



# WELLINGTON SHIRE COUNCIL

*The Heart of Gippsland*

## Resolutions in Brief

To be read in conjunction with the Ordinary Council Meeting Agenda  
17 April 2018

### **COUNCILLORS PRESENT**

Carolyn Crossley (Mayor)  
Ian Bye (Deputy Mayor)  
Alan Hall  
Malcolm Hole  
Gayle Maher  
Carmel Ripper  
Scott Rossetti  
Garry Stephens

### **COUNCILLOR APOLOGY**

Darren McCubbin

### **OFFICER APOLOGY**

Chris Hastie - General Manager Built & Natural Environment

### **IN ATTENDANCE**

David Morcom - Chief Executive Officer  
John Websdale - General Manager Development  
John Tatterson - Acting General Manager Built & Natural Environment  
Glenys Butler - General Manager Community & Culture  
Arthur Skipitaris - General Manager Corporate Services  
Trish Dean - Governance Officer

# ORDINARY MEETING OF COUNCIL – 17 APRIL 2018

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**ITEM A4**

**ADOPTION OF MINUTES OF PREVIOUS MEETING/S**

**OBJECTIVE**

To adopt the minutes of the Ordinary Council Meeting of 3 April 2018.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 3 April 2018.*

**COUNCILLOR BYE / COUNCILLOR MAHER**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 3 April 2018.*

**CARRIED**

**ITEM A5**

**BUSINESS ARISING FROM PREVIOUS MINUTES**

NIL

**ITEM A6**

**ACCEPTANCE OF LATE ITEMS**

NIL

**ITEM A7**

**NOTICES OF MOTION**

NIL

**ITEM A8**

**RECEIVING OF PETITIONS OR JOINT LETTERS**

NIL

**ITEM A8(1)**

**OUTSTANDING PETITIONS**

NIL

**ITEM A9****INVITED ADDRESSES, PRESENTATIONS OR  
ACKNOWLEDGEMENTS**

The Mayor acknowledged the visit from the Prime Minister and the announcement of the Federal Government Regional Jobs Infrastructure Packages.

Grant recipients were from Baw Baw Shire, Latrobe Shire and Wellington Shire. Mayor Crossley also congratulated the Economic Development Business Unit work with assisting applications from Wellington Shire.

The program's intended outcomes are to drive economic growth and create jobs by investing in projects that will, diversify regional economies, stimulate long term growth, deliver sustainable employment and enable applicant to enter new markets and sectors.

**ITEM A10****QUESTIONS ON NOTICE**

NIL

**ITEM A11(1)****MAYOR AND COUNCILLOR ACTIVITY REPORT****RECOMMENDATION**

*That the Mayor and Councillor Activity report be noted.*

**COUNCILLOR STEPHENS / COUNCILLOR MAHER**

*That the Mayor and Councillor Activity report be noted.*

**CARRIED**

**ITEM B****DELEGATES REPORT**

Councillor Hole provided the following verbal delegates report.

Launch of AUSTimber 2020. AUSTimber is a unique event that provides a venue for forest contractors, industry stakeholders and the wider public, to see forest-harvesting equipment from multiple suppliers being operated in real life working conditions. The AUSTimber event only comes to Australia every 4 years.

Gippsland Forestry Hub recently provided an Educational Day with students from Yarram Primary and Yarram Secondary School. This event aims to raise awareness of the career and job opportunities available within the Industry. The event was very successful with job placements being offered to some Yarram Secondary students.

**ITEM C1.1**

**CHIEF EXECUTIVE OFFICER'S REPORT**

**RECOMMENDATION**

*That the Chief Executive Officer's Report be received.*

**COUNCILLOR BYE / COUNCILLOR RIPPER**

*That the Chief Executive Officer's Report be received.*

**CARRIED**

**ITEM C1.2**

**MARCH 2018 PERFORMANCE REPORT**

**OBJECTIVE**

For Council to receive and note the March 2018 Council Performance Report.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council receive and note the March 2018 Council Performance Report as attached.*

**COUNCILLOR HALL / COUNCILLOR STEPHENS**

*That Council receive and note the March 2018 Council Performance Report as attached.*

**CARRIED**

**ITEM C2.1**

**ASSEMBLY OF COUNCILLORS**

**OBJECTIVE**

To report on all assembly of Councillor records received for the period 21 March 2018 to 10 April 2018.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council note and receive the attached Assembly of Councillor records for the period 21 March 2018 to 10 April 2018.*

**COUNCILLOR BYE / COUNCILLOR MAHER**

*That Council note and receive the attached Assembly of Councillor records for the period 21 March 2018 to 10 April 2018.*

**CARRIED**

**ITEM C2.2**

**RESOLVE TO ADVERTISE THE DRAFT 2018/19 BUDGET,  
PROPOSED RATES, FEES AND CHARGES**

**OBJECTIVE**

For Council to resolve to advertise the draft 2018/19 Budget and seek public submissions in accordance with Section 223 of the *Local Government Act 1989*.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

Neil Barraclough, Stratford Resident

Spoke to Council regarding his concerns with drought conditions and how this may affect Council's ability to recover rate revenue.

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**RECOMMENDATION**

**That:**

1. **Council advertise its draft 2018/19 Budget (as attached) in accordance with Section 129 of the Local Government Act 1989; and**
2. **Council consider submissions for the draft 2018/19 Budget at a Special Council Meeting on Tuesday 29 May 2018 at 3pm; and**
3. **Council meet on Tuesday 5 June 2018 at 3pm to consider the formal adoption of the 2018/19 Budget; and**
4. **Council makes the following declarations regarding rates and charges for the period commencing on 1 July 2018 and concluding on 30 June 2019:**

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 \$60,397,245:**

<b>General Rate:</b>	<b>\$54,152,944</b>
<b>Cultural &amp; Recreational Land rates</b>	<b>\$ 73,216</b>
<b>Garbage Charge:</b>	<b>\$ 4,165,830</b>
<b>Waste Infrastructure Charge:</b>	<b>\$ 1,678,051</b>
<b>EPA Levy Charge:</b>	<b>\$ 317,504</b>
<b>Boisdale Common Effluent System Charge</b>	<b>\$ 9,700</b>

- 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 0.005514 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 0.005514**
- (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 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.**

**C) Garbage Charge:**

- (1) **An annual service charge of \$222.00 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.**

**D) Waste Infrastructure Charge:**

- (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 can continue to provide a waste disposal service.**
- (2) **The charge be \$55.00 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 \$16.92 be declared to cover the costs levied by the Environment Protection Authority on the operation of landfills, not otherwise recouped.**
- (2) **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 \$404.90 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 \$445.00 (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 (subject to completion of 2018 valuation) 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:**

<b>ORGANISATION</b>	<b>LOCATION</b>	<b>AMOUNT</b>
<i>Gippsland Woodcraft Group Inc</i>	<i>843 Maffra-Rosedale Rd, Nambrok</i>	<i>0.00</i>
<i>Glenmaggie &amp; District Boat Club</i>	<i>Licola Rd, Glenmaggie</i>	<i>0.00</i>
<i>Heyfield Bowling Club Inc</i>	<i>George St, Heyfield</i>	<i>\$1,287.52</i>
<i>Heyfield Golf Club Inc</i>	<i>91 Golf Course Rd, Heyfield</i>	<i>\$1,827.89</i>
<i>Lake Wellington Yacht Club Inc</i>	<i>725 Marlay Point Rd, Clydebank</i>	<i>0.00</i>
<i>Maffra Bowling Club Inc</i>	<i>Princess St, Maffra</i>	<i>\$1,009.06</i>
<i>Maffra Golf Club</i>	<i>Fulton Rd, Maffra</i>	<i>\$4,515.97</i>
<i>Maffra Sale Motorcycle Club</i>	<i>54 Tatterson Lane, Newry</i>	<i>\$195.75</i>
<i>Maffra Sale Motorcycle Club</i>	<i>Morison St, Maffra</i>	<i>\$296.38</i>
<i>Maffra Squash &amp; Racquetball Club Inc</i>	<i>Little Johnson St, Maffra</i>	<i>\$344.63</i>
<i>Para Park Co-operative Game Reserve</i>	<i>Sunday Island, Port Albert</i>	<i>\$6,156.38</i>
<i>Port Albert Water Sports &amp; Safety Centre</i>	<i>31-37 Bay St, Port Albert</i>	<i>0.00</i>
<i>Sale &amp; District Aero Modellers Club Inc</i>	<i>Back Maffra Rd, Sale</i>	<i>\$312.92</i>
<i>Sale Agricultural Society – Showgrounds</i>	<i>Dawson St, Sale</i>	<i>\$2,827.30</i>
<i>Sale Agricultural Society – Sale Greyhound Club</i>	<i>Maffra-Sale Rd, Sale</i>	<i>\$11,028.00</i>
<i>Sale Angling &amp; Sport Fishing Club</i>	<i>5 David St, Manns Beach</i>	<i>\$0.00</i>
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<i>Sale Field &amp; Game Association</i>	<i>Chessum Rd, Longford</i>	<i>\$959.44</i>
<i>Sale Golf Club</i>	<i>2631 Rosedale-Longford Rd, Longford</i>	<i>\$7,323.97</i>
<i>Sale-Maffra Badminton Association Inc.</i>	<i>59 Gibsons Rd, Sale</i>	<i>\$620.33</i>
<i>Sale Small Bore Rifle Club</i>	<i>86 Stephenson St, Sale</i>	<i>\$0.00</i>
<i>Sale Tennis Club</i>	<i>51 Guthridge Pde, Sale</i>	<i>\$766.45</i>
<i>Sale Turf Club</i>	<i>Maffra-Sale Rd, Sale</i>	<i>\$1,257.19</i>
<i>Sale Turf Club</i>	<i>1227 Maffra-Sale Rd, Sale</i>	<i>\$9,881.09</i>
<i>Sporting Legends Club Inc</i>	<i>316 Montgomery Rd, Bundalaguah</i>	<i>\$1,033.88</i>
<i>Stratford Angling Club Inc</i>	<i>Hollands Landing Rd, Hollands Landing</i>	<i>\$0.00</i>
<i>Stratford Bowls Club</i>	<i>18-22 Dawson St, Stratford</i>	<i>\$1,159.32</i>
<i>West Sale Bowls Club Inc</i>	<i>Hunt Place, Wurruk</i>	<i>\$602.40</i>
<i>The Yarram Country Club Inc</i>	<i>332-338 Commercial Rd, Yarram</i>	<i>\$9,726.70</i>
<i>Yarram Golf Club</i>	<i>42 Golf Links Rd, Yarram</i>	<i>2,481.30</i>
<i>Yarram Motorcycle Club</i>	<i>96 Morris Rd, Yarram</i>	<i>\$0.00</i>
<b>TOTAL</b>		<b>\$73,216.31</b>

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.*
- (4) *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 / COUNCILLOR BYE**

##### **That:**

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    - 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*
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<i>Yarram Motorcycle Club</i>	<i>96 Morris Rd, Yarram</i>	<i>\$0.00</i>
<b>TOTAL</b>		<b>\$73,216.31</b>

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

**CARRIED**

**ITEM C3.1**

**FEBRUARY 2018 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 February 2018, for information.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 February and 28 February 2018.*

**COUNCILLOR BYE / COUNCILLOR MAHER**

*That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 February and 28 February 2018.*

**CARRIED**

**ITEM C3.2**

**NORTH SALE DEVELOPMENT PLAN**

**OBJECTIVE**

For Council to consider all submissions received during the public exhibition period of the 'North Sale Analysis and Design Response Plan' and to adopt the final 'North Sale Development Plan'.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

Russell Napper, Sale Resident

Congratulated Council on the planning and consultation of the North Sale Development. Mr Napper thought that the plan provided all the relevant information and passed on his thanks to Barry Hearsey, Coordinator Strategic Development for professionalism and assistance provided over the project thus far.

**RECOMMENDATION**

*That Council consider all submissions received (refer to Attachment 1) in response to the public exhibition period of the 'North Sale Analysis and Design Response Plan' and adopt the final 'North Sale Development Plan' (refer to Attachment 2).*

**COUNCILLOR MAHER / COUNCILLOR STEPHENS**

*That Council consider all submissions received (refer to Attachment 1) in response to the public exhibition period of the 'North Sale Analysis and Design Response Plan' and adopt the final 'North Sale Development Plan' (refer to Attachment 2).*

**CARRIED**

**ITEM C3.3**

**QUARTERLY STRATEGIC LAND USE PLANNING UPDATE**

**OBJECTIVE**

To update Council on the strategic land use planning work program for the first quarter of 2018.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council receive the 2018 first quarterly update on the strategic land use planning work program (included in Attachment 1 to this report).*

**COUNCILLOR MAHER / COUNCILLOR ROSSETTI**

*That Council receive the 2018 first quarterly update on the strategic land use planning work program (included in Attachment 1 to this report).*

**CARRIED**

**ITEM C5.1**

**MAFFRA RECREATION RESERVE COMMITTEE OF  
MANAGEMENT MINUTES**

**OBJECTIVE**

For Council to receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meetings held on 4 December 2017 and 6 February 2018, including financial statements.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meetings held on 4 December 2017 and 6 February 2018, including financial statements.*

**COUNCILLOR RIPPER / COUNCILLOR BYE**

*That Council receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meetings held on 4 December 2017 and 6 February 2018, including financial statements.*

**CARRIED**

**ITEM C5.2**

**BRIAGOLONG QUARRY RESERVE COMMITTEE OF  
MANAGEMENT MINUTES**

**OBJECTIVE**

For Council to receive the minutes of the Briagolong Quarry Reserve Committee of Management's General Meeting held on 4 December 2017, including financial statement.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council receive the minutes from the Briagolong Quarry Reserve Committee of Management's General Meeting held on 4 December 2017, including financial statement.*

**COUNCILLOR RIPPER / COUNCILLOR HOLE**

*That Council receive the minutes from the Briagolong Quarry Reserve Committee of Management's General Meeting held on 4 December 2017, including financial statement.*

**CARRIED**

**ITEM C5.3****GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES AND MEMBERSHIP****OBJECTIVE**

For Council to receive the minutes from the Gordon Street Recreation Reserve Committee of Management's General Meeting held on 26 February 2018, including financial statements.

For Council to note the passing of the current Pigeon Club Representative, declare the position vacant, and appoint the nominated Pigeon Club Representative as detailed in the attached confidential report, to the Gordon Street Recreation Reserve Committee of Management for the remainder of the 3-year period, ending 18 December 2018.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY****RECOMMENDATION*****That:***

- 1. Council receive the minutes from the Gordon Street Recreation Reserve Committee of Management's General Meeting held on 26 February 2018, including financial statements.***
- 2. Council note the passing of the current Pigeon Club Representative, declare the position vacant, and appoint the nominated Pigeon Club Representative as detailed in the attached confidential report, to the Gordon Street Recreation Reserve Committee of Management for the remainder of the 3-year period, ending 18 December 2018;***
- 3. The information contained in the confidential attachment Item F1.1 Gordon Street Recreation Reserve Committee of Management Membership of this Council meeting agenda and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Community and Culture on 28 March 2018 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: (h) any other matter which the Council or special committee considers would prejudice the Council or any person;  
be designated confidential information under Section 77 Clause (2) (b) of the Local Government Act 1989.***

**COUNCILLOR HOLE / COUNCILLOR BYE**

**That:**

- 1. Council receive the minutes from the Gordon Street Recreation Reserve Committee of Management's General Meeting held on 26 February 2018, including financial statements.**
- 2. Council note the passing of the current Pigeon Club Representative, declare the position vacant, and appoint the nominated Pigeon Club Representative as detailed in the attached confidential report, to the Gordon Street Recreation Reserve Committee of Management for the remainder of the 3-year period, ending 18 December 2018;**
- 3. The information contained in the confidential attachment Item F1.1 Gordon Street Recreation Reserve Committee of Management Membership of this Council meeting agenda and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Community and Culture on 28 March 2018 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: (h) any other matter which the Council or special committee considers would prejudice the Council or any person;  
be designated confidential information under Section 77 Clause (2) (b) of the Local Government Act 1989.**

**CARRIED**



## D. URGENT BUSINESS

NIL



## E. FURTHER GALLERY AND CHAT ROOM COMMENTS

*Gallery comments are an opportunity for members of the public to raise any particular matter they wish. This allows those in the gallery to speak directly to councillors, but is not a forum designed for open discussion or debate. We will listen respectfully to what you have to say, and make the commitment that the Mayor will respond to you in writing within one week if required, and a copy of that response will be circulated to all councillors.*

*This is not a forum for members of the public to lodge complaints against individuals, including councillors and staff, particularly as that individual gets no public right of reply to any matter raised. We take complaints seriously, and in line with the guidance from the Victorian Ombudsman and the local Government Inspectorate, we request that any specific complaint against an individual be put in writing. This way, your concern can be properly dealt with while ensuring fairness to all parties concerned.*

*If you wish to speak, we remind you that this part of the meeting is being recorded and broadcast on our website. Council's official Minutes will record that you have spoken to Council and the subject you spoke to Council about, but will not record specific comments. We ask you to state your name in full, where you are from, and you have three minutes*

### CHAT ROOM

Alan Heywood, Pearsondale Resident

Raised concern, with live streaming issues for this meeting

### GALLERY COMMENTS

Ken Pearson, Gormandale resident

Presented a petition containing 29 signatories regarding the lack of maintenance and corrugations of Banks Road and Lays Road Gormandale. Mr Pearson raised concerns with safety for motor vehicles.

Jenny Tame, Gormandale resident

Spoke to Council regarding safety issues for motorcyclists, due to the state of the road.

Meeting declared closed 7:12pm



**G. IN CLOSED SESSION**

**G. IN CLOSED SESSION**

**COUNCILLOR STEPHENS / COUNCILLOR RIPPER**

*That the meeting be closed to the public pursuant to Section 89(2) of the Local Government Act 1989 to consider:*

- a) personnel matters*

**CARRIED**

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**IN CLOSED SESSION**

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**COUNCILLOR STEPHENS / COUNCILLOR ROSSETTI**

**That:**

*Council move into open session and ratify the decision made in closed session.*

**CARRIED**