

The Heart of Gippsland



Resolutions in Brief

To be read in conjunction with the Agenda 2 June 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 and Natural Environment John Websdale, General Manager Development Glenys Butler, General Manager Community and Culture Arthur Skipitaris, General Manager Corporate Services Trish Dean, Governance Officer

ORDINARY MEETING OF COUNCIL – 2 JUNE 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 19 May 2015 as tabled.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 19 May 2015 as tabled.

COUNCILLOR McIVOR / COUNCILLOR WENGER
That Council adopt the minutes and resolutions of the Ordinary Council Meeting of
19 May 2015 as tabled.

CARRIED

ITEM A5 BUSINESS ARISING FROM PREVIOUS MEETING/S

NIL

ITEM A6 ACCEPTANCE OF LATE ITEMS

NIL

ITEM A7 NOTICE/S OF AMENDMENT OR RECISSION

NIL

ITEM A8 RECEIVING OF PETITIONS OR JOINT LETTERS

NIL

ITEM A8(1) OUTSTANDING PETITIONS

ITEM	FROM MEETING	COMMENTS	ACTION BY
Street lights at The Honeysuckles	19 May 2015	Actioned: Refer to Item A8(2) below	Manager Built Environment
Drumming from 132 The Boulevard, Paradise Beach	19 May 2015	Report to Council 16 June 2015	Manager Municipal Services

ITEM A8(2)

RESPONSE TO PETITION: REQUEST TO ERECT STREET LIGHT AT THE HONEYSUCKLES

OBJECTIVE

To consider and respond to the petition received by Council at its meeting of 19 May 2015, requesting street lighting to be provided at The Honeysuckles.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

Graeme Smith, Resident Honeysuckles

Concerns with who pays for these mistakes along with investigating what is going on. There is an opinion that residents of the Honeysuckles have a total distrust for Council.

RECOMMENDATION

That:

- 1. Council investigate options for the provision of street lighting to The Honeysuckles including all costs involved, including inspection of the existing infrastructure, rectification of any defects, installation of luminaires and energising of the lights.
- 2. Council write to the head petitioner and advise that options for the provision of street lighting in the Honeysuckles will be investigated.
- 3. Council be provided the results of this investigation when available.

COUNCILLOR McCUBBIN / COUNCILLOR McIVOR

That:

- 1. Council does not install lights at the Honeysuckles due to the Community preference in the Community Plan for the Honeysuckles 2009.
- 2. That Council convey this to the head petitioner.

CARRIED

ITEM A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENT

Councillor Crossley acknowledged the passing of Joan Kirner former Victorian Premier.

ITEM A10 QUESTIONS ON NOTICE

NIL

NIL

ITEM A10(1) OUTSTANDING QUESTIONS ON NOTICE

NIL

ITEM A11 MAYORS REPORT

NIL

ITEM A12 YOUTH COUNCIL REPORT

NIL

ITEM B DELEGATES REPORT

NIL

ITEM C2.1 ASSEMBLY OF COUNCILLORS

OBJECTIVE

To report on all assembly of Councillor records received during the period 12 May to 26 May 2015.

RECOMMENDATION

That Council note and receive the attached Assembly of Councillors records received during the period 12 May to 26 May 2015.

COUNCILLOR DAVINE / COUNCILLOR McIVOR

That Council note and receive the attached Assembly of Councillors records received during the period 12 May to 26 May 2015.

CARRIED

ITEM C2.2 RECEIPT AND CONSIDERATION OF SUBMISSIONS RELATING TO

THE DRAFT REVISED COUNCIL PLAN 2013-17

OBJECTIVE

To receive and consider submissions relating to the draft revised Council Plan 2013-17.

RECOMMENDATION

That Council note that no submissions were received in relation to the draft revised Council Plan 2013-17.

COUNCILLOR McIVOR / COUNCILLOR DAVINE

That Council note that no submissions were received in relation to the draft revised Council Plan 2013-17.

CARRIED

ITEM C2.3

RECEIPT AND CONSIDERATION OF SUBMISSIONS RELATING TO THE 2015/16 DRAFT BUDGET

OBJECTIVE

To receive and consider the attached submissions relating to the 2015/16 Draft Budget.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

Bodye Darvill, Wellington Neighbourhood House Cluster

Requesting \$10,000 per house per year to continue to provide the many services which they currently provide to the community. Wellington Shire currently house 10 houses including Arts Hub within the Shire of which 1200 people visit. We are local not for profit governed organisations. We have included a business case which identifies the range of activities and associations we are connected to and we are unable to provide eligibility criteria for people to access the services provided. We deliver on the Healthy Wellington Action Plan area 1, 3 & 4. The requested amount of \$10,000 will assist with achieving 4 key aims: community development, communications, social inclusion and support for our cluster of Wellington Houses. The yearly funding amount by Local Government per neighbourhood house and learning centre is \$21,000.

Judith Stone, Cowwarr Community and Historical Association Inc.

Concerns with possible closure of Mobile Library service to Cowwarr. Cowwarr Local Primary School will be affected by the closure due to resource & financial constraints. Urge that Council are proactive and that small towns are provisioned for libraries. Lobby the State Government to increase library services along with reference to the Premiers Department concerns with reading challenges within our schools and communities.

Jennifer Oliver, Toy Library and Aqua Energy Creche

Concerns that Council will remove these services without considering appropriate alternatives. There are 2 reasons why I'm concerned. The support that these services provide to young families is very important and has an indirect benefit. Secondly, these services provide structure when faced with health issues and challenges which assist with surviving these difficult times. Closure of such services could have significant adverse effect on these people. If Council was to withdraw funding, allow time to work out alternative funding structure to allow these services to continue into the future.

Jim Vivien, Gippsland Sports Academy

Gippsland Sports Academy is one of 6 Regional Academy of Sports where we educate local sporting youth, identify talented athletes, build the link between local clubs and national teams, coaching and sporting expertise to Gippsland, auspice administration of monthly Gippstar Awards. Alteration to the current funding arrangement please consider a reduction or maintenance of the Gippstar component of the sponsorship.

Birgit Sarsfield, Heyfield Resident

Concerns with proposal to cease the Mosquito Spraying program to save \$50k. Herald Sun article (March 11, 2011) states that there were 500 cases of Ross River Virus in Victoria 5 times more than previous year. Program is undertaken between November and April to reduce the risk of Ross River Virus, such programs should be considered as minimising the risk of disease as it is a public health issue. Encourage Council to lobby State Government to restore vital funding.

Maggie Evison, Honeysuckles Resident

Concerns with proposal to remove mosquito spraying program as the program reduces the risk of Ross River Virus. As the Secretary of ratepayers association, lots of tourists frequent the area during peak holiday periods and given we do not have a lot of services in our area this is one we would like to continue.

Concerns that by removing Mobile Library this will impact on the community and the lack of internet services which further reduces the availability to access online providers, we would hope that this service can be replaced by an alternative model and that Council considers all options.

Barry Curtain, Mosquito Monitor Wellington Shire

Program has been in operation for 30 years at a low cost which has significantly reduced the numbers of mosquitoes. Wellington Shire Council is a prime breeding ground due to locations of wet lands, lakes etc. Treatment is undertaken between October and April each year between Seaspray to Loch Sport. Department of Health also provides some funding and given the health issues associated with Ross River Virus and other diseases \$50k per annum is minimal compared to the benefits. Concerned that cancellation of the program will result in Council not meeting its duty of care and that the decision has been made without any consultation or advice.

Sharon Ray, Wellington Toy Library Committee

Request that Council reconsider or at the very least extend the Toy Library Coordinator position until December 2015. This will provide an opportunity to revisit what services the Toy Library will continue to offer. Current usage of 70 families, 150 children with an estimated increase to 100 families. Consideration to reduce operation of Toy Library from 6hours to 3hours with an extension to end of 2015.

Laura Belcher, Agua Energy Mothers Group

Request that Council investigate reducing costs by changing session times, increase costs and think about health and wellbeing of mothers within our Community.

Heather Coleman, Heyfield Community Resource Centre

Request that Council consider carefully the business case as the Heyfield Community Resource Centre is a true value to the Wellington Shire Council Neighbourhood House Cluster. Provide community awareness programs, funding of new projects, action plans including ice addiction and Heyfield Community Safety Plan along with visiting housebound residents. Truly a community service and urge you to look at submission very carefully.

Emily Larsen, Agua Energy Creche

Request that Council reconsider closure of crèche at Aqua Energy. Service is invaluable to users and children. Concerned that closure of crèche will lead to cancellation of membership, reduction in café sales and swimming programs. Competitors Traralgon, Moe, Morwell all have gyms and an unsupervised crèche and is concerned how Aqua Energy will compete against them. Second session is underutilised due to class timetable and leaving crèche open to public for occasional care is beneficial. Aqua Energy Creche align with Healthy Wellington Plan and closure is a bad business decision.

General feeling amongst the Save the Creche Community that offering occasional care for parents/carers members and non members may be an option to consider.

Encourage Council to consider regularly reviewing and new strategies in order to find a new business model. Would welcome User Committee and Council to discuss alternatives to save the crèche.

RECOMMENDATION

That Council receive and consider the attached submissions relating to the 2015/16 Draft Budget.

COUNCILLOR McCUBBIN / COUNCILLOR CLEARY

That Council receive and consider the attached submissions relating to the 2015/16 Draft Budget.

CARRIED

ITEM C3.1

PLANNING DECISIONS

OBJECTIVE

To provide a report to Council on recent planning permit trends and planning decisions made under delegation by Statutory Planners during the month of April 2015 for information.

RECOMMENDATION

That Council note the report on recent planning permit trends and Planning Application Determinations between 1 April and 30 April 2015.

COUNCILLOR McIVOR / COUNCILLOR DAVINE
That Council note the report on recent planning permit trends and Planning
Application Determinations between 1 April and 30 April 2015.

CARRIED

ITEM C3.2

STRATEGIC LAND USE PLANNING PROJECT PRIORITIES 2015/16

OBJECTIVE

To seek Council's support for the following project being undertaken as part of the 2015/16 strategic land use planning work program:

1. Targeted detailed assessment of priority places of potential heritage significance as part of Stage 2 of the Wellington Heritage Study.

RECOMMENDATION

That

- 1. Council supports the following project being undertaken as part of the 2015/16 strategic land use planning work program:
 - Targeted detailed assessment of priority places of potential heritage significance as part of Stage 2 of the Wellington Heritage Study.

COUNCILLOR McCUBBIN / COUNCILLOR DUNCAN

That

- 1. Council supports the following project being undertaken as part of the 2015/16 strategic land use planning work program:
 - Targeted detailed assessment of priority places of potential heritage significance as part of Stage 2 of the Wellington Heritage Study.

CARRIED

ITEM C4.1

CUNNINGHAME STREET SPECIAL CHARGE STREET CONSTRUCTION SCHEME – INTENTION TO DECLARE SCHEME

OBJECTIVE

To consider the proposed Cunninghame Street Special Charge Street Construction Scheme Number 1501 for declaration as a Special Charge Scheme for the section of Cunninghame Street between Dundas Street and Lansdowne Street.

RECOMMENDATION

That:

- 1. Council commences the statutory process under the Local Government Act 1989 (the Act) to declare a Special Charge Scheme for the purposes of constructing Cunninghame Street between Dundas Street and Lansdowne Street in Sale and providing any ancillary works including drainage.
- 2. Council in accordance with sections 163(1A) and 163B(3) of the Act, directs that a public notice be given in the Gippsland Times newspaper of the intention of Council to declare the scheme at its ordinary meeting to be held on 18 August 2015 in accordance with the proposed declaration of Special Charge Scheme Number 1501 in the form of this resolution for the full construction of the section of Cunninghame Street between Dundas Street and Lansdowne Street in the township of Sale.

- 3. Council directs that in accordance with section 163(1C) of the Act, separate letters enclosing a copy of the public notice be sent to the owners of the properties referred to and set out in the schedule of properties forming a part of the Proposed Declaration of Special Charge, advising of the intention of Council to declare the Special Charge at its ordinary meeting to be held on 18 August 2015, the basis of the calculation and distribution of the Special Charge and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Charge will be considered and/or taken into account by Council in accordance with sections 163A,163B and 223 of the Act.
- 4. Council appoints three Councillors plus an alternative representative to form the 'Cunninghame Street Special Charge Scheme Submissions Committee' that is established by Council under section 223(1)(b)(i) of the Act, to consider written submissions/objections and to hear any persons who in their written submissions under section 223 of the Act have requested that they be heard in support of their submissions
- 5. That Scheme Number 1501 for construction of the section of Cunninghame Street between Dundas Street and Lansdowne Street, Sale as presented to this meeting be adopted and a Special Charge for the scheme commences 18 August 2015 and remain in force for a period of ten years.
- 6. The Special Charge be declared for the purpose of defraying costs associated with street construction (including drainage) which Council considers will be of benefit to those property owners required to pay the special charge.
- 7. The following be specified as the land in relation to which the special charges is so declared: All properties abutting Cunninghame Street within the township of Sale bounded by Dundas Street and Lansdowne Street intended to be included in the scheme as defined on the plan attached to this report.
- 8. The following be specified as the criteria which forms the basis of the special charge so declared:-
 - Properties will derive special benefit due to construction of the roads and streets by:-
 - Reduction in dust
 - Enhance the amenity and character of the land and local area
 - Creation of improved riding surfaces for the street
 - Improved access and egress from properties
 - Improved road drainage
 - Improved parking with indented parking
 - Improved road safety for motorists, cyclists and pedestrians
- 9. That pursuant to Clause (2) of Section 163 of the Local Government Act 1989, Council resolves:-
 - (a) The total amount of the special charge to be levied is \$81,233
 - (b) The criteria used as a basis for declaring the special charge are:
 - Improved amenity for properties in the area defined by the scheme boundary.
 - Improved road safety for properties and the community in the area defined by the scheme boundary.
 - That for the purposes of Clause (2A) of Section 163 of the Local Government Act 1989 the total amount of the special charge to be levied will not exceed the amount calculated in accordance with the formula $S = R \times C$

Where S = The maximum total amount that may be levied from all persons who are liable to pay the special charges.

R = The Benefit Ratio pursuant to Clause (2B) of Section 163 of

the Act

and C = The cost of the scheme

That for the purposes of Clause (2B) of Section 163 of the Local Government Act 1989, the Benefit Ratio R shall have a value of 0.185

- (c) One third of the cost is to be apportioned to all properties included in the scheme on the basis of each property having abuttal to the street to be constructed under the scheme will be apportioned one (1) Access Benefit Unit (ABU).
- (d) Two thirds of the cost will be apportioned on the basis of abuttal length for each property. Abuttal length for the purpose of this scheme is defined as the actual frontage, one third sideage and one half rearage (including any extensions to these dimensions associated with corner splays) for every property in the scheme. The amount to be charged to each property for abuttal will be the product of the abuttal length of the property divided by the total abuttal length for the scheme multiplied by two third the cost.
- 10. Having regard to the preceding parts of this resolution, it be recorded that:
 - a) The owners of the properties described in the scheme document entitled "Cunninghame Street Special Charge Street Construction Scheme Number 1501" are liable for the respective amounts set out in the scheme document. Council will be contributing 80% of the property owners costs.
 - b) Such owners may subject to any further resolution by Council, pay the special charge per property/title in accordance with the following:
 - (i) the full amount within 45 days of invoice or
 - (ii) payment may be made over 20 quarterly instalments (5 years) including interest or
 - (iii) payment may be made over 40 quarterly instalments (10 years) including interest
- 11. The Chief Executive Officer or the person for the time being acting in that position, be authorised to give public notice of this declaration in accordance with Sections 163 and 223 of the Local Government Act 1989.
- 12. The Chief Executive Officer, General Manager Built & Natural Environment and Manager Assets and Projects or the person for the time being acting in that position, be authorised to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and sections 163(1A), (1B) and (1C) and sections 163B and 223 of the Act.

COUNCILLOR McIVOR / COUNCILLOR WENGER

That:

- 1. Council commences the statutory process under the Local Government Act 1989 (the Act) to declare a Special Charge Scheme for the purposes of constructing Cunninghame Street between Dundas Street and Lansdowne Street in Sale and providing any ancillary works including drainage.
- 2. Council in accordance with sections 163(1A) and 163B(3) of the Act, directs that a public notice be given in the Gippsland Times newspaper of the intention of Council to declare the scheme at its ordinary meeting to be held on 18 August 2015 in accordance with the proposed declaration of Special Charge Scheme Number 1501 in the form of this resolution for the full construction of the section of Cunninghame Street between Dundas Street and Lansdowne Street in the township of Sale
- 3. Council directs that in accordance with section 163(1C) of the Act, separate letters enclosing a copy of the public notice be sent to the owners of the properties referred to and set out in the schedule of properties forming a part of the Proposed Declaration of Special Charge, advising of the intention of Council to declare the Special Charge at its ordinary meeting to be held on 18 August 2015, the basis of the calculation and distribution of the Special Charge and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Charge will be considered and/or taken into account by Council in accordance with sections 163A,163B and 223 of the Act.
- 4. Council appoints three Councillors plus an alternative representative to form the 'Cunninghame Street Special Charge Scheme Submissions Committee' that is established by Council under section 223(1)(b)(i) of the Act, to consider written submissions/objections and to hear any persons who in their written submissions under section 223 of the Act have requested that they be heard in support of their submissions

[Cunninghame Street Special Charge Scheme Submissions Committee: COUNCILLOR CLEARY, McCUBBIN, McIVOR WITH COUNCILLOR CROSSLEY AS AN ALTERNATIVE]

- 5. That Scheme Number 1501 for construction of the section of Cunninghame Street between Dundas Street and Lansdowne Street, Sale as presented to this meeting be adopted and a Special Charge for the scheme commences 18 August 2015 and remain in force for a period of ten years.
- 6. The Special Charge be declared for the purpose of defraying costs associated with street construction (including drainage) which Council considers will be of benefit to those property owners required to pay the special charge.
- 7. The following be specified as the land in relation to which the special charges is so declared: All properties abutting Cunninghame Street within the township of Sale bounded by Dundas Street and Lansdowne Street intended to be included in the scheme as defined on the plan attached to this report.

- 8. The following be specified as the criteria which forms the basis of the special charge so declared:-
 - Properties will derive special benefit due to construction of the roads and streets by:-
 - Reduction in dust
 - Enhance the amenity and character of the land and local area
 - Creation of improved riding surfaces for the street
 - Improved access and egress from properties
 - Improved road drainage
 - Improved parking with indented parking
 - Improved road safety for motorists, cyclists and pedestrians
- 9 That pursuant to Clause (2) of Section 163 of the Local Government Act 1989, Council resolves:-
 - (a) The total amount of the special charge to be levied is \$81,233
 - (b) The criteria used as a basis for declaring the special charge are:
 - Improved amenity for properties in the area defined by the scheme boundary.
 - Improved road safety for properties and the community in the area defined by the scheme boundary.
 - That for the purposes of Clause (2A) of Section 163 of the Local Government Act 1989 the total amount of the special charge to be levied will not exceed the amount calculated in accordance with the formula S = R x C
 - Where S = The maximum total amount that may be levied from all persons who are liable to pay the special charges.
 - R = The Benefit Ratio pursuant to Clause (2B) of Section 163 of
 - the Act
 - and C = The cost of the scheme

That for the purposes of Clause (2B) of Section 163 of the Local Government Act 1989, the Benefit Ratio R shall have a value of 0.185

- (c) One third of the cost is to be apportioned to all properties included in the scheme on the basis of each property having abuttal to the street to be constructed under the scheme will be apportioned one (1) Access Benefit Unit (ABU).
- (d) Two thirds of the cost will be apportioned on the basis of abuttal length for each property. Abuttal length for the purpose of this scheme is defined as the actual frontage, one third sideage and one half rearage (including any extensions to these dimensions associated with corner splays) for every property in the scheme. The amount to be charged to each property for abuttal will be the product of the abuttal length of the property divided by the total abuttal length for the scheme multiplied by two third the cost

- 10 Having regard to the preceding parts of this resolution, it be recorded that:
 - a) The owners of the properties described in the scheme document entitled "Cunninghame Street Special Charge Street Construction Scheme Number 1501" are liable for the respective amounts set out in the scheme document. Council will be contributing 80% of the property owners costs.
 - b) Such owners may subject to any further resolution by Council, pay the special charge per property/title in accordance with the following:
 - (i) the full amount within 45 days of invoice or
 - (ii) payment may be made over 20 quarterly instalments (5 years) including interest or
 - (iii) payment may be made over 40 quarterly instalments (10 years) including interest
- 11 The Chief Executive Officer or the person for the time being acting in that position, be authorised to give public notice of this declaration in accordance with Sections 163 and 223 of the Local Government Act 1989.
- 12 The Chief Executive Officer, General Manager Built & Natural Environment and Manager Assets and Projects or the person for the time being acting in that position, be authorised to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and sections 163(1A), (1B) and (1C) and sections 163B and 223 of the Act.

CARRIED

ITEM C5.1

GIPPSLAND ART GALLERY ADVISORY GROUP MINUTES

OBJECTIVE

To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 4 May 2015.

RECOMMENDATION

That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 4 May 2015.

COUNCILLOR DAVINE / COUNCILLOR WENGER

That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 4 May 2015.

CARRIED



NIL



E FURTHER GALLERY AND CHAT ROOM COMMENTS

Margaret Desira, Golden Beach Surf Life Saving Club

Informed Council that the existing Golden Beach Surf Life Saving Club is in urgent need of repairs and can Council provide assistance with making a submission and to also have a Councillor as part of the committee. Surf Life Saving Club is an asset to the community and they provide facilities for people from Loch Sport to Seaspray.

Alan Heywood, Pearsondale Resident

Over the last couple of years I have been approaching Council about too many trees being planted, perhaps today highlights there should be less discussion about trees and more about human beings.

Mr Alan Heywood addressed Council regarding a question he has asked at the Ordinary Council Meeting of 19 May 2015.

The Minutes (now passed by Council) noted that Mr Heywood, during Gallery Comments, had asked the question "Why does Council still plant trees in roundabouts throughout Sale?" However Mr Heywood advised that he actually asked "Can Council provide the name or names of people who have the say when and why these trees are still in our roundabouts through Sale"

The CEO has apologised to Mr Heywood for this minor transcript error, and is following up with Mr Heywood to provide him with information in response to his request.

Lee Marchant, Chat Room Comment

I wish to submit that the council recognise that mosquito control issues are a responsibility of the State and therefore should not be a cost to local ratepayers. The Australian Government response to the House of Representatives Standing Committee on Health and Aging report June 2013, recommendation 4 states that: The Australian Government agrees in principle with the recommendation, and notes that inspection/reinspection and treatment programs for mosquito control are the responsibility of individual States and Territories.

Bruce Renowden, Chat Room Comment

This is a comment: Apropos of two matters raised before Council today. Street lighting at The Honeysuckles and mosquito numbers along the coastal areas. It is a fact that the new style of street lighting employed currently, attracts mosquitos.

Meeting closed 2:40pm