



## **MEETING OF COUNCIL MINUTES**

Tuesday 21 December 2022

6:00pm

Meeting held in person

### **MEMBERSHIP**

Councillors

Liesbeth Long

Gerard Murphy

Wayne Sproull

Geoff Lovett

Grace La Vella

Chris Meddows-Taylor (Mayor)

Anna de Villiers

Confirmed at the Council Meeting

Held on 22 February 2022

# CONFIRMED MINUTES

## 1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.00pm  
The Mayor, Cr Meddows-Taylor welcomed everybody.

### PRESENT

#### Councillors

Chris Meddows-Taylor (Mayor)  
Liesbeth Long  
Gerard Murphy  
Wayne Sproull  
Grace La Vella  
Geoff Lovett  
Anna de Villiers

### IN ATTENDANCE

#### Officers

Chief Executive Officer, Lucy Roffey  
General Manager Corporate Performance, Mick Smith  
General Manager Community Wellbeing, Martin Collins  
General Manager Infrastructure Assets and Planning, Rebecca Stockfeld

Motion to suspend Standing Orders of Council  
Moved Cr La Vella  
Seconded Cr Murphy

**CARRIED**

Councillors agreed to deal with Item 10.2 after Item 7.

Motion to resume Standing Orders of Council  
Moved Cr Murphy  
Seconded Cr La Vella

**CARRIED**

## 2. APOLOGIES

Nil

## 3. LEAVE OF ABSENCE

Nil

## 4. DISCLOSURES OF CONFLICTS OF INTEREST

Cr Murphy declared a conflict of interest at 8.3 Procurement Policy Review as he is a contractor with Council and Item 8.8 Local Roads and Community Infrastructure Round 3 Funding as it includes refurbishment of the pools and he manages the pools as a director of the company which is contracted by Council.

## 5. CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETINGS

To present for confirmation the minutes of the Council Meeting held on 23 November 2021 and the minutes of the Special Council Meetings held on 7 December 2021 and 14 December 2021.

## CONFIRMED MINUTES

Mayor declared minutes are confirmed with noted corrections.

### 6. REPORTS FROM COMMITTEES

Nil

### 7. PETITIONS

Nil

Cr Meddows-Taylor vacated the Chair to move a motion and requested a motion to appoint a temporary Chair person.

Motion to appoint Cr La Vella as the temporary Chair.

Moved Cr Long

Seconded Cr Sproull

**CARRIED**

Cr La Vella stepped into the position of Chair.

### 10.2 COUNCILLOR LOVETT - MUNICIPAL ASSOCIATION OF VICTORIA SERVICE AWARD

#### MOTION

*That Council:*

- 1. Record its deep thanks, gratitude and appreciation for the contribution and service of Cr Geoff Lovett to this Council and our community as a Councillor and past Mayor, having received advice from the Municipal Association of Victoria of his eligibility for the 20 Year Service Award from that Association.*
- 2. Note the following testament of this contribution and service within the minutes of this Meeting*

Cr Geoff Lovett was first elected to the newly created Central Goldfields Shire Council in 1997 following the amalgamation of councils in Victoria and the appointment of Commissioners.

The Municipal Association of Victoria (MAV) has recently officially recognised Cr Lovett's completion of 20 years of service as a Councillor and his eligibility for the MAV 20 Year Service Award. Cr Lovett already holds the MAV Mayor Emeritus award.

At the time of his first election in 1997 as part of the first democratically elected Council for Central Goldfields Shire, Cr Lovett was already well known within Maryborough and the surrounding area as a community and business leader. The commitment to work hard and contribute meaningfully to the community, were inherent, deeply held family values which his parents were widely known and revered for.

From the beginning of his period as a Councillor, Cr Lovett demonstrated an unswerving and clear vision for a great future for the Shire and its residents and a willingness to tackle the real issues and opportunities which would make a difference for the better. That vision and the passion to realise it, has remained unchanging and

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undiminished over the years. It has been a constant and ready inspiration for countless Councillors serving with him, especially those new and feeling their way.

Cr Lovett has consistently championed the importance of education and has contributed to this not only through Council, but through his own time and resources. He could see that the formation of a new P-12 Maryborough Education Centre (MEC) offered an important opportunity and he has remained an active, engaged and consistent champion of this initiative, including in the inevitable challenges and difficulties of its early days. As in all things, his oversight and guidance during the period of development of MEC was considered, practical and relevant.

Maryborough has always been Cr Lovett's home and his pride in its history and achievements and the opportunities he could see for it, were constant and a driving force of change for the better. He advocated passionately for important developments in Maryborough including the redevelopment of High Street, the return of passenger rail, the creation of Station Domain and countless other improvements and enhancements.

A very special legacy which resulted in a national local government award and a state planning commendation, was the leading-edge vision and realisation of ensuring the sustainable reuse of the former heritage school building and sites to meet contemporary needs resulting in inestimable benefits. The national award recognises the level of creativity, success and complexity of this project and the limited resources a rural shire had to deliver that success.

The preservation of the beautiful built heritage of the schools, their sustainable reuse to meet contemporary housing needs and the gifting from the Victorian Government of what is now the Council offices, as well as the magnificent presentation of Station Domain were immediate benefits. The favourable impact to local economy of the repurposing activity and the long-term financial benefits to Council through its increased rate-take, is immense.

It is a matter of public record that the Local Government Inspectorate was critical that Council did not receive appropriate compliance advice during some aspects of that long and complex project, something which under the Local Government Act, it was not the designated responsibility of the elected Council to provide. That does not diminish in any way the immeasurable benefits to the community of that initiative or detract from the key leadership role Cr Lovett played in achieving those benefits.

Cr Lovett is a keen and knowledgeable local historian. He has cherished and championed our wonderful built heritage legacy and actively worked to protect and enhance buildings and sites including those which might seem less grand, but also tell an important story. Quite clearly the preservation and enhancement of our built heritage and the recognition of its importance owes a great deal to Cr Lovett's leadership. His keenness to actively support the benefits of the Bid for World Heritage Listing of the central Victoria Goldfields reflects his vision for the key role our heritage plays in our future sustainability and prosperity.

Parks and gardens have also been an area of keen interest for Cr Lovett and he has a detailed knowledge of our tree plantings, especially our rare and special species. His attention and care for their preservation is well known and respected.

The importance of growing our local economy and job creation have been an area of constant focus for Cr Lovett both in terms of new industry and retail attraction, as well as providing support and assistance for existing business to expand, develop and

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prosper. The success of new industry establishing in our Shire has benefited from his experience, wisdom and good guidance.

Cr Lovett has been a creative, skilful and wise Mayor during the terms he has served, leading the Shire with encouragement, focus and polished delivery. He is a highly experienced and impressive chair. Cr Lovett has led the Shire through good times and in more challenging times. When faced with difficulties, his resolve and commitment is unflinchingly to make the best decisions for the future of the Shire, as it is in happier times. Those more difficult decisions continue to serve Council and the community well. He is always a thoughtful, helpful and generous mentor to new Councillors.

His dash of dry humour and quick wit can bring the house down and can masterfully diffuse a stressful situation. It is an important reminder that Council life must not only be purposeful and focused but should also be enjoyable and fun.

Thanks and recognition must also go to Cr Lovett's wife Margaret who herself is an active community leader and has been a hardworking, dedicated and able Mayoress.

Quite simply Cr Lovett's contribution has been unparalleled in the history of Central Goldfields Shire and is likely to remain so for the foreseeable future. His tireless resolve to make a difference for the better continues. The benefits of his contribution to Council as a Councillor and as Mayor will impact generations to come. For this, Council and the community can only record their deepest thanks, gratitude and appreciation.

**Moved**        **Cr Meddows-Taylor**  
**Seconded**    **Cr Murphy**

**Councillors Murphy, De Villiers, Sproull, Long, La Vella spoke to the motion.**

**CARRIED**

### **8. OFFICER REPORTS**

#### **8.1 CEO EMPLOYMENT AND REMUNERATION POLICY**

The purpose of this report to Council is on the update of the existing Chief Executive Officer Employment and Remuneration Policy.

#### **Council Resolution**

*That Council repeal the Chief Executive Officer Employment and Remuneration Policy and adopt the draft Chief Executive Officer Employment and Remuneration Policy as attached to the December 2021 report of the General Manager Corporate Performance 'CEO Employment and Remuneration Policy'.*

**Moved**        **Cr Lovett**  
**Seconded**    **Cr La Vella**

**Cr Lovett and La Vella spoke to the motion.**

**CARRIED**

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## 8.2 COMPLAINTS POLICY REVIEW

The purpose of this report is to present the updated draft Complaints Policy to Council for adoption in accordance with the requirements of Section 107 of the Local Government Act 2020.

### Council Resolution

*That Council repeal the Complaints Resolution Policy and adopt the draft Complaints Policy attached in accordance with the Local Government Act 2020.*

**Moved**      **Cr Sproull**  
**Seconded**    **Cr Murphy**

**Cr Sproull spoke to the motion.**

**CARRIED**

Cr Murphy left the chamber.

## 8.3 PROCUREMENT POLICY REVIEW

The purpose of this report is to present the updated draft Procurement Policy to Council for adoption in accordance with *Local Government Act 2020*.

### Council Resolution

*That Council repeal the Procurement Policy and adopt the attached draft Procurement Policy in accordance with the Local Government Act 2020.*

**Moved**      **Cr La Vella**  
**Seconded**    **Cr Sproull**

**Cr La Vella and Cr Sproull spoke to the motion.**

**CARRIED**

Cr Murphy re-entered the chamber.

## 8.4 S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION

The purpose of this report is to recommend that Council adopt a S11A Instrument of Appointment and Authorisation for the Coordinator Statutory Planning.

### Council Resolution.

- 1. That Council adopt the attached S11A Instrument of Appointment and Authorisation for the members of Council staff set out in the Instrument attached to the December 2021 report of Manager Governance Property and Risk 'S11A Instrument of Appointment and Authorisation'.*
- 2. The S11A Instrument of Appointment and Authorisation comes into force immediately and remains in force until Council determines to vary or revoke it.*

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3. *That the attached S11A Instrument of Appointment and Authorisation be signed by the Chief Executive Officer.*

**Moved**        **Cr Sproull**  
**Seconded**    **Cr La Vella**

**Cr Sproull spoke to the motion.**

**CARRIED**

### **8.5      CENTRAL GOLDFIELDS SHIRE COUNCIL 2020-2021 ANNUAL REPORT**

The purpose of this report is to present the Central Goldfields Shire Council 2020-2021 Annual Report for Council's consideration.

#### **Council Resolution.**

*That Council receive the Central Goldfields Shire Council 2020-2021 Annual Report, and note that this has been submitted to the Minister.*

**Moved**        **Cr De Villiers**  
**Seconded**    **Cr Long**

**Crs De Villiers, Long, Murphy and Meddows-Taylor spoke to the motion.**

**CARRIED**

### **8.6      INDUSTRIAL LAND DEMAND AND SUPPLY ASSESSMENT AND STRATEGY**

The purpose of this report is to present the Industrial Land Demand and Supply Assessment and Strategy to Council for adoption.

#### **Council Resolution.**

*That Council:*

1. *Adopt the Industrial Land Supply and Demand Assessment and Strategy; and*
2. *Request an officer report on options for Council-led development of land it owns in Brick Kiln Road, Flagstaff, to create a new small-lot industrial estate to implement recommendations of the Strategy while managing interface issues with the adjacent Low Density Residential area.*

**Moved**        **Cr de Villiers**  
**Seconded**    **Cr Lovett**

**Crs de Villiers and Lovett spoke to the motion.**

**CARRIED**

### **8.7      PLANNING REFORM**

The State Government is undertaking a Planning Reform Program that seeks to streamline the planning process for proposals which are considered important for the State's recovery from the pandemic and economic growth more generally.

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### Council Resolution.

*That Council:*

- 1. advocate to the Minister for Planning seeking further detail of the Planning Reform Program;*
- 2. seek that the Minister for Planning undertake consultation with local government and the community before planning reform changes are implemented.*

**Moved**        **Cr Murphy**  
**Seconded**    **Cr de Villiers**

**Cr Murphy spoke to the motion.**

**CARRIED**

Cr Murphy left the Chamber.

### **8.8 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE ROUND 3 FUNDING**

Council will receive \$1,579,092 grant funding in 2022 through Round 3 of the Local Roads and Community Infrastructure Grant.

This report recommends that the funding be allocated to the Talbot Town Hall toilets project (\$140,000) and the remainder to fixing high priority risk areas at Council's pool facilities (indoor and outdoor) relating to public safety, staff safety and environmental risk. The final scope of pool works will be reported to Council at a future Council Meeting.

### Council Resolution.

*(A) That Council notes:*

- 1. That \$140,000 of the Round 3 of the Local Roads and Community Infrastructure Grant will be allocated to the Talbot Town Hall toilets project*
- 2. That the remainder of the Round 3 of the Local Roads and Community Infrastructure Grant will be allocated to fixing high priority risk areas at council's indoor and outdoor pools relating to public safety, staff safety and environmental risk.*
- 3. That the final works to the pool facilities will be reported at a future Council Meeting*

*B) Council expresses its thanks and appreciation to Dr Anne Webster MP, for the many initiatives funded by the Local Roads & Infrastructure Program and request her to make representations to her ministerial colleagues to continue this program into the future as a much needed component of local government funding in regions.*

**Moved**        **Cr Long**  
**Seconded**    **Cr de Villiers**

**Cr Long and Meddows-Taylor spoke to the motion.**

**CARRIED**

Cr Murphy re-entered the Chamber.



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### 8.9 ADOPT PRINCES PARK GRANDSTAND CONSERVATION MANAGEMENT PLAN

The purpose of this report is to recommend that Council adopt the Cultural Management Plan for the Princes Park Grandstand.

#### Council Resolution.

*That Council:*

1. *Adopt the Cultural Management Plan for Princes Park Grandstand.*
2. *Notify the community of the Cultural Management Plan for Princes Park Grandstand through Council's media channels.*
3. *Seek funding to commence work on restoration and repair of the Princes Park Grandstand*

**Moved** Cr Lovett  
**Seconded** Cr Murphy

**Crs Lovett and Murphy spoke to the motion.**

**CARRIED**

### 8.10 DOMESTIC ANIMAL MANAGEMENT PLAN REVIEW

The purpose of this report is to recommend the Council adopt the Domestic Animal Management Plan.

#### Council Resolution.

*That Council:*

1. *Adopt the Domestic Animal Management Plan (DAM Plan);*
2. *Submit the DAM Plan to Agriculture Victoria;*
3. *Notify the community of the Domestic Animal Management Plan (DAM Plan) through Council's media channels*

**Moved** Cr Sproull  
**Seconded** Cr La Vella

**Cr Sproull and La Vella spoke to the motion.**

**CARRIED**

### 8.11 WATERWAY MANAGEMENT PLAN FOR CARISBROOK

The purpose of this report is for Council to consider the adoption of the Waterway Management Plan for Carisbrook.

#### Council Resolution.

*That Council:*

1. *Adopt the Waterway Management Plan for Carisbrook and*

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2. *Develop an Implementation Plan for the Waterway Management Plan for Carisbrook that further documents time frames for the recommendations and provides advice to Council about the resources required to implement the Waterway Management Plan for Carisbrook.*

**Moved** Cr de Villiers  
**Seconded** Cr Murphy

**Cr de Villiers and Murphy spoke to the motion.**

**CARRIED**

### **8.12 PLANNING SCHEME AMENDMENT – MINISTERIAL INTERVENTION TO CORRECT ERRORS OF THE CENTRAL GOLDFIELDS PLANNING SCHEME**

The purpose of this report is to recommend that Council request intervention by the Minister for Planning to resolve two errors in the Central Goldfields Planning Scheme.

#### **Council Resolution.**

*That Council:*

1. *request the Minister for Planning intervene using his powers under Section 20A of the Planning and Environment Act 1987 to amend the Central Goldfields Planning Scheme to correct errors regarding 4 Tullaroop Road, Maryborough and 46 Middle Road, Dunolly; and*
2. *authorise the Chief Executive Officer to act on Council's behalf in this matter.*

**Moved** Cr Lovett  
**Seconded** Cr Murphy

**Cr Lovett and Murphy spoke to the motion.**

**CARRIED**

### **8.13 NOVEMBER FINANCIAL REPORT**

The purpose of this report is to advise Council on its financial performance for the year to date, how it is tracking against the adopted budget. A mid year review (forecast) is being undertaken to be presented to Council in January 2022.

#### **Council Resolution.**

*That Council receives and notes the attached Financial Report for the period to 30 November 2021.*

**Moved** Cr Murphy  
**Seconded** Cr Lovett

**Cr Murphy spoke to the motion.**

**CARRIED**

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### 8.14 USE OF THE LAND FOR A PORTABLE SAWMILL AT 134 BET BET CREEK ROAD EAST, BETLEY 3472, PLANNING PERMIT APPLICATION 006/21

Council has received a planning permit application for the use of the land for a portable sawmill at 134 Bet Bet Creek Road East, Betley.

Public notice of the application has been given and 1 objection was received.

The Application has been assessed against the Planning Scheme and it is considered that the proposed development is appropriate.

#### **Council Resolution.**

*That Council, having caused notice of Planning Application No. 006/21 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 issue a Notice of Decision to Grant a Permit in respect of Planning Application No. 006/21 for the land known and described as 134 Bet Bet Creek Road East, Betley, for the use of the land for a portable sawmill in accordance with the endorsed plans and subject to the following conditions:*

#### **No layout alteration**

1. The use must be undertaken generally in accordance with the endorsed plans. The endorsed plans must not be altered without the further written consent of the Responsible Authority.

#### **Location of the portable sawmill when in use**

2. When in use the portable sawmill must be located in accordance *with EPA publication 1518: Recommended Separation Distances for Industrial Residual Air Emissions – Guideline* and as such, must maintain a 250m setback from the nearest dwelling on an adjoining lot.
3. Appropriate dust suppression measures shall be implemented to ensure that a nuisance is not caused to adjoining landowners or the general public to the satisfaction of the Responsible Authority.

#### **Hours of Operation**

4. Except with the prior written consent of the Responsible Authority, the use permitted by this permit must operate only between the following times:

8am – 4pm Wednesday

8am – 4pm Thursday

(excluding Christmas Day and New Years Day)

#### **Amenity requirements**

5. Noise levels emanating from the premises must not exceed noise levels as determined by the EPA Victoria Publication Noise Limit and Assessment Protocol 1826.4, or result in unreasonable and aggravated noise as defined by Part 5.3 of the *Environment Protection Regulation 2021*, or other equivalent policy to the satisfaction of the Responsible Authority.

Within three (3) months of the commencement of the permit the owner will submit an acoustic report prepared by a suitably qualified acoustic specialist, to the responsible authority demonstrating that the saw mill under ordinary use,

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meets the requirements of the EPA Victoria Publication Noise Limit and Assessment Protocol 1826.4, to the satisfaction of the responsible authority.

Any recommended alterations from the suitably qualified acoustic specialist must be undertaken within three (3) months of the report being to the satisfaction of the responsible authority.

The permit holder will ensure that the use continues to meet the EPA Victoria Publication Noise Limit and Assessment Protocol 1826.4.

### Storage

6. When not in use, the portable sawmill, associated equipment, fuel and oil must be appropriately stored within an outbuilding on the site in accordance with the endorsed plans.

### Expiry

7. This permit will expire should any of the following occur:
  - a) The use allowed by this permit is discontinued for a period of two years. The responsible authority may extend this period if a request is made in writing before the permit expires, or within six months afterwards.

**Moved**        **Cr Long**  
**Seconded**   **Cr La Vella**

**Cr Long, La Vella and Sproull spoke to the motion.**

**CARRIED**

### **8.15 DEVELOPMENT OF THE LAND FOR A SINGLE DWELLING, VEHICLE ACCESS AND FENCING AT 29 GRACE STREET, MARYBOROUGH**

Council has received a planning permit application for the development of a single dwelling, vehicle access and associated fencing within the Heritage Overlay at 29 Grace Street, Maryborough.

### **Council Resolution.**

*That Council having caused notice of Planning Application No. 124/21 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 issue a Notice of Decision to Grant a Permit in respect of Planning Application No. 124/21 for the land known and described as 29 Grace Street Maryborough, for development of the land for a single dwelling, vehicle access and fencing at 29 Grace Street, Maryborough in accordance with the endorsed plans and subject to the following conditions:*

### **No Layout Alteration**

1. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

### **Construction Activities**

2. The development must be managed during construction so that the amenity of the area is not detrimentally affected through the:

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- 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, waste water, waste products, grit or oil; and
- d) presence of vermin or animals.

to the satisfaction of the Responsible Authority

### **Stormwater and Drainage**

3. All stormwater runoff from the proposed building hereby permitted shall be dispersed to the legal point of discharge to the satisfaction of the Responsible Authority.

### **Vehicle Access**

4. The applicant/owner must make further application for and have approved driveway crossing permit/s for any crossover/driveway works. All works constructed or carried out must be in accordance with the approved plans/permit(s).
5. Once constructed the crossovers must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.

### **Asset Protection**

6. At any time the permit holder must ensure that the operation and condition of Council assets (including street trees, drains and roads) 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, the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the Responsible Authority.

### **Permit Expiry**

7. The 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:

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 note:**

#### **Building Approval**

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

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permit pursuant to the Building Act 1993 prior to commencement of any construction or works on any part of the site.

**Moved**      **Cr Sproull**  
**Seconded**      **Cr Murphy**

**Cr Sproull and Murphy spoke to the motion.**

**CARRIED**

### 9 DOCUMENTS FOR SEALING CONFIRMATION REPORT

Nil

### 10 NOTICES OF MOTION

#### 10.1 BRISTOL HILL PIONEER MEMORIAL TOWER

##### MOTION

*That Council write to Anthony Judd, Regional Director Loddon Mallee, Forest, Fire and Regions, Department of Environment, Land, Water & Planning Department requesting the Department reopen Bristol Hill Tower as soon as is practicable and advise Council of the plan and timeframe it intends to work within.*

**Moved**      **Cr La Vella**  
**Seconded**      **Cr Lovett**

**Cr La Vella, Lovett and Murphy spoke to the motion.**

**CARRIED**

### 11 URGENT BUSINESS

Nil

### 12 OTHER BUSINESS

Nil

### 13 CONFIDENTIAL BUSINESS

Nil

### 14 MEETING CLOSURE

The Chair, Cr Meddows-Taylor declared the meeting closed at 7.30 pm.



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Confirmed at the Council Meeting  
held on 22 February 2022.