



ORDINARY MEETING OF COUNCIL MINUTES

Tuesday 24 March 2020
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 28 April 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

2. APOLOGIES

Nil

3. LEAVE OF ABSENCE

Nil

4. DISCLOSURES OF CONFLICTS OF INTEREST

Administrator Douglas declared a conflict of interest in item 8.5.

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 25 February 2020.

Council Resolution

That Council confirms the Minutes of the Ordinary Council Meeting held on 25 February 2020.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

6. REPORTS FROM COMMITTEES

To present for noting the confirmed minutes of Council's Special Committees established under section 86 of the *Local Government Act 1989* and the confirmed minutes of the Audit and Risk Committee established in accordance with section 139 of the *Local Government Act 1989*.

Council Resolution

That Council notes the confirmed minutes of the:

- 1. Dunolly Historic Precinct Committee Meeting 23 September 2019*
- 2. Dunolly Historic Precinct Committee Meeting 25 November 2019*
- 3. Audit and Risk Committee Meeting 3 December 2019*

Moved Administrator Delahunty
Seconded Administrator Douglas

CONFIRMED MINUTES

CARRIED

7. PETITIONS

Nil

8. OFFICER REPORTS

8.1 ASSEMBLIES OF COUNCILLORS

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 18 February 2020 to 17 March 2020.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.2 ECONOMIC DEVELOPMENT AND TOURISM & EVENTS STRATEGIES

SUMMARY/PURPOSE

The purpose of this report is to present the Economic Development Strategy and the Tourism and Events Strategy to Council for adoption.

Council Resolution

That Council:

- 1. Adopt the Economic Development Strategy 2020-2025 in the form of the attached draft (Attachment 1) with minor changes as recommended in Attachment 3; and*
- 2. Adopt the Tourism and Events Strategy 2020-2025 in the form of the attached draft (Attachment 2) with minor changes as recommended in Attachment 3*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.3 PLANNING APPLICATION 009/19 – USE AND DEVELOPMENT OF RACING DOG HUSBANDRY (180 DOGS) AT 540 LILLICUR ROAD, LILLICUR

SUMMARY/PURPOSE

The purpose of this report is to recommend that planning application 009/19 for the use and development of racing dog husbandry at 540 Lillicur Road, Lillicur be refused.

Council Resolution

CONFIRMED MINUTES

That Council having considered all the matters generally required, determine to refuse Planning Permit 009/19 in respect of the land known and described as 540 Lillicur Rd, Lillicur, the use and development of animal husbandry (180 dogs) on the following grounds:

- 1) *The proposal does not meet the following objectives set out in the 'Planning requirements for racing dog keeping and training':*
 - 4.1 *Facility scale objective*
 - 4.2 *Setback objective*
 - 4.5 *Fencing and gates objective*
- 2) *The proposal does not include the installation of a septic system and therefore does not adequately manage waste water.*
- 3) *Goulburn Murray Water object to the application on the basis the application does not meet all the conditions required; specifically the treatment and disposal of waste water using an EPA approved system.*
- 4) *The proposal is not consistent with the purpose of the Rural Conservation Zone.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.4 PLANNING APPLICATION 108/18 A2 - AMENDMENT TO THE PERMIT TO ALLOW AN INCREASE IN DOG NUMBERS AND PERMISSION TO BREED 1 LITTER PER YEAR.

The purpose of this report is to recommend that a notice of decision to approve amendment 108/18 A2. The amendment to the permit would allow an additional 1 litter of greyhounds (per year), no older than 16 months, to be kept and trained on the property at 89 Shaw Road, Daisy Hill.

Council Resolution.

That Council, having caused notice of Planning Application No. 108/18 A2 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 an amended Planning Permit 108/18 A2 in respect of the land known and described as 89 Shaw Road, Daisy Hill to allow an additional 1 litter of greyhounds (per year), no older than 16 months, to be kept and trained on the property. As a result the following additional conditions to be added to the permit:

1. A maximum of 1 litter per year may be bred on the site.
2. The permit holder must report in writing to Council's Planning Enforcement Officer, within 1 month of a litter being bred on the site. The report must include:
 - a) Number of puppies

CONFIRMED MINUTES

- b) Date of birth
 - c) Greyhound Racing Victoria registration number of each puppy
 - d) Number of male and female puppies
3. The number of racing dogs kept and/or bred on the site at any one time shall not exceed the following, without the further consent of the Responsible Authority:
- a) A maximum of 1 litter per year may be bred on the site. The dogs bred from this litter may be kept on site, up to the age of 16 months.
 - b) 6 adult greyhounds
4. The permit holder must keep a written record of any complaints received regarding excess noise and odour; this record must be made available to Council on request.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

Administrator Douglas left the meeting room at 6:16pm due to a conflict of interest in Item 8.5.

8.5 PLANNING APPLICATION 118/19 USE AND DEVELOPMENT OF THE LAND FOR TWO DWELLINGS AND A 2 LOT SUBDIVISION.

Administrator Douglas declared a conflict of interest as a family member prepared the plans for this application and left the meeting at 6:16pm.

The purpose of this report is to recommend a notice of decision to approve planning application 118/19 for the use and development of the land for 2 dwellings on one lot and a 2 lot subdivision at 14 Taylor Street, Maryborough.

Council Resolution

That Council, having caused notice of Planning Application No. 118/19 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 118/19 in respect of the land known and described as 14 Taylor Street, Maryborough, for the use and development of two dwellings on the lot and a 2 lot subdivision in accordance with the endorsed plans and subject to the following conditions:

Amended plans

1. *The development and subdivision permitted by this permit must not be commenced until one (1) electronic copy or three (3) A3 size paper copies of amended plans, as outlined below, are submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. Such plans must be generally in accordance with plans submitted dated 24 October 2019 but modified to show:*

CONFIRMED MINUTES

- a) *The correct elevations noted on sheet 4 of the proposed plans.*
- b) *An amended site plan showing the proposed fencing along the eastern boundary to match the existing height of the fencing to the rear of 16 Taylor Street.*
- c) *Fencing along the northern boundary tapered down to 900 mm for a distance of 9 metres from the point of the intersection.*

No alteration layout

2. *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.*
3. *A colour bond fence, to match the height of the existing fence to the rear of 16 Taylor Street, must be constructed along the eastern boundary of the subject site and 16 Taylor Street.*

Landscape condition

4. *Prior to the commencement of the development hereby permitted, one (1) electronic copy or three (3) A3 size paper copies of amended plans, as outlined below, are submitted to and approved by the Responsible Authority. Consideration should be given to the use of indigenous plants. All landscape plantings and treatments need to be suitable for the specific climatic and soil conditions of the Shire.*

The landscape plan will show the following:

- (a) *An outline of buildings. No floor plans are to be shown on the landscape plan, however the dimensions of the outline are to be informed by the approved site plan.*
- (b) *Clearly drafted at a scale of 1:100 or similar with a north point and legend*
- (c) *Clear graphics to indicate trees (deciduous or evergreen), shrubs, ground covers, grass etc.*
- (d) *Botanical and common name, pot size, quantity, planting density and size at maturity of all plantings.*
- (e) *Notated planting specification drawings.*
- (f) *Location and depth of all surface treatments with materials and colours notated.*

CONFIRMED MINUTES

- (g) *Outline of all built features including buildings, fences, letterboxes, clotheslines, storage, water tanks and utility structures etc. These structures are to be informed by the site plan.*
- (h) *All water tanks must have a minimum 0.5m clearance free of obstruction when located in a through access way.*
- (i) *Mark all crossovers.*
- (j) *Any vegetation or structures within the nature strip.*

Please note that any foundations of built structures, including any concrete areas such as paths/driveways, must be protected with appropriate tree root/moisture barriers to ensure the integrity of the foundations are not compromised.

Landscape completed & maintenance

- 5. *The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the Responsible Authority and once landscaped must not be used for any other purpose except with the prior written consent of the Responsible Authority.*

General amenity development

- 6. *The development and the appearance of the subject land permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.*

Use of parking areas

- 7. *Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be maintained in a usable and safe condition to the satisfaction of the Responsible Authority and made available for such use and must not be used for any other purpose.*

Engineering Requirements

Prior to the issue of a Statement of Compliance (or as otherwise stated) the following must be undertaken by the applicant/owner to the requirements and satisfaction of the Responsible Authority (alternative requirements may be approved, in writing, by Council's Manager Infrastructure):

- 8. *Vehicular access to Lot 1 and 2 must be provided from Gillies Street.*
- 9. *Vehicular crossovers/driveways must be constructed between Lots 1 and 2 and Gillies Street. Such crossovers/driveways must be of concrete construction and be from kerb to property boundary. (Refer Infrastructure Design Manual Standard Drawing 240).*

CONFIRMED MINUTES

10. *Any disused crossovers/driveways must be removed and the kerb and channel and nature strip reinstated to the satisfaction of the Responsible Authority.*
11. *The applicant/owner must make further application for and have approved driveway crossing permit/s for crossover/driveway works. All works constructed or carried out must be in accordance with the approved plans/permit(s).*
12. *Once constructed the crossovers must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.*

Drainage:

13. *All stormwater must be accommodated and treated within the subject land in accordance with IDM Clause 19.*
14. *The owner/applicant must design a drainage system to drain the surface water and dwelling roof stormwater from each Lot to the legal point of discharge to the satisfaction of the Responsible Authority. This drainage plan must be provided to the Responsible Authority for approval.*
15. *A legal point of stormwater discharge LPSD must be provided for Lots 1 and 2 to the Gillies Street kerb and channel to the satisfaction of the Responsible Authority.*

Asset Protection

16. *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 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

17. *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).*

Development must not be occupied until

18. *The development permitted by this permit must not be occupied until:*

CONFIRMED MINUTES

- (a) *the access and parking area(s) shown on the endorsed plan(s) have been constructed to the requirements and satisfaction of the Responsible Authority; and*
- (b) *the garden and landscape area(s) shown on the endorsed plan(s), including external fixtures such as clotheslines, storage sheds and water tanks, have been provided and completed to the requirements and satisfaction of the Responsible Authority.*

Construction phase

- 19. *All activities associated with the construction of the development 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.*

Provision for waste collection

- 20. *Provision must be made for an acceptable pick up point for waste collection services that is satisfactory to the Responsible Authority.*

Conditions relating to the subdivision permitted under this permit:

No alteration to subdivision layout

- 21. *The layout of the subdivision 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.*

Development to be completed prior to statement of compliance

- 22. *Prior to the issue of a statement of compliance under the subdivision act 1988 the development permitted under this permit must be completed including that:*
 - (a) *The access and parking area(s) shown on the endorsed plan(s) must be constructed to the requirements and satisfaction of the responsible authority; and*
 - (b) *The garden and landscape area(s) shown on the endorsed plan(s) including external fixtures such as clotheslines, storage sheds and water tanks must be provided and completed to the requirements and satisfaction of the responsible authority.*

Agreement with relevant authorities for utility services

- 23. *The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the*

CONFIRMED MINUTES

endorsed plan in accordance with that authority's requirements and relevant legislation at the time.

Easements to be set aside

24. *All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.*

Certified plans to be referred under s8 of subdivision act

25. *The plan of subdivision submitted for certification under the subdivision act 1988 must be referred to the relevant authority in accordance with section 8 of that act.*

Serviced lots

26. *Prior to the issue of a statement of compliance, each lot created by the subdivision permitted by this permit must be provided with reticulated water, sewerage, electricity, roads, and drainage to the satisfaction of the responsible authority.*

Connection to council's underground drain

27. *Prior to the issue of a statement of compliance each lot is required to be connected to council's underground stormwater drainage system to the satisfaction of the responsible authority.*

Telecommunications services prior to soc

28. *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.*

Expiry permit

29. *This permit will expire if (any of the following apply):*

CONFIRMED MINUTES

- (a) *The plan of subdivision is not certified within two (2) years of the date of this permit;*
- (b) *If the subdivision permitted by this permit is not completed within five (5) years from the date of the certification of the plan of subdivision.*
- (c) *The development is not started within two (2) years of the date of this permit; or*
- (d) *The development is not completed within four (4) years of the date of this permit*

The responsible authority may extend the periods referred to if a request is made in writing whereby either of the following instances apply:

- (a) *Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started; or*

Within 12 months after the permit expiry date, where the proposal allowed by the permit has lawfully started before the permit expires.

Moved Administrator Delahunty
Seconded Administrator Harvey

CARRIED

Administrator Douglas returned to the meeting room at 6:19pm.

8.6 PPF TRANSLATION TO THE CENTRAL GOLDFIELDS PLANNING SCHEME

The purpose of this report is to present Council with draft changes to the Central Goldfields Planning Scheme for endorsement.

Council Resolution

That Council:

- 1. Endorse the draft PPF as contained in the attached documents;*
- 2. Delegate the Manager Strategy and Economic Development to negotiate any further minor changes that may be proposed by the Department of Environment, Land, Water and Planning.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.7 WASTE MANAGEMENT STRATEGY 2020-30

The purpose of this report is to present the draft Waste Management Strategy 2020-30 to Council for adoption.

CONFIRMED MINUTES

Council Resolution

That Council adopt the draft Waste Management Strategy 2020-30.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.8 REVIEW OF THE COMMUNITY ENGAGEMENT FRAMEWORK

The purpose of this report is to recommend Council note the evaluation and review of the 2019 Energy Breakthrough as per the Energy Breakthrough Charter requirements.

Council Resolution

That Council

1. *Note the review of the Community Engagement Framework and*
2. *Endorse the recommended changes to the Community Engagement Framework*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.9 RISK MANAGEMENT POLICY AND STRATEGIC RISK REGISTER

The purpose of this report is to present the Updated Risk Management Policy and draft Strategic Risk Register to Council for adoption.

Council Resolution

That Council adopt the Risk Management Policy and Strategic Risk Register.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.10 ACTION EXECUTIVE OFFICER'S PERFORMANCE REVIEW

The purpose of this report is to consider the Chief Executive Officer's annual performance review.

Council Resolution

That Council:

1. *Receives the:*
 - o *Minutes of the Chief Executive Officer Recruitment, Performance and Recruitment Review Advisory Committee.*
 - o *CEO Performance Review*
 - o *CEO Remuneration Review*

CONFIRMED MINUTES

2. *Adopt the recommendations contained in the CEO Remuneration Review*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.11 FEBRUARY 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:

1. *transfer \$170,000 of the capital works budget allocated for Seals Renewal Reseals in 2019-20 to new works required for the Baringhup Road pavement rehabilitation; and*
2. *receives and notes the attached 28 February 2020 Financial Report showing progress against the budget.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.12 BREAKTHROUGH SPECIAL COMMITTEE MEMBERSHIP

The purpose of this report is to recommend that Council approve the changes to the membership of the Energy Breakthrough Special Committee.

Council Resolution

That Council:

1. *Remove Greg Nugent from the Energy Breakthrough Special Committee as the Committee of Maryborough representative and thank him for his contribution to the Committee;*
2. *Appoint Bronwyn Haywood to the Energy Breakthrough Special Committee as the Committee of Maryborough representative; and*
3. *Remove John Stafford from the Energy Breakthrough Special Committee as the Energy Breakthrough Operations Group representative and thank him for his contribution to the Committee.*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

9 DOCUMENTS FOR SEALING CONFIRMATION REPORT

Nil

CONFIRMED MINUTES

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS

Nil

12 CONFIDENTIAL BUSINESS

Nil

13 MEETING CLOSURE

The Chair, Administrator Noel Harvey declared the meeting closed at 6:49pm



Confirmed at the Ordinary Council Meeting
held on 28 April 2020.

Chair, Administrator Noel Harvey