



COUNCIL MEETING MINUTES

Tuesday 22 November 2022

6:00pm

Meeting held in person

Community Room 1, Community Hub, Maryborough
and livestreamed on the internet.

MEMBERSHIP

Councillors

Grace La Vella (Mayor

Liesbeth Long

Geoff Lovett

Chris Meddows-Taylor

Gerard Murphy

Wayne Sproull

Anna de Villiers

To be confirmed at the Council Meeting
scheduled for 20 December 2022

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1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6:00pm.

The Mayor La Vella welcomed everybody with acknowledgement of Country and Council prayer.

PRESENT

Councillors

Grace La Vella (Mayor)
Liesbeth Long
Geoff Lovett
Chris Meddows-Taylor
Wayne Sproull

IN ATTENDANCE

Officers

General Manager Infrastructure Assets and Planning, Matthew Irving
General Manager Community Wellbeing, Emma Little
General Manager Corporate Performance, Mick Smith
Chief Executive Officer, Lucy Roffey

APOLOGIES

Cr Anna de Villiers
Cr Gerard Murphy

2. LEAVE OF ABSENCE

Nil

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

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4. CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETINGS

To present for confirmation the Confidential minutes of special Council meeting held 15 November 2022, and minutes of the ordinary Council Meeting held on 25 October 2022.

The Mayor declared the minutes are confirmed.

5. REPORTS FROM COMMITTEES

Nil

6. PETITIONS

Nil

8. OFFICER REPORTS

8.1 OCTOBER FINANCIAL REPORT

The purpose of this report is to advise Council on the financial performance for the year to date and how it is tracking against the adopted budget, noting any material differences.

Council Resolution

That Council receives and notes the attached Finance Report for the period to 31 October 2022.

Moved Cr Lovett

Seconded Cr Sproull

Carried

Cr Lovett spoke in favour of the motion.

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8.2 COUNCIL PLAN ACTION PROGRESS REPORT

The purpose of this report is to provide Council with an update on the status of the projects identified in the 2022-23 Action Plan.

Council Resolution

That Council note as detailed in the report an update on the status of the projects identified in the 2022-23 Action Plan.

Moved Cr Meddows-Taylor

Seconded Cr Long

Carried.

Cr Meddows-Taylor and Cr Long spoke in favour of the motion.

8.3 PLANNING PERMIT 042-22 62 GOLDEN WATTLE DRIVE - DEVELOPMENT OF SIX DWELLINGS, REDUCTION OF CAR PARKING, AND A SIX-LOT SUBDIVISION AT 62 GOLDEN WATTLE DRIVE, MARYBOROUGH

The purpose of this report is to seek a Council determination for planning permit application 024/22 for the development of the land for six dwellings with associated works, reduction of car parking, and a six-lot subdivision with creation of common property at 62 Golden Wattle Drive, Maryborough.

Council Resolution

That Council, having caused notice of Planning Permit Application No. 024/22 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, resolves to grant a planning permit and issue a Notice of Decision to Grant a Permit in respect of Planning Permit Application No. 024/22 for the land known and described as 62 Golden Wattle Drive, Maryborough, for development of the land for six dwellings with associated works, reduction of car parking, and a six-lot subdivision with creation of common property, subject to the following conditions:

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Amended plans

1. *Prior to commencement of development, amended plans 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 and fully dimensioned. The plans must be generally in accordance with the plans submitted with the application, but modified to show:*
 - a) *Elevations of the proposed lattice screen along the north-eastern and south-western boundaries.*
 - b) *Lighting bollards along the south-western boundaries of the common driveways to provide a low-level illumination of these driveways. The lighting bollards shall be suitably directed, baffled, screened (or other) to prevent light spill to adjoining properties.*

Endorsed plans

2. *The development and subdivision must be generally in accordance with the plans endorsed as part of this permit and must not be altered or modified without the written consent of the responsible authority.*

Formal plan of subdivision

3. *The formal plan of subdivision submitted for certification must be in accordance with the endorsed plan and must not be modified except to comply with statutory requirements or with the further written consent of the responsible authority.*

Construction Management Plan

4. *Prior to commencement of development, a Construction Management Plan (CMP) must be submitted to and approved by the responsible authority. When approved, the CMP will be endorsed and will then form part of the permit. The CMP must suitably detail:*
 - a) *Hours of demolition and construction to accord with Local Laws.*
 - b) *Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing.*
 - c) *How the parking of construction machinery and workers vehicles will be managed to prevent adverse impacts on nearby properties.*
 - d) *Management of staging of heavy vehicles, site deliveries and unloading and lifting points with expected frequency, and traffic management in the vicinity, ensure routes to and from the site minimise disruption to residential properties.*
 - e) *Minimising disruption to pedestrian access along footpaths.*

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- f) *Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities.*
 - g) *The provision of adequate environmental awareness training for all on-site contractors and sub-contractors.*
 - h) *A liaison officer for contact by the public and the responsible authority in the event of relevant queries or problems experienced.*
5. *All works must be undertaken in accordance with the endorsed CMP to the satisfaction of the responsible authority.*

Landscape Plan

6. *Prior to commencement of development, a Landscape Plan 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 drawn to scale with dimensions and show:*
- a) *Details of surface finishes of pathways and driveway.*
 - b) *A planting schedule of all proposed trees, shrubs, and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.*
 - c) *Details of any vegetation to be retained.*
 - d) *Landscaping and planting within all open areas of the site.*
 - e) *An outline of buildings. No floor plans are to be shown on the landscape plan; however, the outline of buildings is to be informed by the approved site plan.*
 - f) *Location and depth of all surface treatments with materials and colours notated.*
 - g) *Clear graphics to indicate trees (deciduous or evergreen), shrubs, ground covers, grass etc.*

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.

Completion of landscaping

7. *Before the occupation of the development or by such later date as is approved by the responsible authority in writing, the landscaping shown on the endorsed plan(s) must be carried out and completed to the satisfaction of the responsible authority.*

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General amenity

8. *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.*

Construction activities

9. *The development must be managed during construction to the satisfaction of the responsible authority so that the amenity of the area is not detrimentally affected through the:*
 - a) *Transport of materials, goods, or commodities to or from the land.*
 - b) *Appearance of any building, works, or materials.*
 - c) *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, litter, dust, wastewater, waste products, grit, or oil.*
 - d) *Presence of vermin or animals.*
10. *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).*

Asset protection

11. *At any time, the permit holder must ensure that the operation and condition of Council assets (including street trees, drainage pits and covers, footpaths 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.*

Boundary walls

12. *The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the responsible authority.*

Use of parking areas

13. *Areas set aside for the parking and movement of vehicles, as shown on the endorsed plans, must be maintained in a usable and safe condition to the satisfaction of the responsible authority. The areas must be made available for the parking and movement of vehicles and must not be used for any other purpose.*

Provision for waste collection

14. *Provision must be made for an acceptable pick-up point for waste collection services to the satisfaction of the responsible authority.*

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Occupation of development

15. *Before the occupation of the development or by such later date as is approved by the responsible authority in writing:*
- 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.*
 - 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.*

Completion of development

16. *Prior to the issue of a Statement of Compliance under the Subdivision Act 1988, the development allowed 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.*
 - 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.*

Public open space contribution

17. *Prior to the issue of the Statement of Compliance, a monetary contribution of an amount equal to 5% of the current value of all the land within the subdivision shall be paid to the responsible authority.*

Engineering

18. *Prior to the issue of a Statement of Compliance and use of the dwellings, the following must be undertaken by the applicant/owner to the requirements and satisfaction of the responsible authority:*

Access

19. *Vehicular access must be provided from Golden Wattle Drive for Dwellings 1, 2 and 3, and from Spring Street for Dwellings 4, 5 and 6.*
20. *Any existing or new vehicular crossovers/driveways must be constructed between Dwellings 1, 2 and 3 and Golden Wattle Drive, and between Dwellings 4, 5 and 6 and Spring Street. Such crossovers/driveways must be of concrete construction and be from kerb to property boundary (refer Infrastructure Design Manual Standard Drawing 240).*
21. *The permit holder/landowner must make an application for a driveway crossover permit (or permits) for relevant works and have this approved. All*

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works constructed or carried out must be in accordance with the approved plans/permit(s)

22. Once constructed, the crossovers/driveways must be thereafter maintained by the landowner to the satisfaction of the responsible authority.
23. Prior to the occupation of the development, the permit holder/landowner must ensure the internal driveway access is to an all-weather standard to the satisfaction of the responsible authority.
24. The driveway(s) must be designed and constructed so that vehicles associated with Dwellings 2, 3, 4 and 5 can leave the respective sites in a forward direction.
25. Any disused crossovers/driveways must be removed, and the kerb and channel and nature strip reinstated to the satisfaction of the responsible authority.

Drainage

26. All stormwater must be accommodated and treated within the subject land.
27. The permit holder/landowner must design a drainage system to drain each lot to the legal point of discharge, which is the relevant kerb and channel.

Landscaping

28. Upon completion of all off-site 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.

Mandatory BMO condition

29. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Country Fire Authority - Amended Bushfire Management Plan

30. Prior to commencement of development, an amended Bushfire Management Plan 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. Once endorsed, the plan must not be altered unless agreed to in writing by the Country Fire Authority and the responsible authority. The plan must be generally in accordance with the BMP prepared by Greenwood Consulting Pty Ltd (Appendix B - Ref: 6649 220419 BMS SPD, dated 19/4/2022) but modified to replace the conditions for water supply with:
 - a) Water supply

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2500lts of effective water supply for firefighting purposes must be provided for each Lot which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
- Include an outlet for occupant use.

Powercor Australia

31. 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.
32. The permit holder/landowner 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.

33. The permit holder/landowner 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.

Central Highlands Water

34. 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 1988.
35. Reticulated sewerage facilities must be provided to each lot by the owner of the land (or permit holder, 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 permit holder.
36. A reticulated water supply must be provided to each lot by the owner of the land (or permit holder, 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 permit holder.
37. 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

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Water Corporation, over all existing and proposed sewerage facilities within the proposal.

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

AusNet Gas Services Pty Ltd / Downer Utilities

39. The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with section 8 of the Subdivision Act 1988.

Permit expiry

40. This permit will expire if one of the following circumstances applies:
- a) The development is not started within two (2) years of the date of this permit.
 - b) The development is not completed within four (4) years of the date of this permit.
 - c) The plan of subdivision is not certified under the Subdivision Act 1988 within two years of the date of this permit.
 - d) Registration of the plan of subdivision is not completed within five years of the certification of the plan of subdivision under the Subdivision Act 1988.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence a development) or twelve months after the permit expires (for a request to extend the time to complete the development).

Permit notes:

This permit is issued pursuant to the provisions of the Central Goldfields Planning Scheme and does not relieve the permit holder of the necessity to obtain a building permit pursuant to the Building Act 1993 prior to commencement of any construction or works on any part of the site.

It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply" which can be accessed via the following link:

<https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>

Moved Cr Sproull
Seconded Cr Lovett

Carried.

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Cr Sproull and Cr Lovett spoke in support of the motion.

8.4 CIVIL ENGINEERING CONSULTANCY PANEL - CONTRACT No G1643-22

The purpose of this report is for Councillors to consider awarding of Contract G1643-22 Civil Engineering Consultancy Panel, following a public tender process. As the value of the recommended awarding of contract is above the CEO's financial delegation, the contract is required to be awarded by Council.

Council Resolution

That Council award G1643-22 Civil Engineering Consultancy Panel and authorises the CEO to execute the contracts to the following:

- *Tomkinson Group*
- *Cardno TGM*
- *Energy Water Management*
- *JJ Ryan Consulting*
- *CT Management Group*
- *FMG Engineering*
- *EDA Project Management*
- *RMG*
- *2MH Consulting*
- *Mlei Consulting Engineers*
- *SMEC Australia*
- *Pavement Management Services*
- *Bespoke*
- *LEKT Pty Ltd*
- *Nearrow Pty Ltd (Trading as Partnear)*

Moved: Cr Meddows-Taylor

Seconded: Cr Sproull

Carried

Cr Meddows-Taylor spoke in support of the motion.

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8.5 PORTER AVENUE AND PRIMROSE STREET MARYBOROUGH ROAD RECONSTRUCTION WORKS - CONTRACT No G1699-22

The purpose of this report is to recommend that Council award the contract G1699-22 for the reconstruction of Porter Avenue and Primrose Street Maryborough, following a public tender process.

Council Resolution

That Council award Doran Earthmoving Pty Ltd the contract G1699-22 for the reconstruction of Porter Avenue & Primrose Street Maryborough for the lump sum of \$1,130,406.00 (ex. GST) and Council authorises the CEO to execute the contract.

Moved: Cr Lovett

Seconded: Cr Sproull

Carried

Cr Lovett and Cr Sproull spoke in support of the motion.

8.6 CENTRAL GOLDFIELDS SHIRE 2022-23 RESEALING WORKS - CONTRACT G1696Q (CONTRACT G1459-20)

The purpose of this report is to recommend Council award a contract for road resealing work in 2022-2023. As the value of the recommended awarding of contract is above the CEO's financial delegation, the contract is required to be awarded by Council.

Council Resolution

That Council award Fulton Hogan Pty Ltd the 2022-2023 sealing program for the lump sum of \$1,010,744.01 (ex. GST) and Council authorises the CEO to execute the contract.

Moved: Cr Long

Seconded: Cr Lovett

Carried

Cr Long spoke in support of the motion.

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8.7 UPDATE OF INSTRUMENTS OF DELEGATION BY COUNCIL TO STAFF

The purpose of this report is to recommend that Council resolve to update a position title change from Town Planner to Statutory Planning which must be reflected within the S6 Instrument of Delegation, under which Council delegates its powers to Council Staff.

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; and*
- 2. the instrument comes into force immediately upon Council adopting 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. 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.*

Moved: Cr Sproull

Seconded: Cr Lovett

Carried

Cr Sproull, Cr Lovett and Cr Meddows-Taylor spoke in favour of the motion.

9 NOTICES OF MOTION

Nil

10 URGENT BUSINESS

Nil

11 CONFIDENTIAL BUSINESS

Nil

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12 MEETING CLOSURE

The meeting closed at 6:30PM.

To be confirmed at the Council Meeting
to be held on 20 December 2022.

Unconfirmed