



## **ORDINARY MEETING OF COUNCIL MINUTES**

Tuesday 28 May 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 25 June 2019

# 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  
Administrator Hugh Delahunty

## IN ATTENDANCE

Acting Chief Executive Officer, Paul Brumby  
Acting General Manager Corporate Performance, Megan Kruger  
General Manager Infrastructure, Assets and Planning, Rebecca Stockfeld

## 2. APOLOGIES

Chief Executive Officer, Lucy Roffey

## 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 23 April 2019.

### **Council Resolution**

*That Council confirms the Minutes of the Ordinary Council Meeting held on 23 April 2019.*

**Moved** Administrator Delahunty  
**Seconded** Administrator Douglas

**CARRIED**

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### 6. REPORTS FROM COMMITTEES

Nil

### 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 as outlined in the report.*

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

#### 8.2 ANNUAL PLAN PROGRESS REPORT – AS AT 30 APRIL 2019

The purpose of this report is to provide Council with an update on the status of the projects identified in the 2018/19 Action Plan.

#### Council Resolution

*That Council notes the 2018/19 Action Plan Progress Report.*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

#### 8.3 DRAFT PROPERTY OCCUPANCY POLICY

The purpose of this report is to recommend that Council endorse the draft property occupancy policy for community consultation.

The purpose of Council having a property occupancy policy is to provide a framework for determining the most appropriate agreements for the use of Council owned and managed land and/or buildings within the Shire. The policy is to ensure that all occupants are treated in a transparent and consistent manner and risks associated with the occupancy are appropriately managed.

#### Council Resolution

*That Council:*

1. *Endorses the draft Property Occupancy Policy.*

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2. *Undertakes a community consultation process on the draft Property Occupancy Policy, including but not limited to; public exhibition, advertisement in the local newspaper, providing a draft for comment to all occupants of Council properties, engaging the community voice panel and posting on Council's website (Have your Say).*
3. *Invites public submissions and feedback on the draft Property Occupancy Policy.*
4. *Receives public submissions on the draft Property Occupancy Policy during the exhibition period ending 5.00 pm on 1 August 2019 and schedules a Special Hearing Meeting at 5.30 pm on 13 August 2019 to hear from any person who wishes to speak to their submission.*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

### **8.4 MARYBOROUGH INTEGRATED WATER MANAGEMENT PLAN BOROUGH INTEGRATED WATER MANAGEMENT PLAN**

The purpose of this report is to:

- Advise Council about the response to community feedback on the Maryborough Integrated Water Management Plan;
- Recommend that Council endorse the Maryborough Integrated Water Management Plan; and,
- Advise Council that we will receive external funding for the design of the drain and water storage system for the Station Domain project identified in the Maryborough IWM (Council is proposing to part fund this project in the proposed 2019 – 2020 budget).

#### **Council Resolution.**

*That Council:*

1. *Endorse the Maryborough Integrated Water Management Plan; and*
2. *Advise Central Highlands Water that before Council will approve any project it will undertake community consultation and consider any feedback received.*

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

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### 8.5 PLACE NAMING POLICY

The purpose of this report is to recommend that Council approve the Place Naming Policy.

Council, as a Naming Authority under the Geographic Place Names Act 1998, has responsibility for the naming of places, such as streets and parks. The Place Naming Policy will ensure that Council has a co-ordinated, consistent, fair and equitable approach in the naming of roads, places and localities across the municipality.

#### **Council Resolution**

*That Council approve the Place Naming Policy.*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

### 8.6 APRIL 2019 FINANCIAL REPORT

Monthly financial reports are presented to Council to show Council's financial performance and how it is tracking against the current budget (which is the adopted budget updated to include the carry forwards adopted at the October 2018 Council meeting).

#### **Council Resolution**

*That Council receives and notes the attached 30 April 2019 Financial Report showing progress against the budget and mid-year forecast.*

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

### 8.7 SECTION 86 COMMITTEE INSTRUMENTS OF DELEGATION

The purpose of this report is to recommend that Council updates the instrument of delegation for each of its Section 86 Committees.

The instrument of delegation is the tool that allows Council to delegate certain responsibilities and functions to a Section 86 Committee. Having a current instrument of delegation in place for each Council Section 86 Committee ensures that both Council and the Section 86 Committee are clear about their respective roles and responsibilities.

#### **Council Resolution**

*That :*

1. *New Instruments of Delegation, in the format of Attachment 1, be issued in relation to:*
  - a) *Adelaide Lead Hall;*
  - b) *Daisy Hill Community Hall;*
  - c) *Dunolly Historic Precinct Management;*

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- d) *Energy Breakthrough Management;*
  - e) *Talbot Community Homes;*
  - f) *Talbot Town Hall;*
  - g) *Tullaroop Leisure Centre;*
2. *The membership of the special and advisory committees be in accordance with Attachment 2*
  3. *Expressions of interest be sought for the vacant membership positions on the Energy Breakthrough Special Committee.*

**Moved**        **Administrator Delahunty**  
**Seconded**   **Administrator Douglas**

**CARRIED**

### **8.8      REVIEW OF INSTRUMENTS OF DELEGATION AND AUTHORISATION BY COUNCIL**

The purpose of this report is to recommend that Council resolve to appoint and authorise Council staff in accordance with the attached instruments of delegation and authorisation.

Instruments of delegation are the means by which Council delegates many powers to its staff. Two of the existing instruments made by Council are required to be updated due to legislation and staffing changes:

- The Section 6 Instrument of Delegation under which Council delegates its powers to Council Staff; and
- The Section 11A instrument of Appointment and authorisation which appoints Council staff to be authorised 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, in the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 and the other legislation referred to in the attached instrument, delegate to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached s6 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 s6 Instrument of Delegation to members of Council staff comes into force immediately the common seal of Council is affixed to the instrument and on coming into force all previous delegations to members of Council staff under previous s6 Instruments are revoked.*
3. *That Council, adopt the attached s11A Instrument of Appointment and Authorisation for the members of Council staff set out in the instrument.*

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4. *The 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.*
5. *That the instruments be signed and sealed.*

**Moved** Administrator Douglas  
**Seconded** Administrator Delahunty

**CARRIED**

### 9 NOTICES OF MOTION

Nil

### 10 URGENT BUSINESS

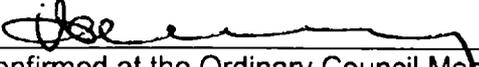
Nil

### 11 CONFIDENTIAL BUSINESS

Nil

### 12 MEETING CLOSURE

The Chair, Administrator Noel Harvey declared the meeting closed at 6.21 pm

  
Confirmed at the Ordinary Council Meeting  
held on 25 June 2019.

Chair, Administrator Noel Harvey