



ORDINARY MEETING OF COUNCIL MINUTES

Tuesday 28 April 2020
6:00pm

Council Chamber
Room 5 Community Hub
48 Burns Street
Maryborough

MEMBERSHIP

Administrator Noel Harvey
Administrator Karen Douglas
Administrator Hugh Delahunty

Confirmed at the Council Meeting
Held on 26 May 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 via videoconference Zoom

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

To present for confirmation the minutes of the Ordinary Council Meeting held on 25 February 2020 and the Ordinary Council Meeting held on 24 March 2020. The 25 February 2020 minutes are being presented to Council again as an incorrect version of the minutes was presented at the March 2020 meeting.

Council Resolution

That Council confirms the Minutes of the Ordinary Council Meeting held on 25 February 2020 and the Minutes of the Ordinary Council Meeting held on 24 March 2020.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

6. REPORTS FROM COMMITTEES

Nil

7. PETITIONS

Nil

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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 18 March 2020 to 20 April 2020.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.2 PLANNING APPLICATION 120/19 – 3 LOT SUBDIVISION AT 370 BUCKNALL STREET, CARISBROOK

SUMMARY/PURPOSE

The purpose of this report is to seek a Council determination for the planning permit application for 120/19 for a 3 lot subdivision at 370 Bucknall Street Carisbrook.

Council Resolution

That Council having caused notice of Planning Application No. 120/19 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 issue planning permit 120/19; a 3 lot subdivision at 370 Bucknall Street, Carisbrook subject to the following conditions:

Prior to statement of compliance

1. *Prior to the issue of the statement of compliance the following plans/documents must be submitted to the Responsible Authority:*
 - a) *A land capability assessment for each proposed lot, which addresses design and maintenance for the wastewater disposal system and addresses present features and setbacks located on the site as well as sizing and location of disposal and reserve field.*
1. *Prior to the issue of the statement of compliance, each lot must be provided with a reticulated water supply in accordance with Central Highlands Water requirements for supply.*

Prior to buildings and works commencing

2. *Before buildings and works associated with the construction of each dwelling on the lot can commence an appropriate restriction must be registered on the newly created title(s) which ensures all future development on the lot(s) is restricted to the area shown as 'Building Envelopes' on the proposed plan of subdivision (Drawing Ref:PPS01) submitted to Council with the application on the 24 October 2019.*

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No alteration layout

3. *The development and/or use(s) 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.*

Construction phase

4. *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.*

Engineering requirements

Prior to the issue of a Statement of Compliance (or as otherwise stated) the following must be undertaken by the applicant/owner to the requirements and satisfaction of the Responsible Authority (alternative requirements may be approved, in writing, by Council's Manager Infrastructure):

Access

5. *Vehicular access to all lots must be provided from the road frontage of Bucknall Street.*
6. *Vehicular crossovers/driveways must be constructed between each of the lots and the road frontage to Bucknall Street. Any existing, or newly constructed, vehicular crossovers/driveways must be of must to an all-weather gravel rural type standard (4 metres width) from road to property line over piped culvert, if required. (Refer Infrastructure Design Manual Standard Drawing 255).*
7. *Any works to crossovers/driveways in Bucknall Street will require the owner/applicant to apply and have approved driveway crossing and/or consent for works permit/s for crossover/driveway/access works. All works constructed or carried out must be in accordance with the approved plans/permit(s).*
8. *Once constructed the crossovers/driveways/access must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.*

Drainage

9. *The owner/applicant must design and construct a drainage system to drain each lot to the legal point of discharge.*
10. *All stormwater shall be accommodated and treated within the subdivision in accordance with IDM Clause 19, including any overland stormwater flows which flow into the subdivision from external sources.*
11. *Stormwater and surface water drainage from lots and driveways shall be designed for stormwater quality and quantity to comply with the Best Practice Environmental Management Guidelines for Urban Stormwater (CSIRO) 1999 and to the satisfaction of the Responsible Authority.*

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12. *A legal point of stormwater discharge shall be provided for each lot, with the legal point of stormwater discharge from the subdivision to be designed and constructed to the satisfaction of the Responsible Authority.*

Landscaping:

13. *The existing native vegetation along Bucknall Street is to be protected during all works and must not be damaged or marked in any way, except with the permission of the Responsible Authority.*

Asset Protection

14. *At any time the permit holder must ensure that the operation and condition of Council assets are not damaged by the construction works.*
15. *If the Responsible Authority deems Council assets have been detrimentally affected or damaged by the 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.*

Sediment Control

16. *The applicant / owner shall restrict sediment discharges from the construction site in accordance with Construction Techniques for Sediment Pollution Control (EPA1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).*

Environmental Health Requirements

17. *All wastewater from proposed dwelling/lots must be treated and contained within the property boundaries in accordance with the current EPA Code of Practice – Onsite Wastewater Management: Guidelines for Environmental Management, Australian Standards 1547 and Council requirements.*
18. *The area set aside for the disposal of waste referred to in this permit shall not be developed by the erection of buildings or the construction of hard standing surfaces.*
19. *All wastewater and liquid is to be contained and treated on site by an approved septic tank system or equivalent. The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply), on the subject or neighbouring properties, and must meet the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).*
20. *Wastewater disposal systems must be installed inside the wastewater envelope indicated on the endorsed plan unless with written consent of the Responsible Authority.*
21. *The wastewater system must be installed within the wastewater envelope stipulated on title and in line with your 173 agreement requirements. The wastewater system must not be installed outside of the prescribed area without prior written consent from the responsible authority.*

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22. *Prior to their occupation, the building or buildings allowed by this permit must be connected to a sewerage disposal system as approved by the Responsible Authority.*
23. *No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).*
24. *Prior to the commencement of construction of the dwelling or shed, plans of a suitable effluent disposal system and its location on the land must be approved in writing by the Responsible Authority.*
25. *The area set aside for the disposal of wastewater referred to in this permit and shown on the endorsed plans must not be developed or changed by the erection of buildings or the construction of hard standing surfaces without prior written consent from the responsible authority.*
26. *The proposed wastewater system must hold a current Jas-ANZ certificate of conformance in compliance with AS/NZS 1546 and be approved to treat waste to a 20/30 treatment level for suspended solids and biological oxygen demand and disposed of via pressure compensating subsurface irrigation in accordance with the Environment Protection Act 1970, The Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).*

Powercor

27. *This letter shall be supplied to the applicant in its entirety.*
28. *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.*
29. *The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.*
30. *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.*
31. *The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).*
32. *Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.*
33. *The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.*

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Department of Environment, Land, Water and Planning

34. All earthworks are to be designed and constructed to avoid soil erosion. All fill is to be compacted, and batters are to be top soiled and revegetated. All drainage is to be diverted around the disturbed areas. Drainage from benched areas, batters and access tracks are to be diverted on non-scouring grades to stable vegetated areas, several drainage points are to be used to avoid concentration of drainage water.

Notification of permit conditions

35. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

Protection of native vegetation to be retained

36. Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:

- a) A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
- b) Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the responsible authority and the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the department.

37. Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:

- a) vehicular or pedestrian access;
- b) trenching or soil excavation;
- c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
- d) construction of entry and exit pits for underground services; or
- e) any other actions or activities that may result in adverse impacts to retained native vegetation.

Native vegetation offsets

38. The total area of native vegetation permitted to be removed is 0.856 hectares, comprised of three patches of native vegetation with a total area of 0.856 hectares (containing no large trees).

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39. To offset the removal of 0.856 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:

- A general offset of 0.338 general habitat units located within the North Central Catchment Management Authority boundary or Central Goldfields municipal district;
- have a Strategic Biodiversity Value score of at least 0.522.
- must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)

40. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be:

- a. An established first party offset site. This must include: o a security agreement signed by both parties, and management plan detailing the 10-year management actions and ongoing management of the site; to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.

Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification; and/or

- b. Credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register. A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at loddonmallee.planning@delwp.vic.gov.au.

Central Highlands Water

41. 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.

Goulburn Murray Water

42. Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1) (a) of the Subdivision Act.

43. All works within the subdivision must be done in accordance with EPA Publication 960 "Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites", September 2004.

44. The Plan of Subdivision submitted for Certification must show wastewater disposal envelopes of at least 800m² on newly created lots located at least:

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- 100 metres from any waterways;
- 60 metres from any dams;
- 40 metres from any drainage lines; and
- 20 metres from any bores.

Expiry permit

45. This permit will expire if (any of the following apply):

- a) The plan of subdivision is not certified within two (2) years of the date of this permit;
- b) If the subdivision permitted by this permit is not completed within five (5) years from the date of the certification of the plan of subdivision.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.3 AUDIT AND RISK COMMITTEE CHARTER UPDATE & REAPPOINTMENT OF COMMITTEE MEMBERS

SUMMARY/PURPOSE

The purpose of this report is to present the updated Audit and Risk Committee Charter (“the Charter”) to Council for adoption and to reappoint the current Committee members for a further term.

Council Resolution

That Council:

- 1) *Adopt the updated Audit and Risk Committee Charter;*
- 2) *Appoint John Watson to be an Independent Member and the Chair of the Audit and Risk Committee for a further term of three years;*
- 3) *Appoint Robert Tommasini to be an Independent Member of the Audit and Risk Committee for a further term of two years;*
- 4) *Appoint Cheryl Fitzgerald to be an Independent Member of the Audit and Risk Committee for a further term of one year; and*
- 5) *Appoint Administrators Hugh Delahunty and Karen Douglas to the Audit and Risk Committee for the remainder of their term as Administrators of the Central Goldfields Shire Council.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

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8.4 REVIEW OF COUNCIL SECTION 86 COMMITTEES.

The purpose of this report is to recommend to Council that Council's Section 86 Committee Instruments of Delegation and current membership be extended for a six month period.

The chair noted that all three Administrators are members of Council Section 86 Committees and that Administrator Delahunty is the chair of the Energy Breakthrough Section 86 Committee, but that these appointments do not constitute a conflict of interest.

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;*
 - d) *Energy Breakthrough;*
 - e) *Talbot Community Homes;*
 - f) *Talbot Town Hall;*
 - g) *Tullaroop Leisure Centre;*

2. *The membership of the special committees be in accordance with Attachment 2*

Moved Administrator Douglas
Seconded Administrator Harvey

CARRIED

8.5 COUNCIL MEETINGS DURING COVID-19 PANDEMIC.

The purpose of this report is to recommend to Council that all Council Meetings be conducted via videoconference and the public be excluded from attending in person while the COVID-19 Pandemic Stage 3 Government Restrictions are in place.

Council Resolution

That, in accordance with the COVID-19 Omnibus (Emergency Measures) Bill 2020, Council:

1. *Conduct its Council Meetings via electronic means;*
2. *Exclude members of the public from attending Council Meetings; and*
3. *Live stream its Council Meetings*

during the period 1 May 2020 to 1 November 2020 or until government restrictions in relation to social distancing and indoor gathering limits are eased.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

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8.6 MARCH 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 March 2020 Financial Report showing progress against the budget.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

9 DOCUMENTS FOR SEALING CONFIRMATION REPORT

Nil

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS

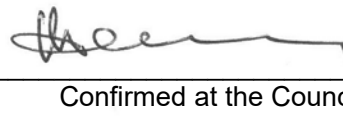
Nil

12 CONFIDENTIAL BUSINESS

Nil

13 MEETING CLOSURE

The Chair, Administrator Noel Harvey declared the meeting closed at 6.25pm



Confirmed at the Council Meeting
held on 26 May 2020.

Chair, Administrator Noel Harvey