road was received from the property owner of 135 Beauview Drive, Wallan in December 2017. The landowner stated that they have owned their property for over 30 years, during which time the land held within the part of the road has never been used for a public road and is generally slashed twice a year by Council for maintenance and fire hazard reduction.

Beauview Drive is located in a rural area to the north west of Wallan and has a total length of approximately 1.74km, with approximately 1.4km being constructed road and 340m being unused road. The road is covered by an easement for carriageway and drainage purposes. The 340m of unused road is the section of road which is adjacent to the landowner's property and the land which they wish to purchase. The area in the unused section of road which could potentially be sold is approximately 5,500m<sup>2</sup>. Attachment 1 shows the title plan for Beauview Drive and surrounding lots.

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REQUEST TO PURCHASE PART OF ROAD IN WALLAN (CONT.)

## ISSUES AND DISCUSSION

Six (6) properties gain access from Beauview Drive, including the landowner who has expressed an interest in purchasing the land in the road reserve. Attachment 2 shows two diagrams of Beauview Drive, including one with aerial photography of the road and surrounds.

The subdivision of land containing Beauview Drive was created in 1979. Beauview Drive was also constructed around this time. The constructed 1.4km section of Beauview Drive is listed on Council's Public Road Register, the part of the road requested to be acquired is not listed on the Public Road Register.

The unused section of road reserve lies immediately to the west of the property access to 135 Beauview Drive. Attachment 3 details the section of Beauview Drive (approx. 340m) which is the subject of the request to purchase.

The properties along Beauview Drive and the surrounding area were significantly impacted by the fires of February 2017. The landowner wishing to purchase the part of the road considers that one of the benefits of owning the land in the road would be the ability to graze the area on a consistent basis to maintain a viable fuel reduction buffer over a wider area around their dwelling.

### 240 Wallan Heights Road – Planning Permit

A planning permit was issued for a subdivision in 2008 for a three-lot subdivision of land to the west of the end of Beauview Drive, the property address being 240 Wallan Heights Road. The planning permit proposed access to two of the lots from Beauview Drive and the access to the third lot from Wallan Heights Road which is the existing access to the property at 240 Wallan Heights Road. The planning permit was subsequently amended later in 2008. The subdivision did not proceed through the various stages to reach Statement of Compliance and therefore titles were not issued. In 2014 an extension of time was given until June 2016 to have the work undertaken to complete the subdivision. However, no further action was undertaken to complete the subdivision and the permit expired in June 2016. Should support be given to give public notice, a letter would be sent to the owners of 240 Wallan Heights Road along with other surrounding properties. Attachment 3 shows the subdivision plan.

### Process for Discontinuance and Sale of part of Road

In summary, the processes required for the discontinuance and sale of part of the road would include public notice, any submissions received presented to the Hearings Committee meeting, Council report and resolution, and, if the discontinuance was to proceed, a gazettal notice would be published. Steps to be undertaken if the sale proceeds include obtaining a valuation, signing of Contract of Sale, planning permit for subdivision of the road, removal of easement from the part of the road being prepared for sale, consolidation of titles, issue of new titles, settlement and transfer.

These steps are not necessarily undertaken in the order listed above.

A valuation of the land held in the part of the road has not been undertaken as yet due to first, waiting to ascertain if Council support is given to continue the processes for the proposal and secondly, due to the requirement under the *Local Government Act 1989* for valuations to be less than six month old at the time of the sale. Typically, this type of valuation would cost between \$600-\$700.

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REQUEST TO PURCHASE PART OF ROAD IN WALLAN (CONT.)

### Wallan Structure Plan

Beauview Drive and the surrounding area under discussion in this report are outside of the Wallan Structure Plan. Two pages of the Wallan Structure Plan and Beveridge NW PSP are included in Attachment 4 which show the Wallan Structure Plan study area, along with a constraints map showing the topography of Wallan and the surrounding area. The Beauview Drive area is to the north west of the central Wallan township and well into the hills that make up the Pretty Sally range. Beauview Drive sits for the most part along a ridgeline with land dropping away from the sides and end of the road.

### **CONSULTATION**

Council's Engineering Department have not raised any concerns with the potential discontinuance and sale of part of Beauview Drive, however they note that there is potential for the future subdivision of the land at 240 Wallan Heights Road and access to these new lots may potentially be gained via Beauview Drive.

Final Engineering advice is subject to public notice being given for the proposal and letters being mailed to all adjoining properties including 240 Wallan Heights Road.

Council's Statutory Planning Department have been consulted and provided the comment that the area is located within a Farming Zone and as such the future subdivision of the land would be unlikely to gain support without appropriate justification from an agricultural or land management perspective. However, should subdivision of surrounding properties be approved, in particular 240 Wallan Heights Road, there are other road access options available to the future properties. The other lots in the immediate vicinity are relatively small and do not look suitable for further subdivision meaning the discontinuance of the referenced section of road should not have any unintended consequences. To enable a future subdivision all properties must have appropriate access.

The previous permit has been checked to ensure there is no active certified plans for which SOC might still be a possibility. We can find no certified plan in Council's record system therefore a new planning permit would be required for the subdivision of the land.

Under the *Local Government Act 1989* (the Act), section 206 and Schedule 10, Clause 3, Council can discontinue roads if it is considered that the road is not reasonably required for public use. As the section of road under consideration is unused and not on Council's Road Register, the consideration may be whether the road is reasonably required for future public use.

Should support be given to proceed with public notice, as required under the Act as mentioned above, the notice would be placed in a local newspaper and on Council's website and letters sent to landowners adjoining the road advising of the consideration of the proposal to discontinue the part of the road.

Should there be submissions received in response to the public notice, these would be heard by a meeting of the Community Questions and Hearings Committee. A second report at a later date following the public notice and Community Questions and Hearings Committee meeting would be included in a Council Agenda for a final resolution.

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REQUEST TO PURCHASE PART OF ROAD IN WALLAN (CONT.)

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

Should the final resolution be to dispose of the land in the road, a valuation would need to be obtained to determine the sale price of the land. The valuation would be completed by a professional licensed Valuer and the land would not be sold at less than the determined value.

All of the costs involved in the process towards the request to purchase the land in the road, whether resulting in a sale or not, would be recovered from the person wishing to acquire the land in the road. These costs would include the public notice, gazettal notice, planning permit for subdivision and removal of easement, surveyor's costs, issue of new titles and Council's legal representation.

There would be minimal asset management implications given that this is a section of road which is unused. Searches have shown that there is no utility or drainage infrastructure in the road.

Given that all costs associated with the proposal would be recovered from the potential purchaser, Council would receive the total funds from the sale of the land.

The estimated annual maintenance costs expended for the unused part of Beauview Drive would be an approximate maximum of \$1,000.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

Should the land in question, which is held in part of the road known as Beauview Drive, be considered not to be reasonably required for future public use, the sale of the land would then be consistent with Council's new and reviewed policies, including *Council's Asset Disposal Policy 2014 and Infrastructure Asset Management Policy 2010 – Revision 2015*.

The Infrastructure Asset Management Policy 2010 – Revision 2015 states that:

*This Asset Management Policy will ensure that asset management is clearly recognised by Council and community in accordance with the primary objectives of the Local Government Act 1989. It is also an important process in managing Council's infrastructure assets for present and future generations.*

The sale of the land held in part of the road known as Beauview Drive would be consistent with the *Local Government Act 1989* clauses for Council to:

- *3C(a) to promote the social, economic and environmental viability and sustainability of the municipal district, and*
- *3E1(e) raising revenue to enable the Council to perform its functions.*

In consideration of the above two points, there would be the return of funds to Council from the sale of the land held in part of the road.

There would no longer be the need to continue the ongoing slashing for general maintenance and fire reduction purposes.

The Act also requires that Council achieve Best Value, therefore the sale of land which is not required for public use and therefore surplus to requirements could be disposed of so as to minimise resources and risk.

REQUEST TO PURCHASE PART OF ROAD IN WALLAN (CONT.)

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The vegetation within the unused road at the end of Beauview Drive consists primarily of exotic grasses and there are a number of significant native trees. The exotic grasses are not considered to be of environmental or biodiversity value, however the native trees do offer environmental value to the land and could be significant habitat trees. A planning permit would be required to remove any of the native trees on the unused section of the road.

### **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**

A request for the purchase of the unused western part of Beauview Drive in Wallan has been made by an adjoining landowner. Initial consultation with Council's Engineers has indicated that they would be supportive of the discontinuance of the road and sale of the land held in that part of the road, subject to the giving of public notice. In addition to the public notice, all adjacent land owners, including the owner of 240 Wallan Heights Road, would be sent letters advising of the request and be given the opportunity to respond by making a submission to Council. This step to send out letters to adjoining landowners is not a legislative requirement however it gives a higher level of transparency to the process and consideration of the request.

Council regularly receives requests to purchase unused roads or land. These requests and processes must be undertaken in accordance with the *Local Government Act 1989* and the first step required, being the giving of public notice, is the subject of the recommendations of this report.

REQUEST TO PURCHASE PART OF ROAD IN WALLAN (CONT.)

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **GOVERNANCE AND CORPORATE PERFORMANCE**

**16 APRIL 2018**

**8.3**

**REQUEST TO PURCHASE PART OF ROAD IN  
WALLAN**

**Attachment No: 1**

**Beauview Drive Title Plan**

PLAN OF SUBDIVISION  
PART OF CROWN PORTION 99<sup>B</sup>  
PARISH OF BYLANDS  
COUNTY OF BOURKE

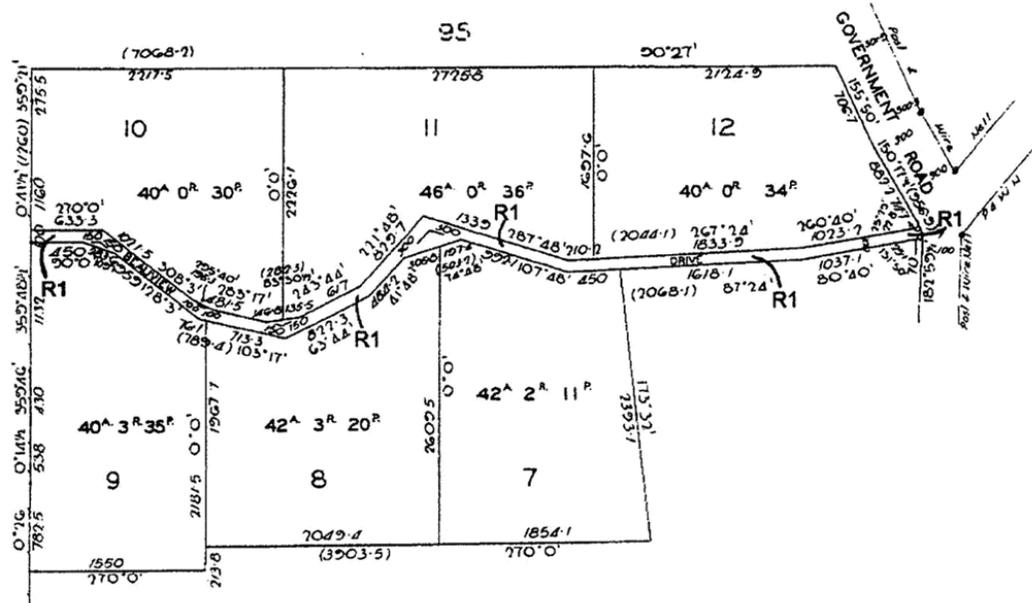
LP110089  
EDITION 1  
APPROVED 16/10/79

COLOUR CONVERSION  
R1 = BROWN

C7 Vol 9927-66\*

Measurements are in Links  
Conversion Factor  
LINKS X 0.201168 = METRES

LITHO



Lots 1 to 6 (both inclusive) have been omitted from this plan.

Road widths are not to scale.

The land coloured brown is set apart for easements of way and drainage.

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **GOVERNANCE AND CORPORATE PERFORMANCE**

**16 APRIL 2018**

**8.3**

**REQUEST TO PURCHASE PART OF ROAD IN  
WALLAN**

**Attachment No: 2**

**Beauview Drive and surrounds**

Attachment 2 – Beauview Drive and surrounds

