



ORDINARY MEETING OF COUNCIL MINUTES

Tuesday 25 February 2020
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 28 April 2020

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 17 December 2019.

Council Resolution

That Council confirms the Minutes of the Ordinary Council Meeting held on 17 December 2019.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

6. REPORTS FROM COMMITTEES

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:

1. Talbot Town Hall Special Committee Meeting 15 October 2019
2. Adelaide Lead Hall Special Committee Annual General Meeting September 2018

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3. Audit and Risk Committee Meeting 9 September 2019

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

7. PETITIONS

Two copies of the petition relating to the Dunolly mosaics have been received, which reads as follows:

We, the undersigned, strongly oppose the Mosaics being installed in Broadway Dunolly.

Council Resolution

That the petition be received by Council and referred to the General Manager Infrastructure Assets and Planning for action.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

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 11 December 2019 to 17 February 2020.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.2 MOSAIC SCULPTURES DUNOLLY

SUMMARY/PURPOSE

The purpose of this report is to advise Council on the feedback received in relation to the placement of two community art mosaic sculptures in Broadway, Dunolly.

Council Resolution

That Council, having considered the community feedback received about the proposed locations for the two community art sculptures, resolves to:

- a) *Locate the DINGO sculpture on the nature strip area outside 118 Broadway, Dunolly.*

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- b) *Locate the KANGAROO sculpture in the Rene Fox gardens in place of the Imagination Station art piece which will be relocated to the Dunolly Arts Hub to a location agreed in consultation with the committee.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.3 PLANNING APPLICATION 116/19 – CONSTRUCTION OF A LEVEE AND ASSOCIATED EARTHWORKS AND INFRASTRUCTURE AND UTILITY INSTALLATION AT 4027 PYRENEES HIGHWAY, CARISBROOK

SUMMARY/PURPOSE

This report recommends that Council issue a Notice of Decision to Grant a Planning Permit be issued for the construction of stages 3 and 4 of the flood levee located at 4027 Pyrenees Highway, Carisbrook.

Council Resolution

That Council, having caused notice of Planning Application No. 116/19 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 Grant a Planning Permit 116/19 in respect of the land known and described as 4027 Pyrenees Highway (lot 1 TP 692027, lot 2 TP 220222, lot 2 TP 103682 and lot 2 LP 205106, 4 LP 114330), Carisbrook, for the construction of a flood levee and associated earthworks and infrastructure and utility installation within the Farming Zone, Rural Living Zone, Public Use Zone, Road Zone Category 1; the Salinity Management Overlay, Erosion Management Overlay and the Environmental Significance Overlay in accordance with the endorsed plans and subject to the following conditions.

Amended Plans

1. Prior to the commencement of any works detailed design/construction plans must be prepared and submitted to the Responsible Authority for approval. The plans must be in accordance with condition number 11 of this permit.
2. Prior to the commencement of any works, plans which detail the final location of any burrow pits must be submitted to the Responsible Authority for approval.
3. Prior to the commencement of any works pursuant to this permit, the applicant must prepare a Traffic Management Plan, in consultation with Council and VicRoads. The plan must be to the satisfaction of the Responsible Authority and address such matters including vehicle movements to and from the site, restrictions on travel within local residential streets, any required works to the entrance of the site, safety within the site, including any works required, and any other matters deemed appropriate.

Secondary Consent Provision

4. The use and development 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.

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Construction Activities

5. 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. Measures must be taken to suppress dust, noise or other emissions during construction to prevent nuisance to surrounding neighbours.
6. Adequate measures must be undertaken to ensure dust from any materials stockpiled does not affect adjoining properties or surrounding area, to the satisfaction of the Responsible Authority.
7. No mud, crushed rock or other debris is to be permitted to be carried onto public roads or footpaths from the subject land. Appropriate measures must be in place at all times during construction to prevent this occurrence to the satisfaction of the Responsible Authority.

Clean Fill

8. Only clean fill material is permitted to be imported to the site. This material must not contain any solid inert wastes (such as demolition material, concrete, bricks, timber, etc).
9. The deposition of fill material must not result in any off site impact on surface or groundwater.

Native vegetation

10. Native vegetation removal must not occur without the further written consent of the Responsible Authority.

North Central Catchment Management Authority

11. Prior to the commencement of works detailed design/construction plans must be prepared and submitted to the North Central Catchment Management Authority for approval. The detailed design/construction plans must demonstrate that the final design is in accordance with the Water Technology report dated 30 August 2019

Goulburn Murray Water

12. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

VicTrack

13. Written formal application to be made to VicTrack including a design drawing in accordance with 'VicTrack Design Guidelines & Requirements' document and AS-4799. Formal application can be made online to VicTrack via the following link: <https://www.victrack.com.au/services-and-capabilities/property/utilities-and-services>
14. Independent engineering compliance report to be provided by the applicant demonstrating compliance with relevant standards and guidelines.

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Geotechnical report will also be required to assist with strength calculations of proposed asset under the rail to be compliance checked.

15. Written approval from the rail operator, V/Line, will be required.
16. Owner of the asset will be required to enter into a licence with VicTrack to formalise the ongoing operation and maintenance of the asset on VicTrack land.

Central Highlands Water

17. No construction works shall commence on the levee that are within 1 lateral metre of any water and sewerage assets owned by Central Highlands Water unless and until approval under the Water Act 1989 has been provided by Central Highlands Water.
18. The Applicant must comply with any reasonable conditions required by Central Highlands Water, in relation to constructing the levee within 1 lateral metre of any water or sewerage assets, and this may include the construction of works.

Downer Utilities Australia

19. 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

20. This permit will expire if one of the following circumstances applies:

- The development is not started within four years of the date of this permit.
- The development is not completed within eight years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

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

CARRIED

8.4 **LIBRARY SERVICE LEVEL AGREEMENT WITH CITY OF BALLARAT 2020-2025**

The purpose of this report is to recommend that Council write to the Minister for Local Government requesting an exemption from a public tender process, in order to negotiate a new Library Service Level Agreement, directly with the City of Ballarat for a period of five years.

Council Resolution.

That Council, writes to the Minister for Local Government requesting an exemption undertaking a public tender under Section 186(5)(c) of the Local Government Act 1989 to allow the Council to enter into a new Service Agreement between Central Goldfields Shire Council and the City of Ballarat for support services to the Central Goldfields Regional Library for 1 July 2020 to 30 June 2025.

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Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.5 NORTHERN VICTORIAN INTEGRATED INFLUENZA PANDEMIC PLAN.

The purpose of this report is to recommend Council endorse the Influenza Pandemic Plan which complements the Integrated Municipal Emergency Management Plan (IMEMP).

The focus of this plan is to prescribe the municipal coordination arrangements that exist to support agencies which have a responsibility for pandemics.

Council Resolution

That Council endorse the Northern Victorian Integrated Influenza Pandemic Plan.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.6 SKATE AND SCOOTER PARK

The purpose of this report is to recommend that Council endorse:

- Princes Park as the location for the Skate and Scooter Park, and
- a financial commitment of \$393,260 to enable a funding application to Sport & Recreation Victoria for the proposed Skate and Scooter Park.

Council Resolution

That Council endorse:

- 1) *a financial commitment of \$393,260 for the Skate and Scooter Park.*
- 2) *Princes Park as the location for the Skate and Scooter Park.*
- 3) *officers investigating the potential sale of the existing skate park site in Majorca Road Maryborough, and providing a report to a future Council meeting.*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.7 CENTRAL VICTORIAN GOLDFIELDS WORLD HERITAGE LISTING MOU

The purpose of this report is for Council to note the Memorandum of Understanding between twelve councils to support the Central Victorian Goldfields World Heritage Listing bid.

Council Resolution

That Council note the Central Victorian Goldfields World Heritage Bid Memorandum of Understanding.

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Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.8 2019 ENERGY BREAKTHROUGH EVALUATION

The purpose of this report is to recommend Council note the evaluation and review of the 2019 Energy Breakthrough as per the Energy Breakthrough Charter requirements.

Council Resolution

That Council notes the 2019 Energy Breakthrough Evaluation Meeting Review.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.9 COUNCIL LAND FENCE POLICY

The purpose of this report is to update Council on the outcome of consultation on the Council land fence policy and to present a final version of the policy for adoption.

The purpose of the policy is to provide the community with a clear understanding of when Council will provide a financial contribution towards the costs of replacement, repair and/or maintenance of a private boundary fence that adjoins Council owned land.

Council Resolution

That Council:

- 1. Adopt the Council Land Fence Policy.*
- 2. Acknowledge and thank the Community Voice Panel for their contribution and feedback regarding the policy.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.10 ACTION PLAN PROGRESS REPORT – AS AT 31 DECEMBER 2019

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 to 31 December 2019.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.11 DECEMBER FINANCIAL REPORT

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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 December 2019 Financial Report showing progress against the budget.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

9 DOCUMENTS FOR SEALING CONFIRMATION REPORT

The purpose of this report is to present to Council for noting, documents that have been signed under Council's common seal, via delegation, since the last Ordinary Council meeting.

Council Resolution

That Council note that the s11A Instrument of Appointment and Authorisation was signed and sealed by the Chief Executive Officer under delegation on behalf of Council, in accordance with the following resolutions of Council made on 17 December 2019:

- 1. That Council adopt the attached s11A Instrument of Appointment and Authorisation for the members 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

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS

Nil

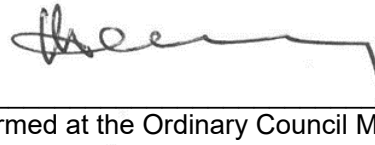
12 CONFIDENTIAL BUSINESS

Nil

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13 MEETING CLOSURE

The Chair, Administrator Noel Harvey declared the meeting closed at 7.02pm

A handwritten signature in black ink, appearing to read 'Noel Harvey', is positioned above a horizontal line. The signature is written in a cursive style with a long horizontal stroke extending to the right, which then turns downwards to cross the line.

Confirmed at the Ordinary Council Meeting
held on 28 April 2020.

Chair, Administrator Noel Harvey