



**CENTRAL
GOLDFIELDS
SHIRE
COUNCIL**

ORDINARY MEETING OF COUNCIL MINUTES

Tuesday 23 October 2018
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
scheduled for 27 November 2018

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 statement:

Council Prayer

Almighty God, we ask you to be present in this Council.

Direct and guide our deliberations.

We ask you to grant us wisdom and sensitivity as we deal with the business of our Shire.

May each decision that we make advance the wellbeing of all our residents.

This we pray. Amen.

Acknowledgement of Country

I acknowledge the Traditional Owners of the land on which we are meeting. I pay my respects to their Elders, past and present, and the Elders from other communities who may be here today.

PRESENT

Administrator Noel Harvey
Administrator Karen Douglas

IN ATTENDANCE

Chief Executive Officer, Lucy Roffey
General Manager Corporate Performance, Paul Brumby
General Manager Infrastructure, Assets and Planning, Rebecca Stockfeld
General Manager Community Wellbeing, Brenton West

2. APOLOGIES

Nil

3. LEAVE OF ABSENCE

Administrator Hugh Delahunty

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 25 September 2018.

Council Resolution

That Council confirms the Minutes of the Ordinary Council Meeting held on 25 September 2018.

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

CONFIRMED MINUTES

6. REPORTS FROM COMMITTEES

6.1 NOTING OF THE APPROVED MINUTES OF SPECIAL COMMITTEE MEETINGS

The purpose of this report was to present for noting the confirmed minutes of Council's Special Committees established under section 86 of the Local Government Act.

Council Resolution

That Council notes;

1. *Talbot Town Hall Committee Minutes for 8 August 2018 (confirmed 24 September 2018).*
2. *Talbot Town Hall Committee AGM Minutes for 17 September 2018 (confirmed 24 September 2018).*
3. *Audit and Risk Committee Minutes for 10 July 2018 (confirmed 10 September 2018)*
4. *Dunolly Historic Precinct Committee AGM Minutes for 25 September 2017 (confirmed 24 September 2018).*
5. *Go Goldfields Collaborative Table Minutes for 8 August 2018 (confirmed 10 October 2018).*

Moved **Administrator Douglas**
Seconded **Administrator Harvey**

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 so that they are recorded in the minutes of the formal Council Meeting.

Council Resolution

That Council note the record of Assemblies of Councillors as outlined in the report.

Moved **Administrator Douglas**
Seconded **Administrator Harvey**

CARRIED

CONFIRMED MINUTES

8.2 FINAL REPORT OF ORGANISATION AND GOVERNANCE REFORM PROGRAM

The purpose of this report is to provide a final report on the work and achievements of the Organisational Governance and Reform Program over the last twelve months and outlines how the outcomes of the program will be embedded in sustainable systems and processes into the future.

Council Resolution

That Council notes the achievements of the Organisation and Governance Reform Program.

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

8.3 CONSIDERATION OF DRAFT COUNCIL POLICY – COUNCILLOR AND ADVISORY COMMITTEE MEMBER SUPPORT AND EXPENSES POLICY

The purpose of this report for Council to consider and adopt the updated Councillor and Advisory Committee Member Support and Expenses Policy.

Council Resolution

That Council adopt the Councillor and Advisory Committee Member Support and Expenses Policy.

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

8.4 CONSIDERATION OF DRAFT GIFTS, BENEFITS AND HOSPITALITY FOR COUNCILLORS AND COMMITTEE MEMBERS

This report presents the draft Gifts, Benefits and Hospitality for Councillors and Committee Members Policy for consideration for adoption by Council.

Council Resolution.

That Council adopts the Gifts, Benefits and Hospitality for Councillors and Committee Members Policy with the examples of token hospitality amended to clarify the difference between token and non-token hospitality.

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

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8.5 DELEGATIONS OF POWERS, FUNCTIONS AND DUTIES FROM COUNCIL TO STAFF

The purpose of this report is to recommend that Council adopt a new Instrument of Delegation from the Council to various positions in the organisation.

Council Resolution

It is recommended that:

In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other 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 those Instrument.*
- 2) The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.*
- 3) On the coming into force of the Instrument all previous delegations 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 Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

8.6 CHCV INCORPORATION

The purpose of this report is to consider participation in the formation of an incorporated association for the Central Highlands group of Councils.

Council Resolution

That Council:

- 1) Authorises the Chief Executive Officer to apply to have Central Goldfields Shire Council join Central Highlands Councils Victoria Incorporated upon its registration.*
- 2) Appoints the Chair of the Administrators as Council's representative for Central Highlands Councils Victoria Incorporated.*
- 3) Notes that the proposed incorporation of Central Highlands Councils Victoria and Council's membership does not involve an investment and/or risk exposure that exceeds the thresholds set out in s 193(5C) of the Local Government Act 1989.*

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

CONFIRMED MINUTES

8.7 NEIGHBOURHOOD SAFER PLACES PLAN – SEPTEMBER 2018

This report recommends Council adopt the updated Neighbourhood Safer Places Plan – September 2018 following the annual review by CFA and Council and confirms that Neighbourhood Safer Places (Places of Last Resort) (NSP's) within the townships of Maryborough (Princes Park & Pascoe Reserve), Talbot (Pioneer Reserve), Dunolly (Gordon Garden Reserve) and Carisbrook (Market Reserve) have been designated.

Council Resolution

That Council:

Adopt the amended Municipal Neighbourhood Safer Places Plan – September 2018 which identifies and confirms that the following sites have been designated as NSP's within the Central Goldfields Shire Council boundaries;

- **Talbot**, - Pioneer Reserve (Corner of Fyffe and Scandinavian Crescent), Crown Land – Council Committee of Management;
- **Maryborough**, - Princes Park (Oval Only) - Precinct/Jubilee Oval Complex (as defined by Park Road, Burns Street, Holyrood Street and Earl Street), Crown Land – Council Committee of Management; and
- **Maryborough** - Pascoe Reserve (Oval Only) - (Gillies Street), which is Council, owned land.
- **Dunolly** – Gordon Garden Reserve (Grounds Only) Crown Land – Council Committee of Management
- **Carisbrook** – Market Reserve (Grounds Only) – Adjacent to Green, Birch, Powlett, & Urquart Streets, which is Crown Land – Council Committee of Management.

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

8.8 MARYBOROUGH AERODROME – AMBULANCE VICTORIA

The purpose of this report is to determine if Council wishes to commence formal negotiations with Ambulance Victoria for a potential site lease at the Maryborough Aerodrome.

Council Resolution

That Council staff commence negotiations with Ambulance Victoria for a potential site lease of site 1/136 Leviathan Road, at the Maryborough Aerodrome on the following terms:

- 1) Lease term of 21 years (initial term of seven years plus two further terms of seven years each)
- 2) Rental of \$104.00 (plus GST) per annum

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

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8.9 PLANNING APPLICATION 008/18 – PROPOSED USE FOR SERVICE STATION SIGNAGE AND ASSOCIATED WORKS AT 55 NOLAN STREET, MARYBOROUGH (CROWN ALLOTMENT 1, SECTION 45, TOWNSHIP OF MARYBOROUGH)

Council has received a planning permit application to upgrade an existing closed mechanical workshop and former petrol station to a new modern service station facility with new signage on the existing overhead canopy, building signage, ID site sign and price boards at the subject land.

A planning permit is required for use and development of the land for a service station and associated works including the display of signage.

The purpose of this report is to advise Council of two written objections (representing three persons) to the proposed service station, and of draft conditions that would be recommended in a notice of decision should the matter be reported to Council at a later date.

Council Resolution

That Council consider the planning permit application PA008/18, objections received and all matters required to be considered for the Use of a Service Station, Signage and associated works at 55 Nolan Street, Maryborough (Crown Allotment 1, Section 45, Township Maryborough) and determine to issue a Notice of Decision to Grant a Planning Permit subject to the following conditions:--

EPA CONDITIONS (9)

1. *Nuisance dust and/or airborne particles must not be discharged beyond the boundaries of the premises.*
2. *Effective noise levels from the use of the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.*
3. *Displaced petrol fumes must be collected with a vapour recovery system.*
4. *Odours offensive to the senses of human beings must not be discharged, emitted or released beyond the boundaries of the premises.*
5. *A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 347.1 Bunding Guidelines 2015 or as amended.*
6. *Surface water discharge from the premises must not be contaminated with waste.*
7. *Pollution control devices must be installed to prevent the transportation of waste to the environment and stormwater system.*
8. *All existing tanks must be decommissioned by suitably qualified professionals, as outlined in EPA Publication 888.4 Underground Petroleum Storage Systems (UPSSs) 2015 or as amended and the Australian Standards referenced therein.*
9. *Petroleum storage tanks must be designed, installed and operated in accordance with the Guidelines on the Design, Installation and Management Requirements for Underground Petroleum Storage Systems (UPSSs) (EPA Publication No. 888.4, August 2015).*

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VICROADS CONDITION (1)

10. *The luminance of the advertising sign must be such that it does not give a veiling luminance to the driver, of greater than 0.25 cd/m², throughout the driver's approach to the advertising sign.*

COUNCIL CONDITIONS (17)

11. Layout Not Altered

The development (including signage) as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority; except in accordance with any variance from any condition following, in which case, the written condition takes precedence.

12. Bunding

Bunding or suitable drainage shall be provided around the perimeter of the site to retain any fuel spillage. Bunding shall be constructed to the satisfaction of the Responsible Authority.

13. Separate Entry & Exit

Separated entry and exiting by vehicles to the site must be provided in order to minimise conflict with pedestrians and must be constructed to the satisfaction of the Responsible Authority.

14. Truck Access for Fuel Delivery

Trucks delivering fuel to the subject site must travel along Napier Street and enter the service station from Nolan Street. Trucks having refuelled the underground tanks must exit the service station site from the Napier Street driveway crossover.

Prior to the commencement of the use, any alterations required to the infrastructure (eg. traffic island) in Nolan Street to accommodate the refuelling trucks must be completed to the requirements and satisfaction of the Responsible Authority.

Prior to the commencement of any works within the road reserve the applicant/owner must make further application for and have approved road occupation/construction permit(s) for all works within the road reserve. The approval of road occupation permits will require the submission of detailed construction plan(s) (including any computations and vehicle swept paths) for all infrastructure including roads, kerb and channel, traffic islands and pedestrian refuge. These plans must show all traffic and pedestrian movement designed to meet the requirements of the Infrastructure Design Manual, include a proposed timeline of works, be drawn to scale with dimensions and be provided to the Responsible Authority in digital format.

All works constructed or carried out must be in accordance with the approved plans/permit(s). A defects liability period of 12 months will apply to all works undertaken within the road reserve.

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15. Maximum size of truck delivering fuel

Trucks delivering fuel to the subject site must be of a maximum length of 14 metres to the satisfaction of the Responsible Authority.

16. No Hi-Flo Diesel pump dispenser

No rapid flow diesel pump dispenser is permitted to be installed or operated at the site. Only low flow diesel dispenser pumps incorporated into the bowsers as part of the four pumps per side shall be permitted.

Trucks having refuelled the underground tanks must exit the service station site from the Nolan Street driveway crossover and turn left only into Napier Street and proceed towards the south.

Under no circumstances are fuel delivery trucks to travel further northwards of Nolan Street.

17. Rear Boundary Fence

The existing south side rear fence, forming the shared boundary with the neighbouring residential dwelling, is to be replaced with an acoustic rated fence at the applicant's expense. The first 3 metres will be 900mm high and the remainder shall be 1.8 metres high. All works shall be to the satisfaction of the Responsible Authority.

18. Hours of Trading

Except with the prior written consent of the Responsible Authority, the use may only operate during the following hours:

Monday – Friday 6:00am - 11:00pm

Saturday - Sunday 6:00am - 11:00pm

A sign must be placed on site indicating the hours of operation.

19. Loading/Unloading

The loading and unloading of vehicles and the delivery of goods to and from the premises shall at all times be carried out entirely within the site as shown on the endorsed plan and be so conducted as to cause minimum interference with other vehicular traffic all to the satisfaction of the responsible authority.

Except with the prior written consent of the Responsible Authority, the loading and unloading of commercial vehicles may only be undertaken during the following hours.

Monday – Friday 7:00am - 5:00pm

Saturday - Sunday 9:00am - 5:00pm

20. Amenity

The amenity of the area must not be detrimentally affected by the use or development, through the:

(i). transport of materials, goods or commodities to or from the land;

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(ii). appearance of any building, works or materials;

(iii). emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;

(iv). presence of vermin; or otherwise.

Any detriment to the amenity of the environs in the opinion of the Responsible Authority shall be remedied to the satisfaction of the Responsible Authority.

21. Rubbish Facilities

An appropriate rubbish collection receptacle enclosed area must be provided upon the land to the satisfaction of the Responsible Authority.

22. Landscaping

All landscaping works shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaped areas and planting must then be maintained to the satisfaction of the Responsible Authority.

23. No outside storage of goods for sale or hire

No goods for sale or hire shall be stored outside or left exposed outside the building so as to be visible from any public road or thoroughfare.

24. Parking on Nearby Roads

Vehicles under the control of the operator or the operator's staff must not be parked on Nolan Street during working hours.

25. Customer Car Park Identification

A customer car park must be clearly identified by a sign having letters with a minimum height of 50mm and showing the words "Customer Parking".

26. External Lighting to be Baffled

Where external lighting is provided it must be fitted with suitable baffles and located so as to prevent the emission of direct light onto adjoining properties or roadways to the satisfaction of the Responsible Authority

27. No Flashing Lights

Flashing or intermittent light must not be displayed on the subject land except with the prior written consent of the Responsible Authority.

28. Heritage Requirements

Paint Colours and surface textures and colours of the building and signage permitted by this permit must be approved by and to the satisfaction of the Responsible Authority.

29. Stormwater drainage

All stormwater drainage from the buildings and hard standing areas shall be retained within the boundaries of the property or discharged to a legally approved external point of discharge.

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30. Sign maintenance

The sign(s) must be constructed and maintained to the satisfaction of the responsible authority.

31. Commencement of Development (two years) and Completion of Development (four years) and Commencement of Use (two years)

This permit will expire if the use and development permitted by this permit is not commenced within two (2) years from the date hereof or if the development is not completed within four (4) years.

The Responsible Authority may extend these times on written request made before the expiry of the permit or within:

- *six (6) months after the expiry of the permit if the use or development has not commenced*
- *twelve (12) months after the expiry of the permit if development has commenced but is not yet completed.*

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

8.10 2018/2019 CENTRAL GOLDFIELDS SHIRE COUNCIL ACTION PLAN

The purpose of this report is to present to Council for consideration the 2018/19 Central Goldfields Shire Council Action Plan.

Council Resolution

That Council adopt the 2018/19 Central Goldfields Shire Council Action Plan.

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

8.11 SEPTEMBER FINANCIAL REPORT

Monthly financial reports are presented to Council to show Council's financial performance and how it is tracking against the adopted (original) budget.

Council Resolution

That Council receives and notes the attached September 2018 Financial Report showing progress against the budget, as presented.

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

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8.12 CENTRAL GOLDFIELDS SHIRE COUNCIL 2017-2018 ANNUAL REPORT

The purpose of this report is to present the Central Goldfields Shire Council 2017-2018 Annual Report for Council's consideration.

Council Resolution

That Council receive the Central Goldfields Shire Council 2017-2018 Annual Report.

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

8.13 2017-2018 BUDGET CARRY FORWARDS

To inform Council of the budgetary impacts of capital works projects, operating expenditure activities and grants carried forwards from the 2017-2018 financial year.

Council Resolution

That Council:

- 1) *Notes the report outlining the capital works projects, operating expenditure activities and grants carried forwards from the 2017-2018 financial year.*
- 2) *Updates the 2018-2019 budgetary forecasting in its financial management reporting system to recognise the budgetary impact of capital works projects, operating expenditure activities and grants carried forwards from the 2017-2018 financial year, as outlined in this report.*

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

9 DOCUMENTS FOR SEALING CONFIRMATION

Nil

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS

Nil

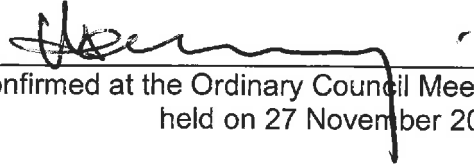
12 CONFIDENTIAL BUSINESS

Nil

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13 MEETING CLOSURE

The Chair, Administrator Noel Harvey declared the meeting closed at 6.33pm



Confirmed at the Ordinary Council Meeting
held on 27 November 2018.

Chair, Administrator Noel Harvey