



ORDINARY MEETING OF COUNCIL MINUTES

Tuesday 24 September 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 on 22 October 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 of country.

PRESENT

Administrator Noel Harvey
Administrator Hugh Delahunty
Administrator Karen Douglas

IN ATTENDANCE

Chief Executive Officer, Lucy Roffey
General Manager Corporate Performance, Paul Brumby
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

The purpose of this report was to present for confirmation, the minutes of the Ordinary Council Meeting held on 27 August 2019.

Council Resolution

That Council confirms the Minutes of the Ordinary Council Meeting held on 27 August 2019.

Moved Administrator Douglas
Seconded Administrator Delahunty

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 Audit and Risk Committee established under section 139 of the *Local Government Act 1989* which is an advisory committee.

CONFIRMED MINUTES

Council Resolution

That Council notes the confirmed minutes of the Daisy Hill Community Centre Committee Meeting general meeting 16 May 2019.

Moved Administrator Delahunty
Seconded Administrator Douglas

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 27 August to 17 September 2019.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.2 COMMUNITY SUPPORT POLICY

The purpose of this report is to recommend that Council adopt the Community Support Policy.

The purpose of a Community Support Policy is to articulate to the community the variety of support that Council provides to community organisations, and how that support is allocated between competing priorities in a consistent, accountable and transparent manner.

Council Resolution

That Council:

- 1. Adopt the Community Support Policy;*
- 2. Approve the 2019-2020 Community Grants program of \$20,000 be opened for applications;*
- 3. Approve the current recurrent funding of \$13,250 to be paid at 2018-2019 levels to relevant community groups in 2019-2020;*
- 4. Increase the Community Grants program to \$33,250 in the 2020-2021 Annual Budget.*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

CONFIRMED MINUTES

8.3 GORDON GARDENS MASTERPLAN FINAL REPORT

The purpose of this report is to present to Council the recommended final draft of the Gordon Gardens Masterplan, and for Council to endorse the Gordon Gardens Masterplan.

The development of the plan has been undertaken by a landscape/heritage consultant (Michael Smith and Associates), along with considerable engagement with the Dunolly community. The engagement process and final plan reflect community aspirations for the Gordon Gardens and balance that with expert landscape advice and practical limitations including the number of buildings/existing functions located within the Gardens area.

Implementation of the plan will commence, if adopted, this year with:

- the removal of three tennis courts and the conversion of one tennis court to an unfenced basketball court;
- installation of the four public arts pieces developed by the community (one in the Gardens and the remainder in public streets)

Further works will be undertaken as funding opportunities become available. Council will need external funding support to realise the full Gordon Gardens Masterplan.

Council Resolution

That Council adopt the draft Gordon Gardens Masterplan September 2019.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.4 JOINT COUNCIL SUBMISSION TO THE ROYAL COMMISSION INTO AGED CARE

The purpose of this report is to present to Council the proposed submission to the Royal Commission on Aged Care which has been prepared as a joint submission from the 10 Councils across the Loddon Mallee region for endorsement. Central Goldfields Shire is the final council to consider the submission, which has been endorsed by the 9 other councils comprising the Loddon Mallee Group of Councils.

Council Resolution.

That Council endorses the proposed submission to the Royal Commission into Aged Care from the Loddon Mallee Councils Group

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.5 PLANNING APPLICATION 160/17 – TEN LOT SUBDIVISION, REMOVAL OF NATIVE VEGETATION, CONSTRUCT A ROAD AND UNDERTAKE EARTHWORKS, CONSTRUCT A DWELLING AND OUTBUILDING ON EACH LOT, AND CREATION OF RESTRICTION (BUILDING ENVELOPES) AT 73 CHAPLINS ROAD, CARISBROOK

CONFIRMED MINUTES

The purpose of this report is to seek Council determination for a planning permit application for the development of a 10 Lot subdivision, removal of native vegetation, construct a road and undertake earthworks, construct a dwelling and outbuilding on each lot and creation of restriction (building envelopes) at 73 Chaplins Road, Carisbrook.

Public notice of the application has been given and three objections have been received.

At its 13 August 2019 public hearing, Council deferred consideration of the application until the September Council meeting, with the agreement of the applicant, to provide the applicant time to consider and respond to referral agency concerns.

No further information has been received as a result of the extension of time from the applicant.

The Application has been assessed against the policy and specific controls of the Planning Scheme and it is considered that the proposed use and development is not consistent with the relevant scheme provisions, nor compatible with the adjoining and nearby land uses and would result in an unacceptable planning outcome particularly in relation to environmental issues and design and siting matters that give rise to land use compatibility issues.

This report recommends that a Notice of Refusal to grant a planning permit be issued.

Council Resolution

That Council issue a Notice of Decision to refuse planning permit application PA 160/17 for a 10 Lot subdivision, removal of native vegetation, construct a road and undertake earthworks, construct a dwelling and outbuilding on each lot and creation of restriction (building envelopes) at 73 Chaplins Road, Carisbrook based on the following grounds:

- a) *The application does not adequately address the requirements of Clause 12 of the Central Goldfields Planning Scheme.*
- b) *The application does not adequately address the requirements of Clause 52.17 of the Central Goldfields Planning Scheme.*
- c) *The application is not consistent with State Planning Policy Framework Clause 13.07-1S of the Central Goldfields Planning Scheme.*
- d) *The separation of the site from the nearby industrial land use is insufficient to manage potential noise impacts to the proposed residential uses.*
- e) *Subdivision and subsequent development of the land for residential uses may limit the operation of the nearby industrial operations.*

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

CARRIED

8.6 OPEN DATA POLICY

The purpose of this report is to recommend that Council adopt the Open Data Policy.

Council as an organisation can benefit from publishing some of its information as Open Data, however in order to do this it needs to have a framework for identifying, managing and publishing this information. This framework is best described in an Open Data Policy. Putting this policy in place allows Council to take advantage of emerging digital innovations.

CONFIRMED MINUTES

Council Resolution

That Council adopt the Open Data Policy

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.7 ENERGY BREAKTHROUGH BUSINESS PLAN

The purpose of this report is for Council to endorse the findings, recommendations and planned next steps of the Energy Breakthrough Business Plan, which was endorsed by the Energy Breakthrough Special Committee on 6 August 2019.

Council Resolution

That Council:

- 1. Endorses the Energy Breakthrough Business Plan*
- 2. Makes Energy Breakthrough Business Plan available to the public on the Council website.*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.8 PROPERTY OCCUPANCY POLICY

The purpose of this report is to recommend that Council endorse version two of the draft property occupancy policy following the outcome of the community consultation process.

This report details the comprehensive consultation that has been undertaken, the feedback received and the improvements that have been applied to version one of the draft policy through the process. 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. Acknowledges the valuable input of the 18 formal submissions made on version one of the draft Property Occupancy Policy and the contribution of all those people who attended the information session on the draft Property Occupancy Policy held on 17 July 2019.*
- 2. Endorses version two of the draft Property Occupancy Policy.*
- 3. Undertakes a community consultation process on version two of 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 and posting on Council's website (Have your Say).*

CONFIRMED MINUTES

4. *Invites public submissions and feedback on version two of the draft Property Occupancy Policy.*
5. *Receives public submissions on the version two of the draft Property Occupancy Policy during the exhibition period ending 5.00 pm on 31 October 2019 and schedules a Special Hearing Meeting (if required) at 5.30 pm on 13 November 2019 to hear from any person who wishes to speak to their submission.*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.9 CERTIFICATION OF FINANCIAL AND PERFORMANCE STATEMENTS 2018/2019

The purpose of this report is to present Council with the draft Financial and Performance Statements and Governance and Management Checklist for 2018-2019, to seek in-principle approval for the Statements and authorise two Administrators on behalf of Council to certify the Statements in their final form

Council Resolution

That Council:

1. *Gives its approval in principle to the Annual Financial Report, Performance Statement and Governance Checklist for the 2018/2019 financial year.*
2. *Authorises Administrator Harvey and Administrator Douglas to certify the Financial and Performance Statements in their final form on behalf of, and with the full authority of the Council.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.10 AUGUST 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 receives and notes the attached 31 August 2019 Financial Report showing progress against the budget.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

CONFIRMED MINUTES

8.11 SECTION 11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION

The purpose of this report is to recommend that Council adopt a Section 11A Instrument of Appointment and Authorisation for its Coordinator Statutory Planning.

The S11A Instrument of Appointment and Authorisation appoints Council staff 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 adopt the attached s11A Instrument of Appointment and Authorisation for the member of Council staff set out in the Instrument.*
- 2. The attached 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.*
- 3. That the attached s11A Instrument of Appointment and Authorisation be signed and sealed.*

Moved Administrator Delahunty
Seconded Administrator Douglas

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 6.31 pm


Confirmed at the Ordinary Council Meeting
be held on 22 October 2019.
Chair, Administrator Noel Harvey