

# Council Meeting

16 September 2024



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**MINUTES OF THE COUNCIL MEETING OF THE MITCHELL SHIRE  
COUNCIL HELD ONLINE AND AT MITCHELL CIVIC CENTRE, 113  
HIGH STREET BROADFORD ON  
16 SEPTEMBER 2024**

**THE MEETING OPENED:** 7.02pm

**COUNCILLORS PRESENT**

Cr Annie Goble	Central Ward	
Cr Nathan Clark	Central Ward	
Cr Louise Bannister	Central Ward	(Chairperson)

Cr Bill Chisholm	North Ward	
Cr Rhonda Sanderson	North Ward	
Cr Fiona Stevens	North Ward	

Cr David Lowe	South Ward	
Cr Rob Eldridge	South Ward	
Cr Bob Cornish	South Ward	

**OFFICERS PRESENT**

Mr Brett Luxford	Chief Executive Officer
Mr Frank Joyce	Director Organisational Performance
Ms Mary Agostino	Director Advocacy and Communities
Mr Les Stokes	Director Economy, Growth and Infrastructure
Ms Lidia Harding	Manager Governance and Risk

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**1 WELCOME**

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

*Mitchell Shire Council acknowledges the traditional custodians of the land, those of the Taungurung and Wurundjeri People. We pay our respects to their rich cultures and to Elders past, present and future.*

**2 GOVERNANCE DECLARATION**

The declaration was read by Cr R. Sanderson.

### 3 APOLOGIES AND LEAVE OF ABSENCE

No apologies were received.

### 4 DISCLOSURE OF CONFLICTS OF INTEREST

*IN ACCORDANCE WITH SECTION 130(2)(A) OF THE LOCAL GOVERNMENT ACT 2020.*

CR F. STEVENS DECLARED A DIRECT CONFLICT OF INTEREST IN ITEM 10.11 PROPOSED PLANNING SCHEME AMENDMENT C176 – REZONING OF AVENEL ROAD, SEYMOUR (NORTH GROWTH PRECINCT).

### 5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

#### COUNCIL RESOLUTION

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. B. CORNISH

**THAT** the Minutes of the Council Meeting held 9 September 2024, as circulated, be confirmed.

**CARRIED**

### 6 PETITIONS AND JOINT LETTERS

Nil

**7. NOTICE OF RESCISSION****7.1 NOTICE OF RESCISSION: NO. 1075 - RFT202452 OLD GOULBURN RIVER BRIDGE RESTORATION AND REDEVELOPMENT**

**Author:** *Councillor David Lowe*

**File No:** *CT/05/377*

**Attachments:** *Nil*

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We hereby give notice of my intention to move the following motion at the Council Meeting to be held on 16 September 2024.

**COUNCIL RESOLUTION**

**MOVED:** CR. D. LOWE

**SECONDED:** CR. B. CHISHOLM

**COUNCIL RESOLUTION****EXTENSION OF SPEAKING TIME**

**MOVED:** CR. D. LOWE

**SECONDED:** CR. B. CHISHOLM

**CARRIED UNANIMOUSLY**

**COUNCIL RESOLUTION****EXTENSION OF SPEAKING TIME**

**MOVED:** CR. F. STEVENS

**SECONDED:** CR. N. CLARK

**CARRIED UNANIMOUSLY**

**COUNCIL RESOLUTION****EXTENSION OF SPEAKING TIME**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. F. STEVENS

**CARRIED UNANIMOUSLY**

**THAT** Council rescind the following motion that was passed at the Council meeting on 9 September 2024 for item 9.4 – RFT202452 Old Goulburn River Bridge Restoration and

redevelopment:

**“THAT** Council:

1. Notes the findings of the tender evaluation panel as presented in this report.
2. Authorises the Chief Executive Officer to award Contract RFT 202452 Old Goulburn River Bridge Restoration and Redevelopment to Duratec Limited ACN 141 614 075 for the contract sum of \$4,529,302 (Excl. GST) subject to completion of the contract negotiation process to Council’s satisfaction.
3. Authorises the Chief Executive Officer to do all things necessary to execute the contract, including advising the tenderers of Council’s decision in this matter.
4. Endorses a Contingency Allowance of up to \$679,395 (Excl. GST) (15% of contract sum) in addition to the Contract sum for the works”.

The vote resulted in, as follows:

**For:**

CR. B. CHISHOLM

CR. B. CORNISH

CR. R. ELDRIDGE

CR. D. LOWE

**Against:**

CR. L. BANNISTER

CR. N. CLARK

CR. A. GOBLE

CR. R. SANDERSON

CR. F. STEVENS

**LOST**

**8 ADVOCACY AND COMMUNITIES**

**8.1 RESPONSE TO NOM 1062 AND NOM 1039 - DISABILITY**

**Author:** *Buffy Leadbeater - Manager Life Stages*

**File No:** *CR/01/112*

**Attachments:** *Nil*

**Community Vision Theme:** *Vibrant Communities*

**Council Plan Objective:** *Our communities are welcoming, engaged, prosperous, safe and healthy*

**Health and Wellbeing Plan Objective:** *Informed and Connected*

**1. Purpose**

- 1.1 To respond to Council Notice of Motion 1062 and 1039.
- 1.2 Provide a detailed overview of how Mitchell Shire Council is currently supporting the disability sector, highlighting initiatives that enhance the well-being and prosperity of our community.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. N. CLARK

**THAT** Council:

- 1. Note the contents of this report. and acknowledges the efforts and achievements in supporting the disability sector within Mitchell Shire, appreciating the progress made towards enhancing accessibility, inclusivity, and community engagement. Council remains committed to continuing these efforts and further supporting the disability community.
- 2. Further commits to ongoing and structured community consultation with residents with disabilities and mobility issues, ensuring their input is actively sought and considered in the development and implementation of all relevant projects and policies. This consultation may include surveys, public meetings, and targeted workshops to gather insights from individuals directly affected. Additionally, Council will publish the outcomes of these consultations, ensuring transparency and continuous community engagement.

RESPONSE TO NOM 1062 AND NOM 1039 - DISABILITY (CONT.)

3. Convenes an Accessibility and Aged Community Consultative Committee by August 2025 to specifically consult with residents with disabilities and the aged regarding accessibility and other issues; and
4. Adopts the Committee Terms of Reference by May 2025, including an Annual Report to Council on measurable progress in August each year.

**CARRIED UNANIMOUSLY**

**8.2 GREENHILL RECREATION PRECINCT MASTER PLAN ENDORSEMENT**

**Author:** Jaimie Tredoux - Community Infrastructure Planning Coordinator  
Nathan Halls - Community Infrastructure Planning and Delivery Officer

**File No:** PL/05/159-01

**Attachments:** 1. Greenhill Recreation Precinct Master Plan  
2. Greenhill Recreation Precinct Master Plan Report

**Council Plan Objectives:** *Our natural environment is protected, cared for and enhanced, and integrated into our decision making*

*Our history is protected and embraced, our present is enriched, and our future is well planned to retain our country feel*

**Community Vision Theme:** *Shaping Neighbourhoods*  
*Nature and Parks*

**Health and Wellbeing Plan Objective:** *Liveable and Thriving*  
*Active and Healthy*

**1. Purpose**

1.1 To seek Council's endorsement of the Greenhill Recreation Precinct Master Plan documents:

Attachment 1: Greenhill Recreation Precinct Master Plan; and

Attachment 2: Greenhill Recreation Master Plan report.

1.2 To provide Council with an overview of the activities to occur following endorsement of the Master Plan.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. ELDRIDGE

**SECONDED:** CR. R. SANDERSON

**THAT** Council:

1. Endorse the Greenhill Recreation Precinct Master Plan.
2. Approve phase two of the project to commence (refer to section 10.2).
3. Acknowledge and thank those who provided input into the development of the Greenhill Recreation Precinct Master Plan.

**CARRIED UNANIMOUSLY**

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RFT 202450 WALLAN EAST INTEGRATED FAMILY AND CHILDREN'S CENTRE (CONT.)

### 8.3 RFT 202450 WALLAN EAST INTEGRATED FAMILY AND CHILDREN'S CENTRE

**Author:** Nadine Klobucar - Project Manager - Buildings  
Jaimie Tredoux - Community Infrastructure Planning Coordinator  
Numair Farooq - Coordinator Major Projects & Programs Delivery

**File No:** CT/04/376 and CT/05/376

**Attachments:**

1. RFT202450 Wallan East Integrated Family and Children's Centre - Tender Evaluation Panel Report - Confidential
2. RFT202450 Probity Report - Confidential

#### 1. Purpose

- 1.1 This report outlines the procurement processes undertaken for RFT202450 - Wallan East Integrated Family and Children's Centre project, and to seek Council approval to award the contract to the recommended tenderer for this project.

#### COUNCIL RESOLUTION

**MOVED:** CR. B. CORNISH

**SECONDED:** CR. R. SANDERSON

**THAT** Council:

1. Awards Contract RFT202450 to Jointly Pty Ltd (ACN 634 500 762) for \$15,094,135.08 (Excl. GST) for the Wallan East Integrated Family and Children's Centre project.
2. Authorise the Chief Executive Officer to do all things necessary to execute the contract, including advising the tenderers of Council's decision in this matter.
3. Endorses a Contingency Allowance of up to \$3,018,827.02 (Excl. GST) (20% of the contract sum) in addition to the Contract Sum for the works.

**CARRIED UNANIMOUSLY**

## 9 ORGANISATIONAL PERFORMANCE

### 9.1 MITCHELL SHIRE COUNCIL ANNUAL REPORT 2023/24 - REPORT OF OPERATIONS

**Author:** *Tabitha Williams - Corporate Reporting Officer*

**File No:** *CM/20/022*

**Attachments:** 1. *Annual Report 2023/24 - Report of Operations*

**Community Vision Theme:** *Vibrant Communities*

*Working, learning and tourism*

*Travelling and getting around*

*Shaping Neighbourhoods*

*Nature and Parks*

*Climate Action*

**Council Plan Objective:** *Council is accountable to, engaged with, and respected by our community.*

**Health and Wellbeing Plan Objective:** *Informed and Connected*

*Safe and Respectful*

*Liveable and Thriving*

*Active and Healthy*

#### 1. Purpose

- 1.1 The report seeks Council's endorsement of the Annual Report 2023/24 Report of Operations.

#### COUNCIL RESOLUTION

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. F. STEVENS

Cr L. Bannister presented the Mitchell Shire Council Annual Report 2023/24.

**THAT** Council endorse the Annual Report for 2023/24 Report of Operations and notes its completion, subject to the Victorian auditor General's Office Report, and in accordance with the *Local Government (Planning and Reporting) Regulations 2020*.

**CARRIED UNANIMOUSLY**

MOTOR VEHICLE POLICY (CONT.)

**9.2 MOTOR VEHICLE POLICY**

**Author:** *Lidia Harding - Manager Governance & Risk  
Elly Parker - Fleet and Business Support Coordinator*

**File No:** *CM/03/005*

**Attachments:** *1. Motor Vehicle Policy*

**Community Vision Theme:** *Travelling and getting around*

**Council Plan Objective:** *Council is accountable to, engaged with, and respected by our community*

**Health and Wellbeing Plan Objective:** *Informed and Connected*

**1. Purpose**

1.1 To adopt the Motor Vehicle Policy.

**COUNCIL RESOLUTION**

**MOVED:** CR. F. STEVENS

**SECONDED:** CR. N. CLARK

**THAT** Council adopt the Motor Vehicle Policy (Attachment 1).

**CARRIED UNANIMOUSLY**

### 9.3 DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS

**Author:** El McComish - Senior Governance Officer

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

**Attachments:** 1. Delegate Report August 2024

**Community Vision Theme:** Shaping Neighbourhoods

**Council Plan Objective:** Council is accountable to, engaged with, and respected by our community.

**Health and Wellbeing Plan Objectives:** Not applicable

#### 1. Purpose

- 1.1 For Council to receive and note activities and deliberations of groups and associations for which Councillors are an appointed delegate and other activities attended as a Council representative, during August 2024.

#### COUNCIL RESOLUTION

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. R. ELDRIDGE

**THAT** Council notes the Delegate Report, and any additional information on Councillor activity shared by Councillors during the Council meeting, for the August 2024 period.

**CARRIED UNANIMOUSLY**

## 10 ECONOMY, GROWTH AND INFRASTRUCTURE

### 10.1 RESPONSE TO NOM 1051 - PERMANENT ROAD CLOSURE OF CHITTICK PLACE AT THE INTERSECTION WITH OAK STREET IN SEYMOUR

**Author:** *Dumi Wewala - Traffic Transport and Team Leader*

**File No:** *CR/01/112*

**Attachments:** *1. Anzac Ave Masterplan - Closure concept  
2. Closure Concept plan*

**Community Vision Theme:** *Travelling and getting around  
Shaping Neighbourhoods*

**Council Plan Objective:** *Our history is protected and embraced, our present is enriched,  
and our future is well planned to retain our country feel  
Our communities are welcoming, engaged, prosperous, safe  
and healthy*

**Health and Wellbeing Plan Objective:** *Active and Healthy  
Liveable and Thriving*

#### 1. Purpose

1.1. The purpose of this report is to:

- a) Seek Council's endorsement to permanently close Chittick Place at the intersection of Oak Street, Seymour to restrict vehicle access in accordance with the *Local Government Act 1989*, Section 207 (Power of Council over traffic), Schedule 11, Clause 9 (Power to place obstructions or barriers on a road permanently) (known as the "road closure"); and
- b) Subject to Council's decision, seek funding through the Department of Transport and Planning (DTP) and the Transport Accident Commission's (TAC) Safe Local Roads and Streets Program to formalise the closure of the road. Additionally, inform the local community of the road closure process and the exact timeframe of the closure.

8.16PM Cr A. Goble left the meeting and did not return.

#### COUNCIL RESOLUTION

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. F. STEVENS

**THAT** Council:

RESPONSE TO NOM 1051 - PERMANENT ROAD CLOSURE OF CHITTICK PLACE AT THE INTERSECTION WITH OAK STREET IN SEYMOUR (CONT.)

1. Permanently closes Chittick Place at its intersection with Oak Street, in accordance with Section 207 and Schedule 11, Section 9(i) of the *Local Government Act 1989*.
2. Advises the affected residents and the community of its decision.
3. Seeks funding for the permanent closure of Chittick Place through available grant opportunities.

**CARRIED UNANIMOUSLY**

**10.2 RESPONSE TO NOM 1058 CYCLING CONSULTATIVE FORUM AND NOM 1063 ACTIVE TRANSPORT INFRASTRUCTURE**

**Author:** Cameron Baird - Transport and Development Coordinator

**File No:** CR/01/125

**Attachments:** 1. Active Transport Consultative Forum - Terms of Reference

**Community Vision Theme:** Travelling and getting around

**Council Plan Objective:** Our history is protected and embraced, our present is enriched, and our future is well planned to retain our country feel

**Health and Wellbeing Plan Objective:** Active and Healthy

**1. Purpose**

- 1.1 This report seeks to respond to NOM 1058 Cycling Consultative Forum and NOM 1063 Active Transport Infrastructure.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. R. ELDRIDGE

**THAT** Council:

1. Continue the ongoing funding provision for the Missing Link Footpath Program to help encourage Walking and Cycling opportunities.
2. Continue to work with developers and through planning to include well linked footpath and cycling paths within developments, growth areas and to existing neighbourhoods.
3. Continue to look for grant opportunities for Active Transport infrastructure and strategy delivery.
4. Adopt the Community Active Transport Consultative Forum Terms of Reference (Attachment 1).
5. Seek nominations for suitable and representative community members for this Forum and seek to establish this by June 2025.

**CARRIED UNANIMOUSLY**

**10.3 RESPONSE TO NOM 1067 - SEYMOUR TRAFFIC PLAN**

**Author:** Cameron Baird - Transport and Development Coordinator

**File No:** CR/01/125

**Attachments:** 1. Seymour Structure Plan - Commercial Area Plan

**Community Vision Theme:** Travelling and getting around

**Council Plan Objective:** Our history is protected and embraced, our present is enriched, and our future is well planned to retain our country feel

**Health and Wellbeing Plan Objective:** Liveable and Thriving

**1. Purpose**

- 1.1 To provide a response to Council NOM 1067 – Seymour Traffic Plan and explore options and feasibility for the development of a Traffic Study and Plan for Seymour township activity centres.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. F. STEVENS

**THAT** Council consider funding a Seymour Activity Centre Urban Design Framework (UDF) that includes traffic, parking and active transport reviews and recommendations for consideration in the 2025/26 budget process for \$180,000.

**CARRIED UNANIMOUSLY**

**10.4 ADOPTION OF THE ANZAC AVENUE, SEYMOUR - STREETScape MASTER PLAN**

**Author:** Rosario Guastalegname - Urban Design Coordinator

**File No:** PL/13/096

**Attachments:** 1. Final Draft Master Plan - August 2024  
2. Draft Anzac Ave Master Plan - Consultation Findings July 2024

**Community Vision Theme:** Vibrant Communities

Shaping Neighbourhoods

Travelling and getting around

**Council Plan Objective:** Our history is protected and embraced, our present is enriched,  
and our future is well planned to retain our country feel

**Health and Wellbeing Plan Objective:** Liveable and Thriving

Active and Healthy

**1. Purpose**

- 1.1 To seek the endorsement of the Anzac Avenue, Seymour – Streetscape Master Plan (Master Plan). The Master Plan highlights the importance of the Anzac Avenue in Seymour and provides a vision to guide future transport management and landscape improvements.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. F. STEVENS

**THAT** Council:

1. Adopt the Anzac Avenue, Seymour – Streetscape Master Plan (Attachment 1)
2. Prepares an implementation strategy for the Master Plan to inform future Council Capital Works program and external funding opportunities.

**CARRIED UNANIMOUSLY**

## 10.5 DRAFT KILMORE AND BROADFORD NEIGHBOURHOOD CHARACTER STUDIES - PUBLIC CONSULTATION

**Author:** Andrea Meagher - Senior Strategic Planner

**File No:** PL/13/124

**Attachments:**

1. Draft Kilmore Neighbourhood Character Study
2. Draft Broadford Neighbourhood Character Study
3. Kilmore Neighbourhood Character Types
4. Broadford Neighbourhood Character Types

**Community Vision Theme:** *Shaping Neighbourhoods*

**Council Plan Objective:** *Council is accountable to, engaged with, and respected by our community.*

*Our history is protected and embraced, our present is enriched, and our future is well planned to retain our country feel*

**Health and Wellbeing Plan Objective:** *Liveable and Thriving*

### 1. Purpose

- 1.1 To seek Council endorsement to release the Draft Kilmore and Broadford Neighbourhood Character Studies (NCS) for public consultation.

### COUNCIL RESOLUTION

**Moved:** CR. B. CHISHOLM

**Seconded:** CR. N. CLARK

**THAT** Council endorse the Draft Kilmore Neighbourhood Character Study and Broadford Neighbourhood Character Study (Attachments 1 and 2) for public consultation.

**CARRIED UNANIMOUSLY**

**10.6 CAPITAL WORKS DELIVERY UPDATE - REPORT FOR THE REPORTING PERIOD ENDING 30 JUNE 2024**

**Author:** Numair Farooq - Coordinator Major Projects & Programs Delivery

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

**Attachments:** 1. Capital Works Delivery Update - Q4 to 30 June 2024 (EOFY)

**Community Vision Theme:** Travelling and getting around

Working, learning and tourism

Vibrant Communities

Nature and Parks

**Council Plan Objective:** Our history is protected and embraced, our present is enriched, and our future is well planned to retain our country feel

**Health and Wellbeing Plan Objective:** Liveable and Thriving

Active and Healthy

Informed and Connected

**1. Purpose**

- 1.1 To provide Council with an update on the delivery progress of the 2023 – 2024 Capital Program. The ‘Capital Works Delivery Update – Q4 Report to 30 June 2024’ is shown in Attachment.

**COUNCIL RESOLUTION**

**MOVED:** CR. N. CLARK

**SECONDED:** CR. R. ELDRIDGE

**THAT** Council note the details contained in the attached document titled ‘Capital Works Delivery Update – Q4 Report to 30 June 2024 (End of Financial Year 2023 – 2024).

**CARRIED UNANIMOUSLY**

**10.7 RFT2023111 - PROVISION OF WET PLANT HIRE**

**Author:** Gareth Antrobus - Roads Maintenance Coordinator

**File No:** 2023111

**Attachments:** 1. Tender Evaluation Report - Confidential  
2. Probity Advisory Report - Confidential

**1. Purpose**

- 1.1 Seek Council's approval to compile a register of pre-qualified contractors for the provision of wet plant hire under Contract 2023111 – Provision of Wet Plant Hire.

**COUNCIL RESOLUTION**

**MOVED:** CR. N. CLARK

**SECONDED:** CR. D. LOWE

**THAT** Council:

1. Prequalifies the following to Contract 2023111 Provision of Wet Plant Hire:
- Asset Management Environmental Group Pty Ltd – ACN 665 485 512
  - Bells Civil Excavations Pty Ltd - ACN 169 307 939
  - Bild Infrastructure Pty Ltd - ACN 099 996 344
  - Costa Civil Pty Ltd – ACN 662 319 897
  - CPG Civil Pty Ltd – ACN 629 751 266
  - DC Lightburn & GJ Lightburn – ABN 17 643 760 248
  - East West Grab Hire Pty Ltd – ACN 615 466 941
  - G & T Prior Contracting Pty Ltd – ACN 094 021 682
  - Jnr Civil Pty Ltd – ACN 608 122 747
  - Koppers mineral Springs Pty Ltd – ACN 095 233 337
  - Lincolns Earthmoving Pty Ltd – ACN 083 116 063
  - M & M Ryan Earthmovers Pty Ltd – ACN 005 983 175
  - MBL Maintenance (VIC) Pty Ltd – ACN 641 983 413
  - National Plant Group. Pty Ltd – ACN 121 516 425
  - Newnham Earthmoving Pty Ltd - ACN 006 258 795
  - Pipe doctor Australia Pty Ltd – ACN 131 294 230
  - Precision Asphalt Paving – ABN 54 984 228 929

RFT2023111 - PROVISION OF WET PLANT HIRE (CONT.)

- Smart Civil Pty Ltd – ACN 658 343 410
- Stabilco Pty Ltd – ACN 087 601 956
- TDM Pipeline solutions Pty Ltd – ACN 654 325 863
- The Stabilising Pty Ltd – ACN 633 525 229
- Total Drain Cleaning Services Pty Ltd – ACN 130 467 346
- Trustee for Adonis Trust – ABN 25 627 821 379
- Trustee for Broadford Excavations Business Trust – ABN 62 791 465 365
- Welsh Industries Pty Ltd – ACN 619 077 897
- Wrights Earthmoving Pty Ltd - ACN 080 297 187

as per the scheduled rates (exclusive of GST).

2. Determines that this contract commences 1 December 2024, until the time Council chooses to expire the arrangement.
3. Authorise the Chief Executive Officer to do all things necessary to execute the contract, including advising the tenderers of Council's decision in this matter.
4. Approve the engagement of suppliers from the pre-qualified panel:
  - a) For works up to \$150,000(GST inclusive) contractors will be engaged via a works order. Utilising the quoted scheduled of rates.
  - b) For works that are estimated to be between \$150,000 and \$500,000(GST inclusive). Council officers are to seek quotes from at least two suitability qualified contractors. Contractors who then have the option to:
    - i. Confirm costs utilising the quoted schedule of rates, or
    - ii. Quote works at a lesser value than the submitted quoted rates.
5. Delegate the power to the Chief Executive Officer to annually renew the contract, until such time Council chooses to expire the arrangement. subject to
  - Contractor's performance.
  - Contractor compliance with annual contractual requirements.
  - Council's needs.
6. Authorises the Chief Executive Officer to appoint additional contractors to the panel subject to Council needs and contractor compliance with the evaluation criteria for the life of the contract.

**CARRIED UNANIMOUSLY**

**10.8 RFT2602/0036 ROAD MAINTENANCE AND ASSOCIATED SERVICES  
(COLLABORATIVE) CONTRACT VARIATION REQUEST**

**Author:** Mark Cachia - Manager Operations and Parks

**File No:** 2602/0036

**Attachments:** 1. RFT26020036 Variation Schedule of Rates - Confidential

**1. Purpose**

- 1.1 To seek Council approval for a variation to include additional items to the RFT2602/0036 Schedule of Rates.

**COUNCIL RESOLUTION**

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. N. CLARK

**THAT Council:**

1. Amends the current contract RFT2602/0336 with Asphaltech Pty Ltd 42 105 883 154 and Downer EDI Works Pty Ltd 66 008 709 608 to include the variation Microsurfacing Schedule of Rates as part of Category 2 (Asphalt supply, deliver and lay).
2. Authorise the Chief Executive Officer to do all things necessary to execute the contract variation.

**CARRIED UNANIMOUSLY**

**10.9 HAMILTON STREET, KILMORE DEVELOPMENT PLAN**

**Author:** Naveen Kumar - Strategic Planner

**File No:** PL/13/115

**Attachments:** 1. Development Plan Report  
2. Summary of Submissions

**Community Vision Theme:** Vibrant Communities  
Shaping Neighbourhoods

**Council Plan Objective:** Our history is protected and embraced, our present is enriched,  
and our future is well planned to retain our country feel

**Health and Wellbeing Plan Objective:** Liveable and Thriving  
Active and Healthy

**1. Purpose**

- 1.1 To determine the Development Plan application for land at Hamilton Street and Rutledge Street, Kilmore.

**COUNCIL RESOLUTION**

**MOVED:** CR. N. CLARK

**SECONDED:** CR. F. STEVENS

**THAT** Council approves the Hamilton Street, Kilmore Development Plan pursuant to Clause 43.04 Development Plan Overlay (Schedule 10), generally in accordance with Attachment 1.

**CARRIED UNANIMOUSLY**

### 10.10 PLANNING PERMIT APPLICATION PLP018/22 FOR SUBDIVISION OF LAND AT 47 ALLEN STREET KILMORE

**Author:** Chris Bryce - Principal Growth Area Planner

**File No:** PLP018/22

**Attachments:**

1. Permit Conditions
2. Relevant Clauses and Policies of the Planning Policy Framework
3. Public Notification
4. Clause 56 Assessment
5. Plans
6. Title Particulars

<b>Property No.:</b>	106911
<b>Title Details:</b>	CP159427C
<b>Applicant:</b>	Tomkinson
<b>Zoning:</b>	General Residential Zone (GRZ)
<b>Overlays:</b>	Design and Development Overlay (DDO8)
<b>Objections Received:</b>	Nine (9) objections
<b>Cultural Heritage Management Plan Required:</b>	Yes, approved CHMP (18452) provided
<b>Summary Recommendation</b>	Notice of decision to grant a planning permit subject to conditions
<b>Reason Reported to Council</b>	More than three (3) objections received
<b>Officer Declaration of Conflict of Interest:</b>	No officers involved in the preparation of this report have any direct or indirect interest in this matter

PLANNING PERMIT APPLICATION PLP018/22 FOR SUBDIVISION OF LAND AT 47 ALLEN STREET KILMORE (CONT.)

1. Site Map

1.1 The subject site and surrounds are shown at Figures 1 and 2.

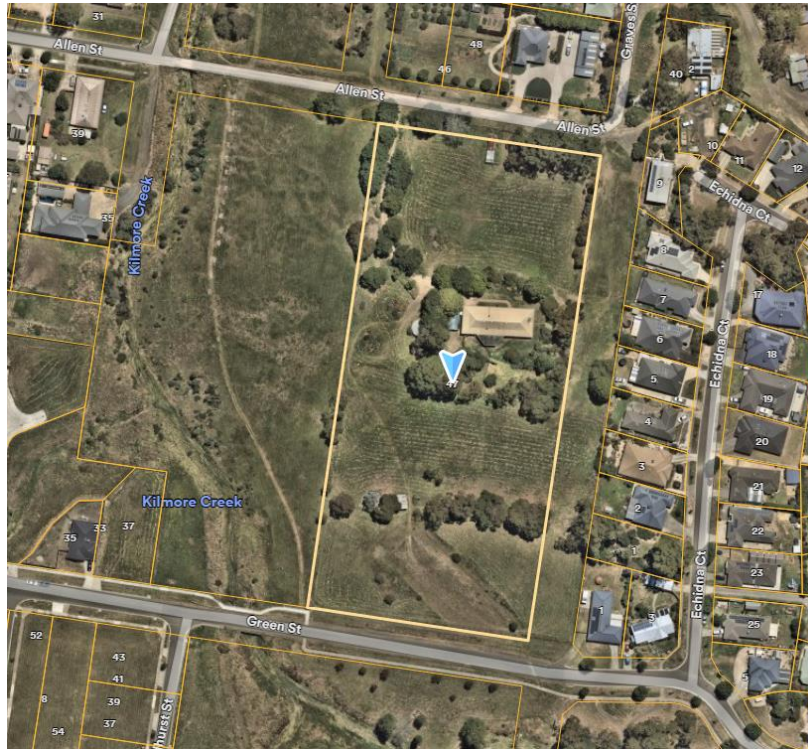


Figure 1 – Showing the location of the subject site (Nearmap February 2024)

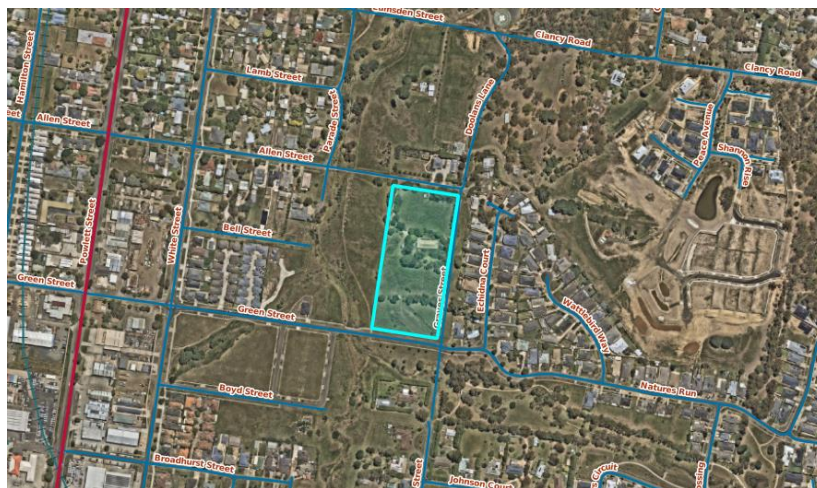


Figure 2 – Surrounding Area (Nearmap February 2024)

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PLANNING PERMIT APPLICATION PLP018/22 FOR SUBDIVISION OF LAND AT 47 ALLEN STREET KILMORE (CONT.)

## 2. Summary

- 2.1 Council is in receipt of an application for the subdivision of land at 47 Allen Street Kilmore.
- 2.2 The subject site is located within a General Residential Zone (GRZ1) and is subject to the Design and Development Overlay (DDO8).
- 2.3 A permit is triggered for the subdivision of land under the GRZ1 and the DD08.
- 2.4 The application was advertised to adjoining landowners, occupiers and the wider area on two (2) separate occasions resulting in nine (9) objections.
- 2.5 The application is being presented to the Council as it received more than three (3) objections.
- 2.6 This report recommends issuing a Notice of Decision to grant a planning permit subject to conditions outlined in Attachment 1.

## COUNCIL RESOLUTION

**MOVED:** CR. N. CLARK

**SECONDED:** CR. F. STEVENS

**THAT** Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a notice of decision to grant a planning permit in respect of Application No. PPLP018/22 for subdivision of land at CP159427C, known as 47 Allen Street Kilmore, subject to the conditions outlined in Attachment 1.

**CARRIED UNANIMOUSLY**

**10.11 PROPOSED PLANNING SCHEME AMENDMENT C176 - REZONING OF AVENEL ROAD, SEYMOUR (NORTH GROWTH PRECINCT)**

**Author:** Andrea Meagher - Senior Strategic Planner  
Justin Harding - Senior Strategic Planner

**File No:** PL/13/118

**Attachments:** 1. Avenel Road, Seymour - Draft Concept Layout Plan  
2. Proposed Planning Scheme Amendment C176 Documentation  
3. Likely Development Contributions

**Community Vision Theme:** Vibrant Communities  
Shaping Neighbourhoods

**Council Plan Objective:** Our history is protected and embraced, our present is enriched, and our future is well planned to retain our country feel

**Health and Wellbeing Plan Objective:** Liveable and Thriving

Cr F. Stevens left the meeting at 8.45pm.

**1. Purpose**

- 1.1 To seek a Council resolution to request Ministerial Authorisation for proposed Planning Scheme Amendment C176 which will rezone the land from Farming Zone (FZ) to General Residential Zone Schedule 1 (GRZ1). The Amendment also seeks to apply a Development Plan Overlay (DPO – with a new site-specific schedule) to guide future residential development of the land.
- 1.2 Amendment C176 implements part of the residential growth set out by the *Seymour Structure Plan 2018 (SSP)* and is consistent with the intended growth of Seymour set out by State Government directions through *Plan Melbourne 2017 – 2050 (2019)* and the *Hume Regional Growth Plan 2014*.

**COUNCIL RESOLUTION**

**MOVED:** CR. R. SANDERSON

**SECONDED:** CR. R. ELDRIDGE

**THAT** Council:

1. Seek Ministerial Authorisation in accordance with Section 8(a) of the *Planning and Environment Act 1987* to prepare proposed Planning Scheme Amendment C176.
2. Subject to Ministerial Authorisation being granted, prepare, and exhibit a Planning Scheme Amendment in accordance with the *Planning and Environment Act 1987* and in a form generally consistent with Attachments 1 and 2.

PROPOSED PLANNING SCHEME AMENDMENT C176 - REZONING OF AVENEL ROAD, SEYMOUR (NORTH GROWTH PRECINCT)  
(CONT.)

**CARRIED UNANIMOUSLY**

Cr F. Stevens returned to the meeting at 8.47pm.

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

**Author:** Naz Sumer - Planning Services Coordinator  
Tania Cicone - Administration Team Leader

**File No:** CL/04/004

**Attachments:** Nil

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**1. Purpose**

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

**COUNCIL RESOLUTION**

**MOVED:** CR. B. CORNISH

**SECONDED:** CR. R. ELDRIDGE

**THAT** the information in the report be received and noted.

**CARRIED UNANIMOUSLY**

**71 NOTICES OF MOTION****11.1 NOTICE OF MOTION: NO. 1072 - FLOODING PREVENTION NORTHERN HIGHWAY, WALLAN**

**Author:** *Councillor Bob Cornish*

**File No:** *CR/01/090*

**Attachments:** *Nil*

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I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 16 September 2024.

**COUNCIL RESOLUTION**

**MOVED:** CR. B. CORNISH

**SECONDED:** CR. R. ELDRIDGE

**THAT** Council advocate to the Department of Transport and Planning and Melbourne Water to take the necessary action to prevent future flooding of the Northern Highway, south of Taylors Lane, Wallan.

**CARRIED UNANIMOUSLY**

**11.2 NOTICE OF MOTION: NO. 1073 - GREEN WASTE AND FIRE SEASON PREPARATION**

**Author:** Councillor Fiona Stevens

**File No:** CR/01/125

**Attachments:** Nil

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I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 16 September 2024.

**COUNCIL RESOLUTION**

**MOVED:** CR. F. STEVENS

**SECONDED:** CR. N. CLARK

**THAT** officers provide a report to the November 2024 Council meeting on how we can assist our community with fire season preparation, specifically by:

1. Providing access to an additional free load of green waste of a nominated size per household for lodging at our Hilldene facility, to be accepted in the month of December 2024.
2. Providing details for a one-off household kerbside collection of green waste of a nominated size in the month of December 2024.
3. Including in the report the proposed methodology and any associated matters and cost estimates to effect the above independently or collectively. Furthermore, outlining how it can be implemented for December 2024.
4. Budget allocation being prepared and lodged for this to be considered as an ongoing service in November of each year commencing 2025.

The vote resulted in, as follows:

**For:**

CR. L. BANNISTER  
CR. B. CHISHOLM  
CR. N. CLARK  
CR. D. LOWE  
CR. R. SANDERSON  
CR. F. STEVENS

**Against:**

CR. B. CORNISH  
CR. R. ELDRIDGE

**CARRIED**

NOTICE OF MOTION: NO. 1073 - GREEN WASTE AND FIRE SEASON PREPARATION (CONT.)

**COUNCIL RESOLUTION**

**EXTENSION OF SPEAKING TIME**

**MOVED:** CR. F. STEVENS

**SECONDED:** CR. B. CHISHOLM

**CARRIED UNANIMOUSLY**

**11.3 NOTICE OF MOTION: NO. 1074 - COMPLETION OF ROADS LINK BETWEEN CONWAY AND CLARKE STREETS**

**Author:** *Councillor Bill Chisholm*

**File No:** *CR01/125*

**Attachments:** *Nil*

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I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 16 September 2024.

**COUNCIL RESOLUTION**

**MOVED:** CR. B. CHISHOLM

**SECONDED:** CR. B. CORNISH

**THAT** officers provide a detailed report on:

1. The timelines for the completion of the road link between Union Street and Clarke Street, Kilmore, the continuation of John's Street going North.
2. What plans are currently in place to achieve this goal and a ballpark figure in relation to costs.
3. In terms of vehicle movements what are the current traffic volume studies showing for Sydney Street Kilmore and what are the projected increases and what is the current data for Clarke St, and does Council have any information on future projections for this road?

**CARRIED UNANIMOUSLY**

**82 GENERAL BUSINESS**

Nil Reports

**93 URGENT BUSINESS**

Nil Reports

**14 CONFIDENTIAL BUSINESS****COUNCIL RESOLUTION**

**MOVED:** CR. B. CORNISH

**SECONDED:** CR. F. STEVENS

**THAT** in accordance with Section 66(1) and 66(2)(a) of the *Local Government Act 2020*, Council resolves to close the meeting to members of the public to consider the following items which relate to matters specified under Section 3(1), as specified below.

**14.1 Arrangement for High Performance and Community Sport - Beveridge Active Open Space**

s3(1)(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, and s3(1)(g)(i) Private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets

This report relates to the future lease of a Council owned site. It also discloses trade secrets of a potential project partner.

**14.2 CEO Performance and Remuneration Review 2023-24**

s3(1)(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, and s3(1)(f) Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

**14.3 Re-opening of Meeting to members of the public**

**CARRIED UNANIMOUSLY**

**105 DATE OF NEXT MEETING**

The next Meeting of Council is scheduled to be held on Monday 21 October 2024 online and at the Mitchell Civic Centre, 113 High Street Broadford, commencing at 7:00 PM.

**116 CLOSE OF MEETING**

The meeting was declared closed at 9.11pm.

Confirmed this Monday, 21 October 2024

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**Chairperson**  
**Mayor, Cr Louise Bannister**