



ORDINARY MEETING OF COUNCIL MINUTES

Tuesday 17 December 2019
6:00pm

Council Chamber
Room 1 Community Hub
48 Burns Street
Maryborough

MEMBERSHIP

Administrator Noel Harvey
Administrator Karen Douglas
Administrator Hugh Delahunty

Confirmed at the Ordinary Council Meeting
held on 25 February 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.

PRESENT

Administrator Noel Harvey
Administrator Hugh Delahunty
Administrator Karen Douglas

IN ATTENDANCE

Chief Executive Officer, Lucy Roffey
General Manager Corporate Performance, Paul Brumby
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

The purpose of this report was to present for confirmation, the minutes of the Ordinary Council Meeting held on 26 November 2019.

Council Resolution

That Council confirms the Minutes of the Ordinary Council Meeting held on 26 November 2019.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

6. REPORTS FROM COMMITTEES

Nil

7. PETITIONS

Nil

8. OFFICER REPORTS

8.1 ASSEMBLIES OF COUNCILLORS

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The purpose of this report was to provide the record of any assembly of councillors, which has been held since the last council meeting, so that they are recorded in the minutes of the formal council meeting.

Council Resolution

That Council note the record of assemblies of councillors for the period 19 November to 10 December 2019.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.2 2019 COMMUNITY GRANTS PROGRAM

SUMMARY/PURPOSE

The purpose of this report is to present to Council the community grants application received in the 2019 Community Grants Program and recommend the awarding of the grants.

Council Resolution

That Council allocate the following funds from the 2019 Community Grants Program:

<i>The Salvation Army Australia Territory</i>	<i>\$1,700.00</i>
<i>Carisbrook Historical Society</i>	<i>\$500.00</i>
<i>Carisbrook Projects Inc</i>	<i>\$2,500.00</i>
<i>Goldfields Employment and Learning</i>	<i>\$1,500.00</i>
<i>Dunolly Recreation Reserve Committee of Management</i>	<i>\$2,749.00</i>
<i>Maryborough Girl Guides</i>	<i>\$3,752.65</i>
<i>Zonta Club of Maryborough</i>	<i>\$500.00</i>
<i>Maryborough and District Garden club</i>	<i>\$500.00</i>
<i>Maryborough Field Naturalists Club Inc</i>	<i>\$500.00</i>
<i>Maryborough Community Garden</i>	<i>\$750.00</i>
<i>Maryborough Community House</i>	<i>\$1,227.13</i>

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.3 AMENDMENT C31 TO THE CENTRAL GOLDFIELDS PLANNING SCHEME

SUMMARY/PURPOSE

The purpose of this report is to recommend that Council resolve to commence the process for a planning scheme amendment to implement recommendations of the *Carisbrook Flood and Drainage Management Plan 2013* and the *Dunolly Flood Investigation 2014*.

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Council Resolution

That Council:

1. *Request authorisation from the Minister for Planning to prepare an amendment to the Central Goldfields Planning Scheme to update flood controls for Carisbrook, Tullaroop Creek and Dunolly, in accordance with the Planning and Environment Act 1987 Part 3 and the attached documents;*
2. *Should authorisation be provided, prepare the amendment and place the amendment on public exhibition;*
3. *Delegate the Manager Strategy and Economic Development to make minor changes to the amendment as and if required.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.4 PLANNING APPLICATION 050/19 – CONSTRUCTION OF FIVE DWELLINGS AND RETENTION OF ONE EXISTING DWELLING ON LAND AT 254-256 GLADSTONE STREET, MARYBOROUGH

This report recommends that a Notice of Decision to Grant a Planning Permit be issued for the construction of five dwellings and retention of one existing dwelling on land at 254-256 Gladstone Street, Maryborough.

Public notice of the application has been given by letter to adjoining owners and placing a sign on site. One objection has been received.

The Application has been assessed against the policy and specific controls of the Planning Scheme and it is considered that the proposed development is generally consistent with the relevant scheme provisions.

Council Resolution.

That Council, having caused notice of Planning Application No. 50/19 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 Grant a Planning Permit 50/19 in respect of the land known and described as 254-256 Gladstone Street, Maryborough, for the development of six dwellings (retention of one and construction of five additional dwellings) in accordance with the endorsed plans and subject to the following conditions:

Amended plans

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) a minimum nine (9) metre setback to the front façade of Unit 1;

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- b) a minimum 6.4 metre-wide access aisle to the common driveway;
- c) a reduction of one (1) visitor car parking space;
- d) provision of a vehicle gate at the Gladstone Lane end of the common driveway; and
- e) the dimension between the power pole in the Gladstone Street nature strip and the proposed central crossover to ensure safe vehicle access and egress.

Schedule of materials and colours

2. Before the development starts, a schedule of construction materials, external finishes and colours (incorporating [insert details, for example paint samples]) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority.

When approved, the schedule will be endorsed and will then form part of the permit.

Landscape Plan

3. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be generally in accordance with the approved plans and drawn to scale.

Landscaping works to be completed

4. Before the occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.

Boundary walls

5. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the responsible authority.

Garbage storage

6. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the responsible authority.

Secondary Consent

7. The development as shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.

Consolidation

8. The subject land is to be consolidated prior to commencement of development.

Engineering

9. Prior to the use of the dwelling the following must be undertaken by the applicant/owner to the requirements and satisfaction of the Responsible Authority:

Access:

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- 9.1 Vehicular access to dwellings must be provided from Gladstone Street Road with secondary access permitted from Gladstone Lane.
- 9.2 Any new or existing vehicular crossovers/driveways must be constructed between the dwelling and Sutton Road. Such crossovers/driveways must be of concrete construction and be from kerb to property boundary. (Refer Infrastructure Design Manual Standard Drawing 240) to the satisfaction of the Responsible Authority.
- 9.3 Any disused crossovers/driveways must be removed and the kerb and channel and nature strip reinstated to the satisfaction of the Responsible Authority.
- 9.4 The applicant/owner must make further application for and have approved driveway crossing permit for crossover/driveway works. All works constructed or carried out must be in accordance with the approved plans/permit(s).
- 9.5 Once constructed the crossovers must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.

Drainage:

- 9.6 All stormwater must be accommodated and treated within the subject land in accordance with IDM Clause 19.
- 9.7 The owner/applicant must design a drainage system to drain the surface and roof water from the dwellings to the legal point of discharge to the satisfaction of the Responsible Authority.
- 9.8 A legal point of stormwater discharge LPSD must be provided for the roof water from the dwellings to the Gladstone Street kerb & channel and for the surface water from the subject land to the Gladstone Lane dished invert to the satisfaction of the Responsible Authority.
- 9.9 The dished invert along Gladstone Lane is to be upgraded from the outlet of the subject land to flow stormwater to the Wills Street kerb and channel to the satisfaction of the Responsible Authority.

Landscaping:

- 9.10 One advanced street tree (minimum of two metres high at the time of planting), of a species and in a location to the satisfaction of the responsible authority is to be placed in the nature strip on the Gladstone Street road reserve in front of 254 Gladstone Street. The tree must be planted prior to the issue of the statement of compliance and maintained by the permit holder/owner for a period comprising at least two summers, or alternatively, a bond can also be offered to allow people to plant the trees at the appropriate time.
- 9.11 Upon completion of all off site works all nature strips must be levelled, and rehabilitated to match surrounding nature strip to the satisfaction of the Responsible Authority. Alternate landscaping methods may be undertaken, but must be approved, in writing, by the Responsible Authority prior to any works being undertaken.

Asset Protection

- 9.12 At any time the permit holder must ensure that the operation and condition of Council assets (including street trees, drainage pits and covers, footpaths, inverts and kerb and channel) are not damaged by

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the site 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

9.13 The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).

Permit Expiry

10. This permit will expire if one of the following circumstances applies:

- The development is not started within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.5 PROPOSAL TO LEASE LAND - MARYBOROUGH AERO CLUB INC.

The purpose of this report is to advise Council on the outcome of the required statutory advertising process and recommend that Council enters into a site lease agreement with Maryborough Aero Club Inc. for sites 2/154 and 3/154 at the Maryborough Aerodrome located at 152 Leviathan Road, Maryborough.

Council Resolution

That Council

1. *Enters into a 21 year lease agreement with Maryborough Aero Club Inc. for sites 2/154 and 3/154 located at 152 Leviathan Road, Maryborough Aerodrome with an initial term of seven years plus two options for a further seven years each, at a rental of \$104.00 plus GST per annum.*
2. *Authorises the CEO to sign and seal all documentation required to effect the lease agreement with Maryborough Aero Club Inc. for site 2/154 and 3/154 located at 152 Leviathan Road, Maryborough Aerodrome.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.6 TALBOT CARAVAN PARK

The purpose of this report is to inform Council of non-compliance issues at the Talbot Caravan Park and possible options for the future of the Caravan Park, which have been discussed with the operator of the Caravan Park, being Talbot Football Netball Club, and the permanent residents of the Caravan Park.

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The report recommends broader consultation with the community on the future of the Caravan Park and a further report for decision to be presented to Council at the March Ordinary Meeting of Council.

Council Resolution

That Council note

- 1) *non-compliance issues at the Talbot Caravan Park, and the intention to undertake further consultation with the Caravan Park operator Talbot Football Netball Club, the permanent residents and the broader community on the future of the Talbot Caravan Park; and*
- 2) *that a further report will come to the March Ordinary Meeting of Council after consideration of the community consultation, providing a recommendation on the future of the Talbot Caravan Park.*

Moved Administrator Delahunty

Seconded Administrator Douglas

CARRIED

8.7 SUSTAINABILITY ACTION PLAN 2012 – 2020

The purpose of this report is to report to Council the actions undertaken that align with the Sustainability Action Plan 2012 – 2020 (the Plan) and to suggest how Council may address its role in sustainability and addressing climate change.

In summary the key points are:

- The Plan was adopted by Council in 2013, with an ambitious agenda and governance arrangements. The Plan was led by a Sustainability Officer, was funded through a specific program, and had considerable input across Council and the community.
- The Plan was not supported through the appointment of a Sustainability Officer, as recommended in the plan.
- The governance arrangements that would have driven delivery of the plan were not put in place.
- Despite not having the capacity to implement the Plan as the Plan proposed, Council has put in place a number of actions to address sustainability and climate change.
- Council should consider appointing a Sustainability Officer to develop a set of actions that Council can implement to address climate change.

Council Resolution

That Council:

- a) *Note that the Sustainability Action Plan 2012 – 2020 concludes in 2020.*
- b) *Note the actions undertaken that align with the Sustainability Action Plan 2012 – 2020.*

Moved Administrator Douglas

Seconded Administrator Delahunty

CARRIED

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8.8 SECTION 11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION

The purpose of this report is to recommend that Council adopt a Section 11A Instrument of Appointment and Authorisation for its Coordinator Statutory Planning and Statutory Planner.

The S11A Instrument of Appointment and Authorisation appoints Council staff under the Planning and Environment Act 1987, which allows them to fully discharge their duties and responsibilities under that Act.

Council Resolution

1. *That Council adopt the attached s11A Instrument of Appointment and Authorisation for the members of Council staff set out in the Instrument.*
2. *The attached s11A Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the Instrument, and remains in force until Council determines to vary or revoke it.*
3. *That the attached s11A Instrument of Appointment and Authorisation be signed and sealed.*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.9 NOVEMBER 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 30 November 2019 Financial Report showing progress against the budget.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

9 NOTICES OF MOTION

Nil

10 URGENT BUSINESS

Nil

11 CONFIDENTIAL BUSINESS

Nil

12 MEETING CLOSURE

The Chair, Administrator Noel Harvey declared the meeting closed at 6.29pm

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Confirmed at the Ordinary Council Meeting
held on 25 February 2020.

Chair, Administrator Noel Harvey