



MEETING OF COUNCIL MINUTES

Tuesday 20 October 2020

6:00pm

Via Zoom:

MEMBERSHIP

Administrator Noel Harvey
Administrator Karen Douglas
Administrator Hugh Delahunty

Confirmed at the Council Meeting
held on 1 December 2020

CONFIRMED MINUTES

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.00pm

The Chair, Administrator Noel Harvey read the Council Prayer and acknowledgement of country.

IN ATTENDANCE via videoconference Zoom

Administrator Noel Harvey
Administrator Hugh Delahunty
Administrator Karen Douglas

Chief Executive Officer, Lucy Roffey
Acting General Manager Corporate Performance, David Anderson
General Manager Community Wellbeing, Martin Collins
General Manager Infrastructure Assets and Planning, Rebecca Stockfeld

2. APOLOGIES

Nil

3. LEAVE OF ABSENCE

Nil

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

5. CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETING

To present for confirmation the minutes of the Council Meeting held on 15 September 2020.

Council Resolution

That Council confirms the Minutes of the Council Meetings held on 15 September 2020.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

6. REPORTS FROM COMMITTEES

6.1 NOTING OF THE APPROVED MINUTES OF THE AUDIT AND RISK COMMITTEE

To present for noting the confirmed minutes of the Audit and Risk Committee established in accordance with section 53 of the *Local Government Act 2020*.

Council Resolution

That Council notes the confirmed minutes of the Audit and Risk Committee meeting 1 June 2020.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

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7. PETITIONS

Nil

8. OFFICER REPORTS

8.1 NEIGHBOURHOOD SAFER PLACES PLAN

The purpose of this report is to recommend adoption of the updated 2020 Municipal Neighbourhood Safer Places Plan (MNSPP) following the annual review undertaken by Country Fire Authority (CFA) and Council in accordance with the requirements of the Emergency Services Legislation Amendment Act 2009 (which amends the Emergency Management Act 1986) and the Country Fire Authority Act 1958.

The updated MNSPP 2020 outlines the Neighbourhood Safer Places (NSPs) within the townships of Maryborough (Princes Park and Pascoe Reserve), Talbot (Pioneer Reserve), Dunolly (Gordon Garden Reserve) and Carisbrook (Market Reserve) which have been designated within the MNSPP 2020.

(The meeting adjourned for 5 minutes at 6.11 pm when Administrator Delahanty's connection to the meeting was temporarily lost).

Council Resolution

That Council adopt the 2020 Municipal Neighbourhood Safer Places Plan.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.2 TALBOT CARAVAN PARK

The purpose of this report is to update Council on the progress made at Talbot Caravan Park to ensure conditions are compliant with health and safety guidelines and legislation. The report also identifies next steps to further consolidate and develop the formal relationship between Council and the Caravan Park operators post registration in December 2020.

Council Resolution

That Council, following Talbot Caravan Park having met all statutory health and safety requirements, notes:

- 1. the Chief Executive Officer will register Talbot Caravan Park for a further 3 years in December 2020; and that, thereafter,*
- 2. an independent rental market valuation will be undertaken to inform the Council's market strategy for the future operation of the Park.*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.3 HOUSEHOLD RECYCLING REFORMS – DRAFT TRANSITION PLAN

The purpose of this report is to present the Household Recycling Reforms Draft Transition Plan to Council for endorsement in line with requirements set by the Department of

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Environment Land Water and Planning on how Council proposes to transition to four streams of waste recycling by 2027/2030. The transition plan was due to Department of Environment Land Water and Planning (DELWP) by September 2020 and has been submitted.

DELWP required councils to register their intent by the end of July to signal their willingness to develop a transition plan and be eligible for funding to implement the plan. Council did this and has now developed a draft transition plan which describes our current service model and the actions needed to implement the four bin or equivalent access service models.

Council Resolution

That Council endorse the draft transition plan in line with the Department of Environment Land Water and Planning requirements.

Moved Administrator Delahunty

Seconded Administrator Douglas

CARRIED

8.4 COMMUNITY ASSET COMMITTEES

The purpose of this report is to advise Council of the new provisions of the *Local Government Act 2020* relating to Community Asset Committees and to review the future governance arrangements for all previous Section 86 Committees.

This report seeks to establish the committees in accordance with Section 65 of the 2020 Act.

Council Resolution.

That Council, In exercise of the power conferred by Section 65 of the Local Government Act 2020 (the Act):

- 1. Notes that In accordance to Section 47 (1)(b) of the Act, the Chief Executive Officer may by instrument of delegation delegate any power, duty or function of the Council that has been delegated to the Chief Executive Officer by the Council to a Community Asset Committee; and*
- 2. establish the Committees listed in Attachment 1 as Community Asset Committees in accordance with Section 65 the Act from the date of this resolution,; and*
- 3. Appoint the existing Committee members to the newly established Community Asset Committees, listed in Attachment 1; and*
- 4. Endorse the Instrument of sub-delegation template (Attachment 2) for the Community Asset Committees, to be executed by the Chief Executive Officer in accordance with the Act.*

Moved Administrator Douglas

Seconded Administrator Delahunty

CARRIED

8.5 CARISBROOK FLOOD AND DRAINAGE MANAGEMENT PLAN IMPLEMENTATION COMMUNITY REFERENCE GROUP

The purpose of this report is to recommend that Council approve disbanding of the Carisbrook Flood and Drainage Management Plan Implementation Community Reference Group.

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The Reference Group was established to provide advice on the implementation of the Carisbrook Flood and Drainage Management Plan, and has been instrumental in ensuring the project has moved to the stage where development of the Stage 3 has been awarded to a contractor.

Council Resolution

That Council approve the disbanding of the Carisbrook Flood and Drainage Management Plan Implementation Community Reference Group and note the Reference Group members have been thanked for their contribution in writing.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.6 PLANNING APPLICATION 044/20 FOR A 3 LOT SUBDIVISION AT 14 GRICE STREET, CARISBROOK

Council has received a planning permit application for a 3 lot subdivision at 14 Grice Street, Carisbrook. Officers are recommending that Council issue a Notice of Decision to Grant a Planning Permit, subject to conditions as required by referral authorities. The proposed subdivision is considered appropriate within an existing residential settlement and surrounding area.

Public notice of the application has been given and one objection has been received.

The Application has been assessed against the Planning Scheme and it is considered that the proposed development is appropriate.

Council Resolution

That Council or a delegate of Council, having caused notice of Planning Application No. 044/20 to be given under Section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, determines to issue a notice of decision to issue planning permit 044/20 in respect of the land known as 14 Grice Street, Carisbrook, for a three lot subdivision, subject to the following conditions:

No Layout Alteration

1. *The development and/or use(s) permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.*

Outbuilding Removal

2. *Prior to the issue of a Statement of Compliance the existing carport, swimming pool and outbuildings on proposed lots 1 and 3 must be removed.*

Mandatory conditions

3. *The owner of the land must enter into an agreement with:*
 - a) *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*

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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.

4. *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*
 - 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.*

Construction Phase

5. *All activities associated with the construction works for the subdivision permitted by this permit must be carried out to the satisfaction of the Responsible Authority and all care must be taken to minimise the effect of such activities on the amenity of the locality.*

Public Open Space Contribution

6. *Prior to issue of the Statement of Compliance, the owner/developer must pay to the Responsible Authority 5% of the site value of all the land in the subdivision, pursuant to Section 18 of the Subdivision Act 1988.*

Engineering

7. *Prior to the issue of a Statement of Compliance the following must be undertaken by the applicant/owner to the requirements and satisfaction of the Responsible Authority:*

Access

8. *Vehicular access to all lots must be provided from the road frontage of the lots.*
9. *Vehicular crossovers must be constructed between each of the lots and the respective road frontage (Grice Street or Cameron Street). Such crossovers must be of concrete construction and be from kerb to property boundary in accordance with IDM Standard Drawing SD 240. Once constructed the crossover(s) must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.*
10. *Any works to crossovers/driveways will require the owner/applicant to apply and have approved driveway crossing and/or consent for works permit/s for crossover/driveway/access works. All works constructed or carried out must be in accordance with the approved plans/permit(s).*
11. *Once constructed the crossover/driveway/access must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.*

Drainage

12. *All stormwater must be accommodated and treated within the subject land.*
13. *The owner/applicant must design a drainage system to drain the development to the legal point of discharge.*
14. *A legal point of stormwater discharge (LPD) must be provided for each of the lots to the kerb and channel in Grice Street to the satisfaction of the Responsible Authority (refer Infrastructure Design Manual Standard Drawing SD 505).*

Landscaping

15. *Upon completion of all off site works all nature strips must be levelled, topsoiled and seeded. Alternate landscaping methods may be undertaken, but*

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must be approved, in writing, by the Responsible Authority prior to any works being undertaken.

Asset Protection

16. *At any time the permit holder must ensure that the operation and condition of Council assets are not damaged by the construction works. If the Responsible Authority deems Council assets have been detrimentally affected or damaged by development construction access, then the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the Responsible Authority.*

Sediment Control

17. *The applicant / owner shall restrict sediment discharges from the construction site in accordance with Construction Techniques for Sediment Pollution Control (EPA1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).*

Central Highlands Water

18. *Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.*
19. *Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.*
20. *A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.*
21. *The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.*
22. *If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.*

Powercor

23. *This letter shall be supplied to the applicant in its entirety.*
24. *The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.*
25. *The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.*

Permit Expiry

26. *This permit will expire if one of the following circumstances applies:*
 - a) *The plan of subdivision is not certified under the Subdivision Act 1988 within two years of the date of this permit; or*
 - b) *Registration of the plan of subdivision is not completed within five years of the certification of the plan of subdivision under the Subdivision Act 1988.*

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The Responsible Authority may extend the time if a request is made in writing before the permit expires, or within six months afterwards.

Where the development started lawfully before the permit expired, the Responsible Authority may extend the period in which the development must be completed if a request is made in writing before the permit expires or within twelve months afterwards.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.7 PLANNING APPLICATION 050/20 AND 051/20b- USE AND DEVELOPMENT OF THE LAND FOR BROILER FARM(S)

The purpose of this report is for Council to note that Council has received and officers are assessing two planning applications for the use and development of a broiler farm on each site.

The broiler farms will have 6 sheds each and are classified as Class A broiler farms and each will have up to 400,000 birds.

The applications are exempt from the public notice requirements of Section 52 of the Planning and Environment Act and the review rights of Section 82 of the Planning and Environment Act (objector appeals), as they are classified as Class A farms under the Victorian Code for Broiler Farms. Final assessment of the application is being undertaken and Statutory Planning Officers are awaiting final determining referral authority responses. The applications will be decided under delegation.

Application 050/20 is proposing the use and development of the land for a broiler farm at 396 Bald Hill Road, Carisbrook.

Application 051/20 is also proposing the use and development of a broiler farm at 3080 Pyrenees Highway, Carisbrook.

Council Resolution

That Council note:

1. *Council has received two planning permit applications for the use and development of a Class A broiler farm on each site:*
 - *Application 050/20 is proposing the use and development of the land for a broiler farm at 396 Bald Hill Road, Carisbrook.*
 - *Application 051/20 is also proposing the use and development of a broiler farm at 3080 Pyrenees Highway, Carisbrook*
 - *The Class A broiler farm application are exempt from the notice requirements of Section 52 of the Planning and Environment Act and the review rights of Section 82 of the Planning and Environment Act, as they are classified as Class A farms under the Victorian Code for Broiler Farms.*
 - *The Class A broiler farm applications as listed above will be decided under delegation.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

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8.8 SEPTEMBER FINANCIAL REPORT

The purpose of this report is to brief Council on its financial performance for the year to date and how it is tracking against the adopted budget.

Council Resolution

That Council receives and notes the attached Financial Report for the period to 30 September 2020.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.9 ENERGY BREAKTHROUGH GOVERNANCE

The purpose of this report is to present a recommendation for the future governance arrangements of the Energy Breakthrough Section 86 Committee following the introduction of the Local Government Act 2020.

Council Resolution

That Council:

- 1. Approves the Terms of Reference for the Energy Breakthrough Management Group; and*
- 2. Notes that Jordan Macilwain has been appointed onto the group subject to Council's approval of the Terms of Reference.*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

9 DOCUMENTS FOR SEALING CONFIRMATION REPORT

Nil

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS

Nil

12 CONFIDENTIAL BUSINESS

Nil

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13 MEETING CLOSURE

The Chair, Administrator Noel Harvey declared the meeting closed at 7.05 pm



Confirmed at the Council Meeting
held on 1 December 2020.

Chair, Councillor Chris Meddows-Taylor