



WELLINGTON

SHIRE COUNCIL

The Heart of Gippsland

Resolutions in Brief

To be read in conjunction with the Agenda of 21 April 2015

PRESENT:

Councillor Carolyn Crossley, Mayor
Councillor Patrick McIvor
Councillor Malcolm Hole
Councillor Bob Wenger
Councillor John Duncan
Councillor Peter Cleary
Councillor Darren McCubbin
Councillor Scott Rossetti
Councillor Emilie Davine

IN ATTENDANCE:

David Morcom, Chief Executive Officer
Chris Hastie, General Manager Built & Natural Environment
John Websdale, General Manager Development
Glenys Butler, General Manager Community and Culture
Arthur Skipitaris, General Manager Corporate Services
Raelene Bowman, Governance Officer
Trish Dean, Governance Officer

ORDINARY MEETING OF COUNCIL – 21 APRIL 2015

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ITEM A4

ADOPTION OF MINUTES OF PREVIOUS MEETING/S

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 7 April 2015 as tabled

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 7 April 2015 as tabled.

COUNCILLOR DAVINE/COUNCILLOR McCUBBIN

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 7 April 2015 as tabled

CARRIED

ITEM A5

BUSINESS ARISING FROM PREVIOUS MEETING/S

ITEM	FROM MEETING	COMMENTS	ACTION BY
<p>Item 1 Gippsland Lakes</p> <p><i>That Council write a letter of support and budget submission to the Hon. Lisa Neville, Minister for Environment Water and Climate Change, outlining the outstanding work completed by the Gippsland Lakes Ministerial Advisory Committee (GLMAC) over the past two years. In recognising the enormous economic, social and environmental impact the health of the Gippsland Lakes has for all Victorians, Council urges the Andrews Labor Government to:</i></p> <ol style="list-style-type: none"> <i>1. Allocate \$8.5m to the health, management and sustainable development of the Gippsland Lakes through the Gippsland Lakes Environment Fund;</i> <i>2. Continue to improve the model of local coordination through the establishment of a new Gippsland Lakes Management Committee (potentially as a stand-alone public sector entity), with a charter to advise government and coordinate action and resources for the protection, development and management of the Gippsland Lakes, and</i> <i>3. Consider further advice on the evolution of the GLMAC model to improve the delivery of planning, management and community engagement for the Gippsland Lakes and ensure the coordinated delivery of government objectives for the Lakes.</i> 	17 February 2015	<p>A letter of support for the Gippsland Lakes Committee was posted to The Hon Lisa Neville MP on 23/02/2015.</p> <p><u>7 April 2015</u> Refer to letter attached (Attachment 1)</p> <p><u>21 April 2015</u> Refer to letter attached (Attachment 2)</p>	General Manager Development

ITEM A6**ACCEPTANCE OF LATE ITEMS****COUNCILLOR McCUBBIN/COUNCILLOR ROSSETTI**

That Item A7 Notice of Motion Australian Local Government Association and MAV Financial Assistance Grants to Local Government be accepted as a late item.

CARRIED**ITEM A7****NOTICE/S OF MOTION****ITEM A7(1)****NOTICE OF MOTION*****That Council:***

- 1. Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of councils services and infrastructure;***
- 2. Acknowledges that the council will receive \$12.2 million in 2014 - 15; and***
- 3. Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in council publications, including annual reports.***

COUNCILLOR CROSSLEY/COUNCILLOR McCUBBIN***That Council:***

- 1. Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of councils services and infrastructure;***
- 2. Acknowledges that the council will receive \$12.2 million in 2014 - 15; and***
- 3. Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in council publications, including annual reports.***

CARRIED**A8****RECEIVING OF PETITIONS OR JOINT LETTERS**

NIL

ITEM A8(1)**OUTSTANDING PETITIONS**

ITEM	FROM MEETING	COMMENTS	ACTION BY
Concerns regarding long grass on the road, east end of Slade Street and north to Rankin Street, Alberton	7 April 2015	Report to Council 5 May 2015	Manager Built Environment

ITEM A8(2)

**RECEIPT OF PETITION: FUNDING FOR THE YARRAM
EISTEDDFOD**

OBJECTIVE

To present Council with a petition in relation to funding for the Yarram Eisteddfod.

RECOMMENDATION

That Council receive the attached petition in relation to funding for the Yarram Eisteddfod.

COUNCILLOR McCUBBIN/COUNCILLOR WENGER

That Council receive the attached petition in relation to funding for the Yarram Eisteddfod.

CARRIED

ITEM A9

**INVITED ADDRESSES, PRESENTATIONS OR
ACKNOWLEDGEMENTS**

NIL

ITEM A10

QUESTIONS ON NOTICE

NIL

ITEM A10(1)

OUTSTANDING QUESTIONS ON NOTICE

NIL

ITEM A 11

MAYOR'S REPORT

RECOMMENDATION

That the Mayor's report be noted.

COUNCILLOR ROSSETTI/COUNCILLOR CLEARY

That the Mayor's report be noted

CARRIED

ITEM A12

YOUTH COUNCIL REPORT

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillors records received during the period 24 March 2015 to 14 April 2015.

COUNCILLOR DAVINE/COUNCILLOR WENGER

That Council note and receive the attached Assembly of Councillors records received during the period 24 March 2015 to 14 April 2015.

CARRIED

ITEM C2.2

DRAFT REVISED COUNCIL PLAN 2013-17

OBJECTIVE

The objective of this report is for Council to agree in principle to the draft revised Council Plan 2013-17 and to seek public submissions in accordance with Section 223 of the *Local Government Act 1989*.

RECOMMENDATION

That:

- 1. In accordance with the requirements of Section 223 of the Local Government Act 1989, Council publicly advertise for submissions on the attached draft revised Council Plan 2013-2017; and*
- 2. In accordance with Section 223 of the Local Government Act 1989 Council consider any submissions received at a Special Council Meeting to be held on 2 June 2015 at 1pm.*

COUNCILLOR McIVOR/COUNCILLOR CLEARY

That:

- 1. In accordance with the requirements of Section 223 of the Local Government Act 1989, Council publicly advertise for submissions on the attached draft revised Council Plan 2013-2017; and*
- 2. In accordance with Section 223 of the Local Government Act 1989 Council consider any submissions received at a Special Council Meeting to be held on 2 June 2015 at 1pm.*

CARRIED

OBJECTIVES

For Council to resolve to advertise the 2015/16 Draft Budget and seek public submissions in accordance with Section 223 of the *Local Government Act 1989*.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

1. Sharon Ray - Wellington Toy Library Closure
Concerns regarding closure of Toy Library July 2013 and is seeking extension to December 2015
2. Julie Proud – Creche closure. Service user spokesperson
Concerns that if Creche is closed at Aqua Energy the option for short term day care will become harder due the shortage of care facilities and in particular Sale Neighbourhood House closure. A petition is currently open for signatories and at present has a total of 230 signatures. Council need to be aware that if the Creche is closed than memberships will be cancelled and this will result in a loss of income to Wellington Shire.
3. Emily Larson – Creche closure
Creche provides avenue for health and fitness particularly to new mothers and encourages social interactions.
4. Erin Nowak – Creche closure
Concerned that Council will close crèche without consideration of other options.

RECOMMENDATION

That:

1. ***Council advertise its 2015/16 Draft Budget (as attached) in accordance with Section 129 of the Local Government Act 1989; and***
2. ***Council consider submissions on the 2015/16 Draft Budget at a Council Meeting on Tuesday 2 June 2015 at 1pm; and***
3. ***Council meet on Tuesday 16 June 2015 at 6pm to consider the formal adoption of the 2015/16 Budget; and***
4. ***Council makes the following declarations regarding rates and charges for the period commencing on 1 July 2015 and concluding on 30 June 2016:***
 - A) ***Pursuant to the provisions of Sections 158, 161 and 162 of the Local Government Act 1989, the Wellington Shire Council hereby resolves to declare that the amount it intends to raise by rates and annual service charges is \$51,372,398:***

General Rate:	\$46,498,055
Cultural & Recreational Land rates	\$ 73,849
Supplementary Rates	\$ 200,000
Garbage Charge:	\$ 3,257,760
Waste Infrastructure Charge:	\$ 1,059,065
EPA Levy Charge:	\$ 276,169
Boisdale Common Effluent System Charge	\$ 7,500

- B) (1) It be further declared that, subject to paragraph 4 of this Part, the general rate be raised through the application of differential rates.**
- (2) A rate in the dollar of 0.005362 be specified as the general rate.**
- (3) It be confirmed that the general rate for all rateable land within the municipal district be determined so that the amount payable be the Capital Improved Value multiplied by the rate in the dollar of 0.005362.**
- (4) a) It be recorded that Council considers that a differential rate will contribute to the equitable and efficient carrying out of Council functions.**
- b) A differential rate be declared for that rateable land having the characteristics specified below, which characteristics will form the criteria for the differential rate so declared:**
- (i) Farm Land:**
Within the meaning of Section 2 of the Valuation of Land Act 1960 as amended
“Farm land” means any rateable land –
- that is not less than 2 hectares in area; and
- that is used primarily for grazing (including agistment), dairying, pig-farming, poultry-farming, fish-farming, tree-farming, bee-keeping, viticulture, horticulture, fruit-growing or the growing of crops of any kind or for any combination of those activities; and
- that is used by a business –
- that has a significant and substantial commercial purpose or character; and**
 - that seeks to make a profit on a continuous or repetitive basis from its activities on the land; and**
 - that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating; and**
 - where the ratepayer is a Primary Producer as evidenced by a current ATO assessment**
- c) The differential rate be determined by multiplying the Capital Improved Value of the rateable Farm Land as described in paragraph b) by the rate in the dollar of 0.004290.**

D) Waste Infrastructure Charge:

C) Garbage Charge:

- (1) An annual service charge of \$176.00 be declared for the collection and disposal of garbage in respect of Residential premises to which the service is available – whether or not the owner or occupier of any such premises avails themselves of the service.**
- (2) An annual service charge of \$193.60 (includes GST) be declared for the collection and disposal of garbage in respect of Commercial premises to which the service is available.**
- (1) An annual service charge be declared for the development of Landfills, Recycling facilities, Transfer Stations and the rehabilitation of Landfill sites, and provision of facilities for ongoing monitoring of landfills, to ensure that Council is able to continue to provide a waste disposal service.**
- (2) The charge be \$35.00 for each property in respect of which a municipal charge may be levied. This charge will not apply to properties identified as being within the Ninety Mile Beach Restructure Plan Stages 7 – 22, with the exception of those properties with an existing dwelling, where the charge will still apply.**

E) EPA Levy Charge:

- (1) An annual service charge of \$14.92 be declared to cover the costs levied by the Environment Protection Authority on the operation of landfills, not otherwise recouped.**

The charge be levied on each property to which a Garbage Charge is applied, at the rate of one EPA Levy Charge for each Garbage Charge.

F) Boisdale Common Effluent System Charge:

- (1) An annual service charge of \$288.00 be declared for wastewater availability in respect of Residential premises in the township of Boisdale, to contribute towards the costs of operation and management of the Boisdale Common Effluent System (the System).**
- (2) An annual service charge of \$316.80 (includes GST) be declared for wastewater availability in respect of Commercial premises in the township of Boisdale, to contribute towards the costs of operation and management of the System.**
- (3) The charge be levied on each property which is connected to the System, at the rate of one charge per tenement connected.**

G) Cultural and Recreational Land:

- (1) *The following amounts (excluding service charges) be declared as payable in accordance with Section 4 of the Cultural and Recreational Lands Act 1963, having regard to the services provided by the Council in relation to such lands and the benefit to the community derived from this recreational land:*

ORGANISATION	LOCATION	AMOUNT
<i>Gippsland Woodcraft Group Inc</i>	<i>843 Maffra-Rosedale Rd, Nambrok</i>	<i>NIL</i>
<i>Glenmaggie & District Boat Club</i>	<i>Licola Rd, Glenmaggie</i>	<i>NIL</i>
<i>Heyfield Bowling Club Inc</i>	<i>George St, Heyfield</i>	<i>\$1,115.29</i>
<i>Heyfield Golf Club Inc</i>	<i>91 Golf Course Rd, Heyfield</i>	<i>\$1,337.82</i>
<i>Lake Wellington Yacht Club Inc</i>	<i>725 Marlay Point Rd, Clydebank</i>	<i>NIL</i>
<i>Maffra Bowling Club Inc</i>	<i>Princess St, Maffra</i>	<i>\$892.77</i>
<i>Maffra Golf Club</i>	<i>Fulton Rd, Maffra</i>	<i>\$4,025.52</i>
<i>Maffra Sale Motorcycle Club</i>	<i>54 Tatterson Lane, Newry</i>	<i>\$522.79</i>
<i>Maffra Sale Motorcycle Club</i>	<i>Morison St, Maffra</i>	<i>\$498.67</i>
<i>Maffra Squash & Racquetball Club Inc</i>	<i>Little Johnson St, Maffra</i>	<i>NIL</i>
<i>Para Park Co-operative Game Reserve</i>	<i>Sunday Island, Port Albert</i>	<i>\$5,986.67</i>
<i>Port Albert Water Sports & Safety Centre</i>	<i>31-37 Bay St, Port Albert</i>	<i>NIL</i>
<i>Rockley Tennis Club</i>	<i>Dawson St, Sale</i>	<i>NIL</i>
<i>Sale & District Aero Modellers Club Inc</i>	<i>Back Maffra Rd, Sale</i>	<i>\$69.71</i>
<i>Sale Agricultural Society – Showgrounds</i>	<i>Dawson St, Sale</i>	<i>\$2,622.02</i>
<i>Sale Agricultural Society – Sale Greyhound Club</i>	<i>Maffra-Sale Rd, Sale</i>	<i>\$9,785.65</i>
<i>Sale Agricultural Society – Sale Bridge Club</i>	<i>Maffra-Sale Rd, Sale</i>	<i>\$127.35</i>
<i>Sale Angling & Sportsfishing Club</i>	<i>5 David St, Manns Beach</i>	<i>\$231.91</i>
<i>Sale Angling & Sportsfishing Club</i>	<i>Punt Lane, Sale</i>	<i>\$170.24</i>
<i>Sale Community Bowls Club Ltd</i>	<i>Foster St, Sale</i>	<i>\$6,702.50</i>
<i>Sale City Football Netball Club Inc</i>	<i>Guthridge Pde, Sale</i>	<i>\$412.87</i>
<i>Sale United Football Club Inc</i>	<i>313-321 Raglan St, Sale</i>	<i>\$502.69</i>
<i>Sale Croquet Club</i>	<i>Guthridge Pde, Sale</i>	<i>NIL</i>
<i>Sale Field & Game Association</i>	<i>Chessum Rd, Longford</i>	<i>\$225.20</i>
<i>Sale Golf Club</i>	<i>2631 Rosedale-Longford Rd, Longford</i>	<i>\$7,484.01</i>
<i>Sale-Maffra Badminton Association Inc.</i>	<i>59 Gibsons Rd, Sale</i>	<i>\$2,000.03</i>
<i>Sale Small Bore Rifle Club</i>	<i>86 Stephenson St, Sale</i>	<i>NIL</i>
<i>Sale Tennis Club</i>	<i>51 Guthridge Pde, Sale</i>	<i>\$766.77</i>
<i>Sale Turf Club</i>	<i>Maffra-Sale Rd, Sale</i>	<i>\$1,222.54</i>
<i>Sale Turf Club</i>	<i>1227 Maffra-Sale Rd, Sale</i>	<i>\$13,182.48</i>
<i>Sporting Legends Club Inc</i>	<i>316 Montgomery Rd, Bundalaguah</i>	<i>NIL</i>
<i>Stratford Angling Club Inc</i>	<i>Hollands Landing Rd, Hollands Landing</i>	<i>NIL</i>
<i>Stratford Bowls Club</i>	<i>18-22 Dawson St, Stratford</i>	<i>\$922.26</i>
<i>Wurruk Bowls Club Inc</i>	<i>Hunt Place, Wurruk</i>	<i>\$585.80</i>
<i>The Yarram Country Club Inc</i>	<i>332-338 Commercial Rd, Yarram</i>	<i>\$8,943.82</i>
<i>Yarram Golf Club</i>	<i>42 Golf Links Rd, Yarram</i>	<i>\$2,412.90</i>
<i>Yarram Motorcycle Club</i>	<i>96 Morris Rd, Yarram</i>	<i>\$1,099.21</i>
TOTAL		\$73,849.49

H) Pursuant to the provisions of Section 169 of the Local Government Act 1989, Council resolves to declare a Rates Rebate on land with a Deed of Covenant for conservation purposes.

(1) Council considers that this rebate will ensure that the biodiversity values of the land will be protected for the benefit of the broader community.

(2) The rebate will apply only to the land that is affected by a covenant as described in the covenant document.

(3) The rebate will be applied at \$5 per hectare, with a minimum rebate of \$100 and a maximum equal to the annual general rate on the property for that portion of land.

Conditions apply as per Council's Policy No. 4.1.12 – Rates Rebate on land with a Deed of Covenant for Conservation Purposes.

COUNCILLOR HOLE/McCUBBIN

That verbal submissions to the draft budget this evening be formally considered.

CARRIED

COUNCILLOR McCUBBIN/COUNCILLOR DUNCAN

That Council accept the draft budget as per the listed recommendations.

CARRIED

ITEM C3.1

AMENDMENT C95 - PORT ALBERT RURAL RESIDENTIAL LIFESTYLE LOTS REVIEW AND PLANNING CONTROLS REVIEW IMPLEMENTATION

OBJECTIVE

To request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C95 (Rural Residential Lifestyle Lots Review and Planning Controls Review Implementation) pursuant to Section 8A of the *Planning and Environment Act 1987* and once Authorisation is granted, proceed to exhibit Amendment C95.

RECOMMENDATION

That Council request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C95 pursuant to Section 8A of the Planning and Environment Act 1987 and once Authorisation is granted, proceed to exhibit Amendment C95.

COUNCILLOR McCUBBIN/COUNCILLOR DUNCAN

That Council request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C95 pursuant to Section 8A of the Planning and Environment Act 1987 and once Authorisation is granted, proceed to exhibit Amendment C95

CARRIED

ITEM C5.1

**BRIAGOLONG RECREATION RESERVE COMMITTEE OF
MANAGEMENT MINUTES**

OBJECTIVE

For Council to receive the minutes from the Briagolong Recreation Reserve Committee of Management's Ordinary Meetings held on 17 March 2015.

RECOMMENDATION

That Council receive the minutes from the Briagolong Recreation Reserve Committee of Management's Ordinary Meetings held on 17 March 2015.

COUNCILLOR CLEARY/COUNCILLOR HOLE

That Council receive the minutes from the Briagolong Recreation Reserve Committee of Management's Ordinary Meetings held on 17 March 2015.

CARRIED

ITEM C5.2

**ESSO BHP BILLITON WELLINGTON ENTERTAINMENT CENTRE
ADVISORY GROUP MINUTES**

OBJECTIVE

To receive the minutes from the Esso BHP Billiton Wellington Entertainment Centre Advisory Group meeting held on 11 March 2015.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the minutes of the Esso BHP Billiton Wellington Entertainment Centre Advisory Group meeting held on 11 March 2015.

Councillor McCubbin declared an indirect conflict of interest due to close association.

Councillor McCubbin left the Council Chamber at 7:25pm

COUNCILLOR ROSSETTI/COUNCILLOR CLEARY

That Council receive the minutes of the Esso BHP Billiton Wellington Entertainment Centre Advisory Group meeting held on 11 March 2015.

CARRIED

Councillor McCubbin return to the Council Chamber 7:28pm

D. URGENT BUSINESS

NIL

E. FURTHER GALLERY AND CHAT ROOM COMMENTS

Representatives from the 'No Fowl Play for Toongabbie Action Group' spoke regarding the proposed two Broiler Farms at Toongabbie.

1. Nick Tricarico, resident Toongabbie

Questions to Council regarding the two broiler farms east of Toongabbie.
What were the discussions, assurances and promises made to the permit applicant, Mr Daniel Johnson on 12 January 2015?
How can Council assure the local community that the untreated chicken faecal matter will not contaminate water stored for future farm use in the stormwater retention basins?
How can Council assure the local community the cheap chicken litter will not result in contaminant runoff into nearby Rosedale and Fells Creek during heavy rain.?

2. Dawn Luscombe, resident Toongabbie

Seeking clarification from Council with environmental and traffic questions which are yet to be answered. Further questions relating to monitoring of the odour, who is qualified, what qualifications do they have, what equipment is used to monitor the odour and who do concerned residents lodge complaints with particularly after hours.

Clarification around what was sent to Vic Roads particularly around upgrade of road due to the increase in traffic and who is paying for upgrades.

3. John and Ricky McCormack, landowners Toongabbie

Concerns with the environmental impact on the residents of Toongabbie who chose to live in a rural outlook because of the lifestyle. Concerns that our land will be degraded, our air befouled, our water degraded with fowl dust and our quiet rural lifestyle will be no more.

Chat Room Comments:

Glenn Canfield

Will the Council update the Defence Material Organisation Project AIR5428 Office of the removal of support services that directly affect Defence Families ie Aqua Energy Creche Services?

Meeting declared closed 7.45pm.