

MEETING OF COUNCIL MINUTES

Tuesday 25 August 2020 6:00pm Via Zoom:

MEMBERSHIP

Administrator Noel Harvey Administrator Karen Douglas Administrator Hugh Delahunty

> Confirmed at the Council Meeting held on 15 September 2020

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 28 July 2020 and an extra Council Meeting held on 11 August 2020.

Council Resolution

That Council confirms the Minutes of the Council Meetings held on 28 July 2020 and 11 August 2020.

MovedAdministrator DelahuntySecondedAdministrator Douglas

CARRIED

6. REPORTS FROM COMMITTEES

6.1 Noting of the Approved Minutes of Special Committee meetings and Advisory Committee meetings

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 Dunolly Historic Precinct Committee Meeting 22 June 2020.

MovedAdministrator DouglasSecondedAdministrator Delahunty

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 July 2020 to 17 August 2020.

MovedAdministrator DelahuntySecondedAdministrator Douglas

CARRIED

8.2 AMENDMENT C031CGOL - DUNOLLY AND CARISBROOK FLOOD STUDIES

The purpose of this report is to present the submissions made in response to the exhibition of Planning Scheme Amendment C031cgol, and enable Council to consider the available options for addressing them under the Planning and Environment Act.

The purpose of the amendment is to implement appropriate planning controls to address flood risk for the townships of Carisbrook and Dunolly.

Council Resolution

That Council:

- 1. In response to submissions to the exhibited Amendment C031gol, make a minor change to the amendment mapping by reducing the area covered by the LSIO2 as requested in Submission 5, as documented in Attachment 2;
- 2. Refer unresolved submissions to Amendment C031gol to an independent planning panel for consideration.

MovedAdministrator DouglasSecondedAdministrator Delahunty

8.3 PLANNING APPLICATION 17/19 FOR A 5 LOT SUBDIVISION AND REMOVAL, LOPPING OR DESTRUCTION OF NATIVE VEGETATION AT 25 MARGARET AVENUE, MARYBOROUGH

The purpose of this report is seek a Council determination on a planning permit application 017/19 received by Council for a 5 lot subdivision and removal, lopping or destruction of native vegetation at 25 Margaret Avenue, Maryborough.

Council Resolution

That Council or a delegate of council, having caused notice of Planning Application No. 017/19 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 issue planning permit 017/19; subject to the following conditions:

Prior to Certification

- Before the plan of subdivision is certified under the Subdivision Act 1988, an amended plan of subdivision must be submitted to the responsible authority. The plans must be generally in accordance with the plans submitted (Version 1) with the application/other specified plans but modified to show:
 - a) The street name on the plan of subdivision corrected to 'Margaret Avenue' rather than Margaret Street.
- 2. Prior to Certification of the Plan of Subdivision the applicant/owner must submit digital format (*.dwg) site plan(s) drawn to scale with dimensions and inclusive of a proposed timeline of works to the Responsible Authority. When approved, the plan(s) will be endorsed and will then form part of this permit. Such plan must be generally in accordance with the plan submitted but modified to show:
 - Detailed civil drawings of all proposed roads, including the ability to accommodate a garbage truck and vehicle turn around facilities;
 - Construction access routes (subdivision & dwellings);
 - Vehicular crossovers;
 - Traffic control facilities;
 - Drainage (including computations and Water Sensitive Urban Design treatment measures) and legal point of stormwater discharge for each lot (house drains);
 - Stormwater retention and treatment basins, lagoons and or wetlands;
 - Street lights and signage; and
 - Landscaping.

Prior to Statement of Compliance

3. Prior to statement of compliance being issued the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:

(a) any future dwelling constructed on lot 2 is orientated to Margaret Avenue

Before statement of compliance being issued, application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land under section 181 of the Act. The owner/operator under this permit must pay the reasonable costs of the preparation, (and) execution and registration of the section 173 agreement.

No Alteration Layout

4. 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.

Mandatory Conditions

- 5. The owner of the land must enter into an agreement with:
 - 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 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.
- 6. 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

7. 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.

Engineering

8. 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):

Roads

9. The subdivision and development allowed by this permit must not be commenced until three copies of a subdivision road layout and road

reserve plan drawn to scale and with dimensions is submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. Such plan must show:

- Extension of Margaret Avenue to provide access to Lot 1.
- Margaret Avenue road formation as a 7.9 m wide roadway with 6 m wide seal, inclusive of a 20 m diameter vehicle turn around area (court bowl) at the north end of the road (which will require part of the road reserve to be widened to at least 30 m to accommodate the court bowl).
- 10. Margaret Avenue road is to be designed and constructed in accordance with Council's Road Management Plan 'Road Hierarchy' design service level standards to Urban Access 1 road standard, (kerb and channel on subject land side of road) pavement depth 300mm depth minimum, pavement design to be verified via subgrade and pavement materials testing (CBR) with kerb & channel both sides, to the satisfaction of the Responsible Authority.
- 11. Margaret Avenue shall be designed to accommodate and contain road surface stormwater drainage; Margaret Avenue road surfacing shall be sealed surface, to the satisfaction of the Responsible Authority.

Access

- 12. Vehicular access to Lots 1, 3, 4 and 5 to be provided from the road frontage to Margaret Avenue. Access to Lot 2 to be provided from either McPherson Avenue or Margaret Avenue.
- 13. Vehicular crossovers must be constructed between each of the lots and the Margaret Avenue (or for Lot 2 to McPherson Avenue). 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.
- 14. Once constructed the crossover(s) must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.

Alternatively, a Section 173 agreement between Council and the permit holder be entered into for each lot created in the subdivision to guarantee the future owner of each lot to provide a crossover to the satisfaction of the Responsible Authority. The Section 173 agreement shall be prepared at the cost of the permit holder and be to the satisfaction of the Responsible Authority.

- 15. Any works to crossovers/driveways in Margaret Avenue 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).
- 16. Once constructed the crossovers crossovers/driveways/access must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.

Street Lighting

- 17. Street lighting must be provided on street light pole, adequately located and at the court bowl to the satisfaction of the Responsible Authority.
- 18. Prior to installation the exact location, type and design of such street light(s) must be approved, in writing, by the Responsible Authority. The design must be one of a standard approved by Powercor.

Drainage

- 19. The owner/applicant must design and construct a drainage system to drain the development to the legal point of discharge.
- 20. Subdivision drainage plans must be provided to the satisfaction and approval of the Responsible Authority.
- 21. The drainage system must be designed and constructed in accordance with the current Australian Rainfall and Runoff Flood Analysis and Design for a 10-year annual recurrence interval.
- 22. The Major flow drainage system must be designed and constructed in accordance with the current Australian Rainfall and Runoff Flood Analysis and Design for a 100-year annual recurrence interval.
- 23. All stormwater shall be accommodated and treated within the subdivision in accordance with IDM Clause 19, including any overland stormwater flows which flow into the subdivision from external sources.
- 24. Stormwater and surface water drainage from lots, driveways and roadways shall be designed for stormwater quality and quantity to comply with the Best Practice Environmental Management Guidelines for Urban Stormwater (CSIRO) 1999 and to the satisfaction of the Responsible Authority.
- 25. A legal point of stormwater discharge shall be provided for each lot, with the legal point of stormwater discharge from the subdivision to be designed and constructed to the satisfaction of the Responsible Authority.
- 26. A Stormwater Management Strategy detailing all proposed stormwater quality works (including operation and maintenance schedules) within the subdivision must be submitted to the Responsible Authority for approval. All stormwater must be accommodated and treated within the subject land.
- 27. Provision must be made within the subject land, or other land downstream of the to accommodate the necessary stormwater drainage and treatment system, including, but not limited to, bio retention and treatment basins, wet lands, open water zones, landscaped areas, pits and underground pipes. Such storm water retention system must be used to limit flow downstream from the site to pre-development levels.
- 28. Upon completion of all works all nature strips must be levelled, topsoiled and seeded. Alternate landscaping methods may be undertaken, but must be approved, in writing, by the Responsible Authority prior to any works being undertaken;

Defects Liability

- 29. A defects liability period of 12 months will apply to all civil construction works undertaken.
- 30. Handover of nature strips, road related assets and storm water drainage and treatment system assets will occur at the end of the defects liability period, where the condition and operation/function of each asset is to be to the satisfaction of the Responsible Authority.
- 31. The operation/function/maintenance/repairs of nature strips, road related assets, landscaped areas and stormwater drainage and treatment system assets will be undertaken by the permit holder up to handover, where the operation/function of each asset is to be to the satisfaction of the Responsible Authority.

Prior to the commencement of any works the applicant/owner must:

- 32. Ensure all civil drawings are approved and to the satisfaction of the Responsible.
- 33. The Responsible Authority is to be paid a fee of 0.75% of the total construction costs for these road works for the approval of the said plans plus 2.5% for supervision of construction.
- 34. Make application for and have approved driveway crossing permits (vehicular crossover) and road occupation permit(s) (road intersection and landscaping). All works constructed or carried out must be in accordance with the approved plans/permit(s).
- 35. The permit holder must provide temporary garbage collection points for developed properties during staged subdivision construction to the satisfaction of the responsible authority.

General Requirements

- 36. All works constructed or carried out must be in accordance with the approved plans and specifications.
- 37. 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).
- 38. Only the approved subdivision construction access points shall be utilised, or developed, unless with the prior consent of the Responsible Authority.
- 39. At any time the permit holder must ensure that the operation and condition of Council assets are not damaged by subdivision works or the construction of subsequent stages of the subdivision. 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

Native Vegetation Offsets

40. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Offset Requirements

41. To offset the removal of 0.187 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below:

General offset A general offset of 0.033 general habitat units:

- Located within the North Central Catchment Management Authority boundary or the Central Goldfield municipal district with a minimum strategic biodiversity score of at least 0.152
- The offset(s) secured must provide protection of at least 1 large tree(s).

Goulburn Murray Water

- 42. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
- 43. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
- 44. All works within the subdivision must be done in accordance with EPA Publication 960 "Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites", September 2004.

Central Highlands Water

- 45. 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.
- 46. 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.
- 47. 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.
- 48. 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.

If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

Country Fire Authority

- 49. The Bushfire Management Plan (dated October 2019) included the Bushfire Management Statement prepared by Central Highlands Environmental Consultancy must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.
- 50. Prior to the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:
 - State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Central Goldfields Planning Scheme.
 - Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.
 - State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Powercor

- 51. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
- 52. 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.
- 53. 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.
- 54. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations. Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:
 - RESERVES established by the applicant in favour of the Distributor.
 - SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The

	Distributor will register su the registration of the			ay of a caveat prior
 55. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements. Notes: Existing easements may need to be amended to meet the Distributor's requirements. Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows: 				
Easement	Purpose	Width (Metres)	Origin	Land Benefited / In Fav
	Power Line	(metres)	Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd
Expiry				
a) T c b) T	rmit will expire if: The plan of subdivision is of this permit or; The subdivision is not fin permit.			

MovedAdministrator DelahuntySecondedAdministrator Douglas

CARRIED

8.4 ADOPTION OF DRAFT TREE MANAGEMENT PLAN

The purpose of this report is to present the draft Tree Management Plan to Council for adoption.

A tree management plan is needed to ensure that council appropriately manages the risks associated with trees on our townships, both street trees, trees in parks and gardens and caravan parks.

Council Resolution.

That Council adopt the Tree Management Plan.

Moved	Administrator Douglas
Seconded	Administrator Delahunty

8.5 PROPOSED ROAD NAMES – PAGE STREET AND BARBARA COURT

The purpose of the report is to seek Council approval of the proposed road naming of Page Street and Barbara Court, as well as the extension of Chisholm Street within plan of subdivision PS 830204 approved by planning permit D081/13 Amended.

Council Resolution

That Council approve road names for R1 on PS 803204:

- 1. as Chisholm Street and Barbara Court; and
- 2. the remaining section of the existing road reserve located in the south eastern section of the development as Page Street, Maryborough;

MovedAdministrator DelahuntySecondedAdministrator Douglas

CARRIED

8.6 STRATEGIC RESOURCE PLAN 2020/21 to 2023/24

The purpose of this report is to present the Strategic Resource Plan (SRP) 2020/21 to 2023/24 for adoption.

The purpose of the Strategic Resource Plan is to:

- Establish a financial framework over the next 4 years to ensure Council's strategic objectives, as expressed in its Council Plan, are achieved;
- Provide an assessment of the resources (financial and non-financial) required to accomplish the objectives and strategies included in the Council Plan;
- Establish a basis to measure Council's adherence to its policies and strategies; and
- Assist Council to comply with sound financial management principles, in accordance with the Act and to plan for the long-term financial sustainability of the municipality.

This comprehensive Strategic Resource Plan provides the key financial strategies and objectives that will inform the development of the 10 year financial plan required under the new Local Government Act.

Council Resolution

That Council adopt the Strategic Resource Plan 2020/21 to 2023/24.

Moved	Administrator Douglas
Seconded	Administrator Delahunty

CARRIED

8.7 ACTION PLAN PROGRESS REPORT – AS AT 30 JUNE 2020

The purpose of this report is to provide Council with an update on the status of the projects identified in the 2019-20 Action Plan.

Council Resolution

That Council notes the 2019-20 Action Plan Progress Report.

MovedAdministrator DelahuntySecondedAdministrator Douglas

CARRIED

8.8 GOVERNANCE RULES FOR ADOPTION

The purpose of this report is to present the draft Governance Rules to Council for adoption.

These Governance Rules are designed to replace councils meeting procedure local laws. They are also designed to provide guidance in relation to key governance arrangements in relation to Council meetings which were previously included in Part 4 Council Administration – Division 2 Procedure and Proceedings of the Local Government Act 1989.

Council Resolution

That Council adopt the Governance Rules.

MovedAdministrator DouglasSecondedAdministrator Delahunty

CARRIED

8.9 PUBLIC TRANSPARENCY POLICY

The purpose of this report is to present the draft Public Transparency Policy to Council for adoption.

The Public Transparency policy must give effect to the public transparency principles and describe the ways in which members of the community can access Council information.

Council Resolution

That Council adopt the Public Transparency Policy.

MovedAdministrator DelahuntySecondedAdministrator Douglas

8.10 DRAFT EXPENSES AND SUPPORT FOR COUNCILLORS AND MEMBERS OF DELEGATED COMMITTEES POLICY

The purpose of this report is to present the updated draft Expenses and Support for Councillors and Members of Delegated Committees Policy to Council for adoption.

The Expenses and Support for Councillors and Members of Delegated Committees Policy provides advice and guidance on the support available for Councillors and members of delegated committees to perform their roles.

Council Resolution

That Council adopt the Expenses and Support for Councillors and Members of Delegated Committees Policy.

MovedAdministrator DouglasSecondedAdministrator Delahunty

CARRIED

8.11 UPDATE OF INSTRUMENT OF DELEGATION BY COUNCIL TO STAFF

The purpose of this report is to recommend that Council resolve to delegate specified duties and powers as per the attached instrument to Council staff in accordance with the Local Government Act 2020.

Instruments of delegation are the means by which Council delegates many powers to its staff. The S 6 Instrument of Delegation under which Council delegates its powers to Council Staff is required to be updated due to the new Local Government Act 2020 which repeals all delegations as of 1 September 2020.

Council Resolution

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Central Goldfields Shire Council (Council) resolves that:

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
- 2. The instrument comes into force immediately Council adopts the resolution.
- 3. On the coming into force of the instrument all previous delegations by Council to members of Council staff (other than the Chief Executive Officer) are revoked.
- 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

MovedAdministrator DelahuntySecondedAdministrator Douglas

8.12 RESCHEDULING OF COUNCIL MEETING DATES FOR THE REMAINDER OF 2020

The purpose of this report is to recommend to Council rescheduling of some Council Meeting dates and times for Council Meetings for the remainder of 2020.

This rescheduling is required following an update of the expected declaration date by the Victorian Electoral Commission and the changes to Council's External Audit.

Council Resolution

That Council:

- 1. Note that the Special Council Meeting on 22 September 2020 is no longer required;
- 2. Reschedule the Statutory Council Meeting from 10 November 2020 to 17 November 2020; and
- 3. Reschedule the Council Meeting scheduled for 24 November 2020 to 1 December 2020

MovedAdministrator DouglasSecondedAdministrator Delahunty

CARRIED

9 DOCUMENTS FOR SEALING CONFIRMATION REPORT

Nil

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 6.56pm

Confirmed at the Council Meeting held on 15 September 2020.

Chair, Administrator Noel Harvey