



Unconfirmed Council Meeting Minutes

Wednesday 23 July 2025 at 6:00pm

Maryborough Town Hall, 71 Clarendon Street, Maryborough.

The meeting commenced at 6:00pm.

PRESENT

Councillors:

Grace La Vella (Mayor)
Ben Green (Deputy Mayor)
Geoff Bartlett
Anna de Villiers
Liesbeth Long (online)
Gerard Murphy (online, joined the meeting at 6.07pm)

Officers:

Chief Executive Officer, Peter Harriott
General Manager Community Wellbeing, Emma Little
General Manager Assets Infrastructure and Planning, Amber Ricks
Manager Governance, Property and Risk, Avi Maharaj

1. Welcome

The Mayor, Cr Grace La Vella welcomed attendees to the meeting and then read an Acknowledgment of Country and the Council Prayer.

2. Apologies and Leave of Absence

Cr Jake Meyer was an apology.

3. Declarations of Conflict of Interest

Cr Geoff Bartlett declared a conflict of Interest for Item 7.6 as he is related to one of the parties who have objected to the item.

4. Confirmation of Minutes from Previous Council Meetings

COUNCIL RESOLUTION

That Council confirms the Minutes dated 23 June 2025.

Moved: Cr Bartlett

Seconder: Cr Green

Carried

5. Minutes of Delegated and Advisory Committees

Nil.

6. Petitions

Nil.

7. Council Reports

7.1 Maryborough North, Flagstaff and Carisbrook Land Use Planning Framework

COUNCIL RESOLUTION

That Council:

- 1) acknowledge that the *Maryborough North, Flagstaff and Carisbrook Land Use Framework Plan Recommendations and Findings* report considers, to the extent necessary, all matters outlined in section 12 of the *Planning and Environment Act 1987*; and
- 2) resolves to place the draft *Maryborough North, Flagstaff and Carisbrook Land Use Framework Plan Recommendations and Findings*, forming Attachment 1 to this report, on public exhibition for a four (4) week period commencing Monday 28 July 2025 and closing on Tuesday 26 August 2025.

Moved: Cr de Villiers

Seconder: Cr Bartlett

Carried

7.2 Urban Residential Land Opportunity Study

COUNCIL RESOLUTION

That Council:

- 1) acknowledge that the *Urban Residential Land Opportunity Study* known as the *Rural Living Zones Review* should consider to the extent necessary all matters outlined in section 12 of the *Planning and Environment Act 1987*; and
- 2) resolves to exhibit the draft *Urban Residential Land Opportunity Study* known as the *Rural Living Zones Review* forming Attachment 1 to this report for public consultation for a four (4) week period commencing Monday 28 July 2025 and closing on Tuesday 26 August 2025.

Moved: Cr de Villiers

Seconder: Cr Green

Carried

7.3 Maryborough Flood Study Planning Scheme Amendment

COUNCIL RESOLUTION

That Council;

1. Notes Central Goldfields Entire Mapping Project and Maryborough Flood Study.

2. Notes the draft Planning Scheme Amendment C44cgol ordinance and mapping and authorises amendments to draft documents, such as the Explanatory Report, upon receipt of final planning scheme maps.
3. Resolves to follow the streamlined flood-related overlay amendments Standing Advisory Committee pathway for Planning Scheme Amendment C44cgol.
4. Delegates the Chief Executive Officer to seek written consent from the Minister for Planning to prepare a draft amendment, inclusive of conditions of authorisation, and give public notice of draft planning scheme amendment C44cgol.
5. Notes that community and stakeholder consultation will be undertaken on the draft Planning Scheme Amendment c44cgol ordinance and mapping once consent from the Minister for Planning is granted.
6. Considers at a future meeting of Council, the outcomes of the community consultation, and whether to progress the Amendment via the Standing Advisory Committee pathway or Section 20(4) of the Planning and Environment Act 1987.

Moved: Cr Green

Seconded: Cr Bartlett

Carried

7.4 Update to the S11A Instrument of Appointment and Authorisation for Statutory Planners.

COUNCIL RESOLUTION

That Council adopt the updated S11A Instrument of Appointment and Authorisation under the Planning and Environment Act 1987, with the addition of the new Statutory Planner.

Moved: Cr de Villiers

Seconded: Cr Murphy

Carried

7.5 Community Satisfaction Survey Results 2025

COUNCIL RESOLUTION

That Council note the Community Satisfaction Survey Results for 2025.

Moved: Cr Green

Seconded: Cr de Villiers

Carried

7.6 DO89-23 187 Logan Road Alma

Cr Geoff Bartlett left the meeting prior to any discussion or voting taking place on the item at 6:20pm due to conflict of interest for item 7.6

COUNCIL RESOLUTION

That Council:

- a. Receive and note the late information submitted by NRLinks Pty Ltd and provided as Attachment 3 and 4.
- b. Receive and note correspondence from Goulburn Murray Water to the property owner, dated 10th of February 2023, submitted by the applicant, NRLinks Pty Ltd.
- c. That Council, as the responsible authority and pursuant to section 61 of the Planning and Environment Act 1987, issue a Notice of Decision to Refuse a Permit in respect of planning permit application DO89-23 187 Logan Road, Alma for use and development of land for a dwelling and shed and construction of a dam (retrospective) in the Farming Zone on the following grounds;
 1. The proposal fails to provide adequate justification for the use and development of a dwelling on the land to support productive agricultural use.
 2. The proposal would not protect agricultural land, contrary to Clause 02.03-4 (Natural Resource Management) of the Planning Policy Framework.
 3. The proposal will not facilitate productive agriculture, contrary to the Settlement Plan and Economic Development Plan at Clause 02.04 (Strategic Framework Plans) of the Planning Policy Framework.
 4. The proposal for rural residential development is inappropriate in rural areas prioritised for agricultural land use, contrary to Clause 11 (Settlement) and Clause 16 (Housing) of the Planning Policy Framework.
 5. The proposal would result in the fragmentation of agricultural land and does not provide justification that the dwelling is required for productive agriculture, contrary to Clause 14.01 (Agriculture) of the Planning Policy Framework.
 6. The proposal would extend the fragmentation of existing agricultural land, would remove the land from agricultural use, and would adversely affect adjoining and nearby agricultural land use, contrary to the purpose and decision guidelines of the Clause 35.07 (Farming Zone).
 7. The proposal would not constitute orderly planning of the area which is contrary to Clause 65 (Decision Guidelines).

Moved: Cr Green

Seconded: Cr Murphy

Carried

Cr Geoff Bartlett returned to the meeting at 6:28pm.

8. Councillor Reports and General Business

Nil.

9. Notices of Motion

Nil

10. Urgent Business

COUNCIL RESOLUTION

That Council grant Cr Anna de Villers Leave of Absence from all Council Meetings from 20/08/2025 to 22/09/2025 inclusive as per Section 35(4) of the Local Government Act 2020.

Moved: Cr Green

Seconder: Cr Bartlett

Carried

11. Confidential Business

Nil

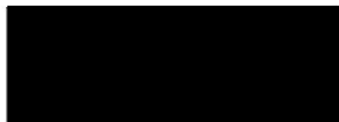
12. Meeting Closure

The meeting closed at 6:30pm.



Our Ref: A4572823
Your Ref: BSW0016-23

10 February 2023



Dear [REDACTED]

RE: Waterway Identification Inspection Outcome

I refer to a recent inspection at the property formally known as Crown Allotment 28, Section 6A, Parish of Maryborough, by Goulburn-Murray Water Officer (GMW) [REDACTED]

The purpose of the inspection was to carry out a "Waterway Identification" on a depression situated on the property identified by specific co-ordinates Zone 54, E: 739997, N: 5899965

A "Waterway Determination" is made by matching criteria used by Goulburn-Murray Water to determine if there is a waterway/watercourse at the site, as defined under Section 3 of the Water Act 1989 and in consideration of the Waterway Identification Guidelines 2022.

As a result of the inspection, our findings show there is not a waterway/watercourse at the specific site inspected on the property. This means that under current legislation you do not require approval from this Authority to conduct works, unless the dam fits the category of:

- a) a wall 5 metres or more high above ground level and a capacity of 50 megalitres or more;
or
- b) a wall 10 metres or more high above ground level and a capacity of 20 megalitres or more;
or
- c) a wall 15 metres or more high above ground level and regardless of the capacity;

If the dam meets any of the above criteria you must first make application to Goulburn-Murray Water for a Works Licence on the prescribed form giving details and a description of the proposed works.

GMW has completed a catchment yield assessment at the proposed site; the proposed storage volume is within the estimated accessible yield available for harvest at the site.

ABN: 46 761 336 846

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PO Box 165 Tatura Victoria 3616 Australia
reception@gmwater.com.au
1800 013 357
www.gmwater.com.au



our proposal to construct a dam for the purpose of Domestic & Stock use also does not require a Take and Use licence under the current legislation. ***The size of the dam should be relative to the number of stock on the property.***

Domestic and stock use in relation to water does not include use for dairies, piggeries, feed lots, poultry or any other intensive or commercial use. Watering/irrigating of any area greater than 0.1ha of kitchen garden and 1.2ha of curtilage around a house for fire protection is considered as non-Domestic and Stock use and will require the purchase of a water entitlement.

New Take and Use licences can only be issued after the required volume (megalitres) of water entitlement has been purchased or transferred from an existing licence holder. Water entitlement purchased must be in accordance with water trading rules for regulated and unregulated streams and approved by GMW.

You are advised that you may require a Planning Permit from your Local Shire Council prior to commencing the works and any approvals given by GMW do not satisfy those requirements. It is the applicants' responsibility to obtain permits as necessary.

Should you require any further information please do not hesitate to contact Diversion Inspector [REDACTED] at the Cairn Curran Office of GMW on [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]
Diversion Services Manager - West