



ORDINARY MEETING OF COUNCIL MINUTES

Tuesday 24 July 2018
6:00pm

Council Chamber
Room 1 Community Hub
48 Burns Street
Maryborough

MEMBERSHIP

Administrator Noel Harvey
Administrator Hugh Delahunty
Administrator Karen Douglas

To be confirmed at the Ordinary Council Meeting
Scheduled for 28 August 2018

UNCONFIRMED MINUTES

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.00pm

The Chair, Administrator Noel Harvey read the Council Prayer and acknowledgement statement:

Council Prayer

Almighty God, we ask you to be present in this Council.

Direct and guide our deliberations.

We ask you to grant us wisdom and sensitivity as we deal with the business of our Shire.

May each decision that we make advance the wellbeing of all our residents.

This we pray. Amen.

Acknowledgement of Country

I acknowledge the Traditional Owners of the land on which we are meeting. I pay my respects to their Elders, past and present, and the Elders from other communities who may be here today.

PRESENT

Administrator Noel Harvey

Administrator Karen Douglas

Administrator Hugh Delahunty

IN ATTENDANCE

Chief Executive Officer, Lucy Roffey

General Manager Corporate Performance, Paul Brumby

General Manager Infrastructure, Assets and Planning, Rebecca Stockfeld

General Manager Community Wellbeing, Brenton West

Acting Manager Governance, Eveline Ord

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 26 June 2018.

Council Resolution

That Council confirms the Minutes of the Ordinary Council Meeting held on 26 June 2018.

Moved Administrator Delahunty

Seconded Administrator Douglas

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CARRIED

6. REPORTS FROM COMMITTEES

6.1 NOTING OF THE APPROVED MINUTES OF SPECIAL COMMITTEE MEETINGS

The purpose of this report was to present for noting the confirmed minutes of Council's Special Committees established under section 86 of the Local Government Act

Council Resolution

That Council notes;

1. *The confirmed Minutes of the Dunolly Historic Precinct Committee held on 28 May 2018*
2. *The confirmed Minutes of the Go Goldfields Collaborative Table held on 8 May 2018*
3. *The confirmed Minutes of the Energy Breakthrough Committee held on 5 June 2018*

Moved Administrator Douglas
Seconded Administrator Delahunty

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 so that they are recorded in the minutes of the formal Council Meeting.

Council Resolution

That Council note the record of assemblies of Councillors as outlined in the report.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.2 UPDATE ON PROGRESS OF ORGANISATION AND GOVERNANCE REFORM PROGRAM

The purpose of this report was to provide a status update on the progress of the organisation and governance reform program as at 3 July 2018

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Council Resolution

That the Council notes the Organisation and Governance Reform Program Progress report.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.3 GO GOLFIELDS STORY SEATS

The purpose of this report was to provide Council with information to decide the locations of the Story Seats across the shire. The Story Seats project is a community arts project funded by Go Goldfields and recognises the desire of the community for visible, public art projects that inspire community aspiration and reflect community expression.

Council Resolution

That Council:

- 1. acknowledge the significant work of the community in the development of the Story Seats*
- 2. endorse the locations of the six seats identified in the report*
- 3. in the absence of a permanent Youth Hub undertake further consultation to determine an appropriate location for the youth seats*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.4 8.4 PLANNING APPLICATION 149/17 – PROPOSED THREE (3) LOT SUBDIVISION AT LOT 1 ON PS710710 (16 MARSHALL STREET, MARYBOROUGH)

Council has received a planning permit application for a three lot subdivision at 16 Marshall Street, Maryborough (subject land).

The application has been assessed against the policy and specific controls of the planning scheme and it is considered that the proposed subdivision accords with relevant policy and the planning scheme.

There has been one written objection (representing two persons) to the proposed subdivision resulting in the need for a Council decision to determine the matter.

It is the Council Planning Officer's recommendation to issue the planning permit for the proposed three lot subdivision.

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Council Resolution

That Council consider the planning permit application PA149/17 for a three (3) lot subdivision in Maryborough at Lot 1 on PS710710 (known as 16 Marshall Street, Maryborough) and determine to issue a Notice of Decision to Grant a Planning Permit for a three (3) lot subdivision subject to the following conditions:--

Layout Plans

- 1. The subdivision, as shown on the endorsed plan(s), must not be altered without the prior written consent of the Responsible Authority.*

Payment In Lieu Of Open Space

- 2. The applicant or owner must pay to Council the sum equivalent to 5% of the value of the land in the subdivision. This payment must be made before a statement of compliance is issued and may be varied under Section 19 of the Subdivision Act, 1988.*

Valuation Expenses

- 3. The applicant or owner must pay on demand to Council, the Council's reasonable costs and expenses to provide valuation for payment in lieu of open space.*

Telecommunications

- 4. The owner of the land must enter into an agreement with:*
 - a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and*
 - b. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.*
- 5. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:*
 - a. A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and*
 - b. A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.*

Easements

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6. *All existing and proposed easements and sites for existing and required utility services and roads must be set aside in favor of the relevant authority for which the easement or site must be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.*

External Referral Authority Conditions

7. *The owner of the land must enter into agreements with the relevant authorities for the provision of gas and electricity services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.*
8. *The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.*

Engineering Requirements

9. *Prior to the issue of a Statement of Compliance the following must be undertaken by the applicant/owner to the requirements and satisfaction of the Responsible Authority unless approved, in writing, by the Responsible Authority:*

Access:

- a. *Vehicular access must be provided from Marshall Street.*
- b. *A Vehicular crossover(s)/driveway(s) must be constructed between the common property servicing Lots 1, 2 and 3 and Marshall Street. Such crossover/driveway must be of concrete construction and be from kerb to property boundary. (Refer Infrastructure Design Manual Standard Drawing 240).*
- c. *The applicant/owner must make further application for and have approved a driveway crossing permit for crossover/driveway works. All works constructed or carried out must be in accordance with the approved plans/permit(s).*
- d. *Once constructed the crossovers must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.*
- e. *Any disused crossovers must be removed and kerb and channel and nature strip reinstated to the satisfaction of the Responsible Authority.*
- f. *Internal roads on common property must be provided to a design and standard to allow appropriate access to each of the Lots 1, 2 and 3. Such roads should be fully constructed concrete pavement at least 3 metres wide with a clear zone of at least 4 metres width.*

Drainage:

- g. *The owner/applicant must design a drainage system to drain the development to the legal point of discharge.*
- h. *A legal point of storm water discharge (LPD) must be provided for Lots 1, 2 and 3 to the Marshall Street kerb & channel, with the drainage alignment from each Lot contained within the common property to the kerb & channel to the satisfaction of the Responsible Authority.*

Landscaping:

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10. *One street tree must be planted in the nature strip on the Marshall Street road reserve in front of Lot 3. The proposed location and species must be approved by the Responsible Authority prior to planting. The tree(s) must be planted prior to the issue of the statement of compliance and maintained by the permit holder / owner for a period comprising at least two summers, or alternatively, a bond can also be offered to allow the tree to be planted at the appropriate time.*
11. *The applicant/owner must make further application for and have approved landscaping permit for the tree works. All works constructed or carried out must be in accordance with the approved plans/permit(s).*
12. *Upon completion of all off site works all nature strips must be levelled, topsoiled and seeded. Alternate landscaping methods may be undertaken, but must be approved, in writing, by the Responsible Authority prior to any works being undertaken.*

13. Asset Protection

At any time the permit holder must ensure that the operation and condition of Council assets 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, then the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the Responsible Authority.

14. Sediment Control

The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).

Central Highlands Water Conditions

15. *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.*
16. *Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.*
17. *A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.*
18. *The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.*
19. *If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.*

Commencement and Completion Times

20. *This permit will expire if:*

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- a) *The subdivision is not certified within two (2) years of the date of this permit.*
- b) *the registration of the subdivision is not completed within five (5) years of the date of this permit.*

The Responsible Authority may extend this time if a request is made in writing before the permit expires or within six months afterwards.

PERMIT NOTES:

Powercor:

Prior to Powercor Australia Ltd consenting to the issue of “prescribed information” enabling a Statement of Compliance to be issued to Council, the applicant must:

- *Provide an electricity supply to all lots shown on the endorsed plan in accordance with Powercor Australia’s requirements and standards.*
- *Complete the rearrangement of the existing electricity supply system and any private electric line in the subdivision to the satisfaction of Powercor Australia Ltd.*

Downer Utilities Australia:

We advise that AusNet Gas Services Pty Ltd is the owner of substantial gas assets in metropolitan Melbourne and country Victoria, and that Downer—Infrastructure Services is their maintenance provider.

Creation of roads - Should AusNet Gas Services decide to reticulate gas in the subdivision it is anticipated that gas mains would be installed in accordance with alignments as specified in the Co-ordination of Streetworks Code of Practice.

Council Addressing:

Street addressing will be confirmed prior to Certification of the Plan of Subdivision, however, Council’s Addressing officer has advised that the street numbers will be as follows:

- *Lot 1 on proposed PS813512 will be known as Unit 3,16 Marshall Street, Maryborough VIC 3465*
- *Lot 2 on proposed PS813512 will be known as Unit 2,16 Marshall Street, Maryborough VIC 3465*
- *Lot 3 on proposed PS813512 will be known as Unit 1,16 Marshall Street, Maryborough VIC 3465*

**Moved
Seconded**

**Administrator Douglas
Administrator Delahunty**

CARRIED

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8.5 PLANNING APPLICATION 028/18 – DISPLAY OF A PROPOSED MAJOR PROMOTION SIGN AT LOT 1 ON TP220222, 4027 PYRENEES HIGHWAY, CARISBROOK

Council has received a planning permit application (PA028/18) proposing the display of a major promotion sign at 4027 Pyrenees Highway, Carisbrook.

Public notice of the application has resulted in nine (9) written objections.

The application has been assessed against the policy and specific controls of the planning scheme and it is considered that the proposed sign is excessive in size and is incompatible with the rural landscape character of the area.

A Council determination was sought for the application as the Council's Planning Officer recommends that a Notice of Refusal to grant a planning permit be issued.

Council Resolution

That Council consider the planning permit application PA028/18 and determine to issue a Notice of Decision to Refuse a Planning Permit for the display of a major promotion sign at Lot 1 on TP220222, 4027 Pyrenees Highway, Carisbrook on the following grounds:

- 1. The sign would negatively impact on the rural landscape character of the location as an entrance to an urban village, which is outlined in local policy.*
- 2. The proposed sign would not enhance the entry to Carisbrook, as required in policy.*
- 3. The sign is excessive in scale to its surroundings and does not have any regard to the waterway or rural setting.*
- 4. The sign would be detrimental to the natural landscaped character of the named waterway, Flagstaff Gully.*
- 5. The sign would have an impact on a driver's line of sight given the location near the intersection of Pyrenees Highway and Potts Lane.*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.6 PUBLIC NOTICE – INTENTION TO LEASE PART OF MARYBOROUGH AERODROME

The purpose of this report was to provide information on the statutory requirements to enter into formal lease agreements at the Maryborough Aerodrome, 152 Leviathan Road, Maryborough, and to recommend that Council advertises this proposal to lease four sites at the Aerodrome.

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Council Resolution

That Council

1. *Formally advertise its intention to lease these four lots at the Maryborough Aerodrome, and seek public submission on this proposal under Section 223 of the Local Government Act 1989*
2. *Receives submissions until close of business on 27 August 2018 and that a Hearing Meeting be scheduled for 11 September 2018 at 5.30pm.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.7 MARYBOROUGH GOLF CLUB – CLUBHOUSE REDEVELOPMENT

The purpose of this report is to inform Council's about the prospective SRV 2018-19 Female Friendly Facilities Fund Grant Application for the Maryborough Golf Club – Clubhouse Redevelopment.

The Female Friendly Facilities Fund provides funding to councils to develop sports facilities such as change-rooms, grounds, pavilions and courts that enable, facilitate, and retain participation by women

Council Resolution

That Council endorse the application to SRV Female Friendly Facilities Fund for the re-development of facilities at the Maryborough Golf Club.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

8.8 FINANCIAL REPORT MAY 2018

Monthly financial reports are presented to Council to show Council's financial performance and how it is tracking against the adopted (original) budget.

Council Resolution

1. That Council receives and notes the attached May 2018 Financial Report showing progress against the budget as presented.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

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9 DOCUMENTS FOR SEALING CONFIRMATION

NIL

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 6.20pm

To be confirmed at the Ordinary Council Meeting
held on 28 August 2018.

Chair, Administrator Noel Harvey