



WELLINGTON SHIRE COUNCIL

The Heart of Gippsland

Resolutions in Brief

To be read in conjunction with the Ordinary Council Meeting Agenda
20 March 2018

COUNCILLORS PRESENT

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

IN ATTENDANCE

John Websdale - General Manager Development
Chris Hastie - General Manager Built & Natural Environment
Glenys Butler - General Manager Community & Culture
Arthur Skipitaris - General Manager Corporate Services
Trish Dean - Governance Officer

APOLOGY

Carolyn Crossley - Mayor
David Morcom - Chief Executive Officer

ORDINARY MEETING OF COUNCIL – 20 MARCH 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 6 March 2018.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 6 March 2018.

COUNCILLOR ROSSETTI / COUNCILLOR HOLE

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 6 March 2018.

CARRIED

ITEM A5

BUSINESS ARISING FROM PREVIOUS MINUTES

NIL

ITEM A6

ACCEPTANCE OF LATE ITEMS

NIL

ITEM A7

NOTICE OF MOTION

NIL

ITEM A8

RECEIVING OF PETITIONS OR JOINT LETTERS

NIL

ITEM A8(1)

OUTSTANDING PETITIONS

NIL

ITEM A8(2)

**RESPONSE TO PETITION: RELOCATION OF ROSEDALE
CENOTAPH, HONOUR WALL AND FLAG POLE**

OBJECTIVE

To consider and respond to a petition relating to Planning Permit Application P2017/422 (proposed relocation of the cenotaph, honour wall and flag pole from the Lyons St median, Rosedale to the Edward Crooke Reserve, Rosedale).

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council advise the head petitioner that VicRoads as the relevant road authority and planning permit applicant will amend planning permit application P2017/422 to relocate the cenotaph, honour wall and flag pole to a site immediately west of the schoolhouse building in the Prince St reserve.

COUNCILLOR ROSSETTI / COUNCILLOR McCUBBIN

That Council advise the head petitioner that VicRoads as the relevant road authority and planning permit applicant will amend planning permit application P2017/422 to relocate the cenotaph, honour wall and flag pole to a site immediately west of the schoolhouse building in the Prince St reserve.

CARRIED

ITEM A8(3)

**RESPONSE TO PETITION: OBJECTION TO RENAMING OF PARK
STREET**

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

Yvonne Martin, Park Street Sale
Expressed her concerns with the renaming of Park Street to Grand Canal Road.

RECOMMENDATION

That Council note that the petition received objecting to the proposed renaming of part of Park Street to Grand Canal Drive has been referred to the Place Names Committee whose report is included separately on this Council meeting agenda.

COUNCILLOR McCUBBIN / COUNCILLOR MAHER

That Council note that the petition received objecting to the proposed renaming of part of Park Street to Grand Canal Drive has been referred to the Place Names Committee whose report is included separately on this Council meeting agenda.

CARRIED

ITEM A9

**INVITED ADDRESSES, PRESENTATIONS OR
ACKNOWLEDGEMENTS**

The Deputy Mayor congratulated the Wellington Shire Council's Information Technology Team for receiving the following awards at the MAV Annual Technology Awards for Excellence:

1. Collaboration of the Year for "EduCloud" and
2. Victorian Award for Excellence for "EduCloud".

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 McCUBBIN / COUNCILLOR RIPPER

That the Mayor and Councillor Activity report be noted.

CARRIED

B

DELEGATES REPORT

NIL

ITEM C1.1

CHIEF EXECUTIVE OFFICER'S REPORT

RECOMMENDATION

That the Chief Executive Officer's Report be received.

COUNCILLOR ROSSETTI / COUNCILLOR HALL

That the Chief Executive Officer's Report be received.

CARRIED

ITEM C1.2

FEBRUARY 2018 PERFORMANCE REPORT

OBJECTIVE

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

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

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

COUNCILLOR HALL / COUNCILLOR STEPHENS

That Council receive and note the February 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 27 February 2018 to 6 March 2018.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 27 February 2018 to 6 March 2018.

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council note and receive the attached Assembly of Councillor records for the period 27 February 2018 to 6 March 2018.

CARRIED

OBJECTIVE

To receive and note the minutes of the Audit & Risk Committee meeting held on 26 February 2018.

RECOMMENDATION

That:

- 1. Council receive and note the minutes in brief (Attachment 1) and the confidential attachment at Item F1.1 Audit & Risk Committee Minutes of 26 February 2018; and**
- 2. The information contained in the confidential attachment Item F1.1 Audit & Risk Committee Minutes of 26 February 2018 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 Corporate Services on 6 March 2018 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: f) legal advice; and h) any other matter which the Council 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 HALL / COUNCILLOR ROSSETTI

That:

- 1. Council receive and note the minutes in brief (Attachment 1) and the confidential attachment at Item F1.1 Audit & Risk Committee Minutes of 26 February 2018; and**
- 2. The information contained in the confidential attachment Item F1.1 Audit & Risk Committee Minutes of 26 February 2018 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 Corporate Services on 6 March 2018 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: f) legal advice; and h) any other matter which the Council 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

ITEM C2.3**REMUNERATION COMMITTEE MINUTES****OBJECTIVE**

For Council to note and receive the minutes and endorse the actions of the Remuneration Committee meeting held on 20 February 2018.

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

That:

- 1. Council note and receive the minutes from the Remuneration Committee meeting held on 20 February 2018 as attached; and*
- 2. Council endorse the actions from the Remuneration Committee meeting held on 20 February 2018 as detailed in the attached minutes.*

COUNCILLOR HOLE / COUNCILLOR RIPPER

That:

- 1. Council note and receive the minutes from the Remuneration Committee meeting held on 20 February 2018 as attached; and*
- 2. Council endorse the actions from the Remuneration Committee meeting held on 20 February 2018 as detailed in the attached minutes.*

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 January 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 January and 31 January 2018.

COUNCILLOR MAHER / COUNCILLOR HALL

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 January and 31 January 2018.

CARRIED

ITEM C3.2

RAIL STABLING OPTIONS

OBJECTIVE

To present to Council the Train Stabling Options Study January 2018 for Council's consideration.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the Train Stabling Options Study January 2018 (as provided as Attachment One) and request the Chief Executive Officer to commence an advocacy program to secure State Government funding.

COUNCILLOR RIPPER / COUNCILLOR STEPHENS

That Council receive the Train Stabling Options Study January 2018 (as provided as Attachment One) and request the Chief Executive Officer to commence an advocacy program to secure State Government funding.

CARRIED

ITEM C4.1

**McMILLAN CRESCENT YARRAM SPECIAL CHARGE STREET
CONSTRUCTION SCHEME – SUBMISSIONS COMMITTEE
HEARING**

OBJECTIVE

The objective of this report is for Council to receive and consider the report of the Submissions Committee hearing for the McMillan Crescent Yarram Special Charge Street Construction Scheme (Attachment 1).

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council receive and consider the report from the Submissions Committee in relation to the McMillan Crescent Special Charge Street Construction Scheme; and***
- 2. Having regard to the written objection opposing the proposed Street Construction Scheme and the Submission Committee finding that the proposed Special Charge Street Construction Scheme for McMillan Crescent Yarram has been prepared in accordance with the provisions of the Local Government Act 1989, Council determines that the objection should not stop the scheme being considered for adoption; and***
- 3. The Chief Executive Officer write to the submitters and advise of the Council decision and the reason for that decision and advise the objectors of Wellington Shire Council's Hardship Provisions and if appropriate, invite an application from the objectors; and***
- 4. The information contained in the confidential attachment Item F1.2 Special Hearing Committee Minutes 2018 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 Built & Natural Environment on 28 February 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.***

That:

- 1. Council receive and consider the report from the Submissions Committee in relation to the McMillan Crescent Yarram Special Charge Street Construction Scheme; and**
- 2. Having regard to the written objection opposing the proposed Street Construction Scheme and the Submission Committee finding that the proposed Special Charge Street Construction Scheme for McMillan Crescent Yarram has been prepared in accordance with the provisions of the Local Government Act 1989, Council determines that the objection should not stop the scheme being considered for adoption; and**
- 3. The Chief Executive Officer write to the submitters and advise of the Council decision and the reason for that decision and advise the objectors of Wellington Shire Council's Hardship Provisions and if appropriate, invite an application from the objectors; and**
- 4. The information contained in the confidential attachment Item F1.2 Special Hearing Committee Minutes 2018 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 Built & Natural Environment on 28 February 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 STEPHENS / COUNCILLOR MAHER

That:

- 1. Council receive and consider the report from the Submissions Committee in relation to the McMillan Crescent Yarram Special Charge Street Construction Scheme; and**
- 2. Having regard to the written objection opposing the proposed Street Construction Scheme and the Submission Committee finding that the proposed Special Charge Street Construction Scheme for McMillan Crescent Yarram has been prepared in accordance with the provisions of the Local Government Act 1989, Council determines that the objection should not stop the scheme being considered for adoption; and**
- 3. The Chief Executive Officer write to the submitters and advise of the Council decision and the reason for that decision and advise the objectors of Wellington Shire Council's Hardship Provisions and if appropriate, invite an application from the objectors; and**
- 4. The information contained in the confidential attachment Item F1.2 Special Hearing Committee Minutes 2018 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 Built & Natural Environment on 28 February 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

OBJECTIVE

The purpose of this report is for Council to consider the declaration of the McMillan Crescent Special Charge Street Construction Scheme Number 1703 as a special charge scheme for McMillan Crescent and a section of Commercial Street south of Duke Street in Yarram.

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

That:

- 1. Wellington Shire Council (Council) having noted one objection was received within the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (the Act) and otherwise according to law and having, so far as can be ascertained from available records and can reasonably be concluded, ascertained that the section of Industrial Road which it is proposed the Special Charge will be declared has not previously been constructed by way of a Special Rate or Special Charge, hereby declares a Special Charge under section 163(1) of the Act for the purposes of repaying (with interest) any loan raised by Council in relation to the pavement sealing and footpath construction in McMillan Crescent and Commercial Street south of Duke Street in Yarram and the provision of any ancillary works.***
- 2. The criteria which form the basis of the declaration of the Special Charge is the ownership of rateable land in the area of the Scheme which, based on scheme access benefit units and calculated by frontage or sideage, has and enjoys an abuttal to or access from McMillan Crescent and Commercial Street south of Duke Street to the proposed works.***
- 3. In declaring the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the Wellington Shire, in particular the provision of proper, safe and suitable roads and property services within the area for which the Special Charge is declared.***
- 4. The total cost of the performance of the function and the exercise of the power by Council (in relation to the provision of proper, safe and suitable roads and property services in the area for which the Special Charge is declared) is \$74,000 being the estimated cost of the works to be undertaken. Council funding is to be allocated from its Commonwealth Roads to Recovery Program.***

5. ***The total estimated amount to be levied under the Scheme as the Special Charge is \$29,600.***
6. ***The Special Charge will commence on 20 March 2018 and remain in force for a period of five (5) years.***
7. ***The area for which the Special Charge is declared is all of the land within the boundary shown on the plan set out in the attachment forming a part of this declaration (being Attachment 1).***
8. ***The Special Charge will be declared and assessed in accordance with the amounts set out alongside each property in Attachment 2. Such amounts having respectively been assessed based on access benefit which a property included in the scheme has to the road.***
9. ***The Special Charge will be levied by sending a notice of levy in the prescribed form quarterly to the person liable to pay the Special Charge.***
10. ***Because the performance of the function and the exercise of the power in respect of which the Special Charge is declared and levied relates substantially to capital works, the Special Charge will be levied on the basis of an instalment plan being given to ratepayers whereby:- such ratepayers may subject to any further resolution by Council, pay the special charge per property/title in accordance with the following:***
 1. ***the full amount within 45 days of invoice or***
 2. ***payment may be made over 20 quarterly instalments (5 years) including interest***
11. ***Council will consider proven cases of financial and other hardship and may reconsider other payment options for the Special Charge.***
12. ***No incentives will be given for payment of the Special Charge before the due date for payment.***
13. ***Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge. The criteria used as a basis for declaring the special charge are:***
 - ***Reduction in dust***
 - ***Enhance the amenity and character of the land and local area***
 - ***Creation of improved riding surface for the street***
 - ***Improved access and egress from properties***
 - ***Improved road drainage***
 - ***Improved road safety for motorists***
14. ***Notice be given to all owners of properties included in the Scheme in writing of the decision of Council to declare and levy the Special Charge commencing on 20 March 2018 and the reasons for the decision.***

That:

- 1. Wellington Shire Council (Council) having noted one objection was received within the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (the Act) and otherwise according to law and having, so far as can be ascertained from available records and can reasonably be concluded, ascertained that McMillan Crescent and a section of Commercial Street south of Duke Street Yarram for which it is proposed the Special Charge will be declared has not previously been constructed by way of a Special Rate or Special Charge, hereby declares a Special Charge under section 163(1) of the Act for the purposes of repaying (with interest) any loan raised by Council in relation to the pavement sealing and footpath construction in McMillan Crescent and Commercial Street south of Duke Street in Yarram and the provision of any ancillary works.**
- 2. The criteria which form the basis of the declaration of the Special Charge is the ownership of rateable land in the area of the Scheme which, based on scheme access benefit units and calculated by frontage or sideage, has and enjoys an abuttal to or access from McMillan Crescent and Commercial Street south of Duke Street Yarram to the proposed works.**
- 3. In declaring the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the Wellington Shire, in particular the provision of proper, safe and suitable roads and property services within the area for which the Special Charge is declared.**
- 4. The total cost of the performance of the function and the exercise of the power by Council (in relation to the provision of proper, safe and suitable roads and property services in the area for which the Special Charge is declared) is \$74,000 being the estimated cost of the works to be undertaken. Council funding is to be allocated from its Commonwealth Roads to Recovery Program.**
- 5. The total estimated amount to be levied under the Scheme as the Special Charge is \$29,600.**
- 6. The Special Charge will commence on 20 March 2018 and remain in force for a period of five (5) years.**
- 7. The area for which the Special Charge is declared is all of the land within the boundary shown on the plan set out in the attachment forming a part of this declaration (being Attachment 1).**
- 8. The Special Charge will be declared and assessed in accordance with the amounts set out alongside each property in Attachment 2. Such amounts having respectively been assessed based on access benefit which a property included in the scheme has to the road.**
- 9. The Special Charge will be levied by sending a notice of levy in the prescribed form quarterly to the person liable to pay the Special Charge.**

10. **Because the performance of the function and the exercise of the power in respect of which the Special Charge is declared and levied relates substantially to capital works, the Special Charge will be levied on the basis of an instalment plan being given to ratepayers whereby:- such ratepayers may subject to any further resolution by Council, pay the special charge per property/title in accordance with the following:**
 1. **the full amount within 45 days of invoice or**
 2. **payment may be made over 20 quarterly instalments (5 years) including interest**
11. **Council will consider proven cases of financial and other hardship and may reconsider other payment options for the Special Charge.**
12. **No incentives will be given for payment of the Special Charge before the due date for payment.**
13. **Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge. The criteria used as a basis for declaring the special charge are:**
 - **Reduction in dust**
 - **Enhance the amenity and character of the land and local area**
 - **Creation of improved riding surface for the street**
 - **Improved access and egress from properties**
 - **Improved road drainage**
 - **Improved road safety for motorists**
14. **Notice be given to all owners of properties included in the Scheme in writing of the decision of Council to declare and levy the Special Charge commencing on 20 March 2018 and the reasons for the decision.**

COUNCILLOR STEPHENS / COUNCILLOR HALL

That:

1. **Wellington Shire Council (Council) having noted one objection was received within the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (the Act) and otherwise according to law and having, so far as can be ascertained from available records and can reasonably be concluded, ascertained that McMillan Crescent and a section of Commercial Street south of Duke Street Yarram for which it is proposed the Special Charge will be declared has not previously been constructed by way of a Special Rate or Special Charge, hereby declares a Special Charge under section 163(1) of the Act for the purposes of repaying (with interest) any loan raised by Council in relation to the pavement sealing and footpath construction in McMillan Crescent and Commercial Street south of Duke Street in Yarram and the provision of any ancillary works.**
2. **The criteria which form the basis of the declaration of the Special Charge is the ownership of rateable land in the area of the Scheme which, based on scheme access benefit units and calculated by frontage or sideage, has and enjoys an abuttal to or access from McMillan Crescent and Commercial Street south of Duke Street Yarram to the proposed works.**

- 3. In declaring the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the Wellington Shire, in particular the provision of proper, safe and suitable roads and property services within the area for which the Special Charge is declared.**
- 4. The total cost of the performance of the function and the exercise of the power by Council (in relation to the provision of proper, safe and suitable roads and property services in the area for which the Special Charge is declared) is \$74,000 being the estimated cost of the works to be undertaken. Council funding is to be allocated from its Commonwealth Roads to Recovery Program.**
- 5. The total estimated amount to be levied under the Scheme as the Special Charge is \$29,600.**
- 6. The Special Charge will commence on 20 March 2018 and remain in force for a period of five (5) years.**
- 7. The area for which the Special Charge is declared is all of the land within the boundary shown on the plan set out in the attachment forming a part of this declaration (being Attachment 1).**
- 8. The Special Charge will be declared and assessed in accordance with the amounts set out alongside each property in Attachment 2. Such amounts having respectively been assessed based on access benefit which a property included in the scheme has to the road.**
- 9. The Special Charge will be levied by sending a notice of levy in the prescribed form quarterly to the person liable to pay the Special Charge.**
- 10. Because the performance of the function and the exercise of the power in respect of which the Special Charge is declared and levied relates substantially to capital works, the Special Charge will be levied on the basis of an instalment plan being given to ratepayers whereby:- such ratepayers may subject to any further resolution by Council, pay the special charge per property/title in accordance with the following:**
 - 1. the full amount within 45 days of invoice or**
 - 2. payment may be made over 20 quarterly instalments (5 years) including interest**
- 11. Council will consider proven cases of financial and other hardship and may reconsider other payment options for the Special Charge.**
- 12. No incentives will be given for payment of the Special Charge before the due date for payment.**

13. Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge. The criteria used as a basis for declaring the special charge are:

- **Reduction in dust**
- **Enhance the amenity and character of the land and local area**
- **Creation of improved riding surface for the street**
- **Improved access and egress from properties**
- **Improved road drainage**
- **Improved road safety for motorists**

14. Notice be given to all owners of properties included in the Scheme in writing of the decision of Council to declare and levy the Special Charge commencing on 20 March 2018 and the reasons for the decision.

CARRIED

ITEM C4.3**ROAD DISCONTINUANCE – UNUSED GOVERNMENT ROAD OFF MILLERS ROAD COONGULLA****OBJECTIVE**

The objective of this report is for Council to consider a request by the Department of Environment, Land, Water and Planning (DELWP) for the discontinuance/closure of an unused Government Road between CA10 Sec C and CA10A Sec C in the Parish of Coongulla, being off Millers Road, Coongulla.

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

That:

- 1. Pursuant to Section 349 of the Land Act 1958, Council resolves to give its concurrence to the closing of a section of Government road between CA10 Sec C and CA10A Sec C in the Parish of Coongulla and shown red on the attached plans;***
- 2. Pursuant to Section 400 of the Land Act 1958, Council gives notice that the section of Government road between CA10 Sec C and CA10A Sec C in the Parish of Coongulla, is considered to not be required for public traffic and is therefore an unused road.***

That Council advise the Department of Environment, Land, Water and Planning that:

- 1. Pursuant to Section 349 of the Land Act 1958, Council resolves to give its concurrence to the closing of a section of Government road between CA10 Sec C and CA10A Sec C in the Parish of Coongulla and shown red on the attached plans;***
- 2. Pursuant to Section 400 of the Land Act 1958, Council gives notice that the section of Government road between CA10 Sec C and CA10A Sec C in the Parish of Coongulla, is considered to not be required for public traffic and is therefore an unused road.***

COUNCILLOR HOLE / COUNCILLOR RIPPER

That Council advise the Department of Environment, Land, Water and Planning that:

- 1. Pursuant to Section 349 of the Land Act 1958, Council resolves to give its concurrence to the closing of a section of Government road between CA10 Sec C and CA10A Sec C in the Parish of Coongulla and shown red on the attached plans;***
- 2. Pursuant to Section 400 of the Land Act 1958, Council gives notice that the section of Government road between CA10 Sec C and CA10A Sec C in the Parish of Coongulla, is considered to not be required for public traffic and is therefore an unused road.***

CARRIED

ITEM C4.4

RIVERVIEW ROAD WURRUK SPECIAL CHARGE STREET CONSTRUCTION SCHEME – DECLARATION OF SCHEME

OBJECTIVE

The purpose of this report is for Council to consider the declaration of the Riverview Road Wurruk Special Charge Street Construction Scheme Number 1702 as a special charge scheme for the section of road between Golding and Fisk Streets in Wurruk.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Wellington Shire Council (Council) having noted no objections were received within the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (the Act) and otherwise according to law and having, so far as can be ascertained from available records and can reasonably be concluded, ascertained that the section of Riverview Road Wurruk for which it is proposed the Special Charge will be declared has not previously been constructed by way of a Special Rate or Special Charge, hereby declares a Special Charge under section 163(1) of the Act for the purposes of repaying (with interest) any loan raised by Council in relation to the construction of Riverview Road between Golding and Fisk Streets in Wurruk and the provision of any ancillary works.***
- 2. The criteria which form the basis of the declaration of the Special Charge is the ownership of rateable land in the area of the Scheme which, based on scheme access benefit units and calculated by frontage as to 33.3% and abuttal as to 66.7%, has and enjoys an abuttal to or access from Riverview Road, and having regard to frontage of the lands to the proposed works.***
- 3. In declaring the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the Wellington Shire, in particular the provision of proper, safe and suitable roads and property services within the area for which the Special Charge is declared.***
- 4. The total cost of the performance of the function and the exercise of the power by Council (in relation to the provision of proper, safe and suitable roads and property services in the area for which the Special Charge is declared) is \$185,000 being the estimated cost of the works to be undertaken. Council funding is to be allocated from its Commonwealth Roads to Recovery Program.***

- 5. The total estimated amount to be levied under the Scheme as the Special Charge is \$74,000.**
- 6. The Special Charge will commence on 20 March 2018 and remain in force for a period of ten years.**
- 7. The area for which the Special Charge is declared is all of the land within the boundary shown on the plan set out in the attachment forming a part of this declaration (being Attachment 1).**
- 8. The Special Charge will be declared and assessed in accordance with the amounts set out alongside each property in Attachment 2. Such amounts having respectively been assessed based on access benefit which a property included in the scheme has to the road.**
- 9. The Special Charge will be levied by sending a notice of levy in the prescribed form quarterly to the person liable to pay the Special Charge.**
- 10. Because the performance of the function and the exercise of the power in respect of which the Special Charge is declared and levied relates substantially to capital works, the Special Charge will be levied on the basis of an instalment plan being given to ratepayers whereby:- such ratepayers may subject to any further resolution by Council, pay the special charge per property/title in accordance with the following:**
 - 1. The full amount within 45 days of invoice or**
 - 2. payment may be made over 40 quarterly instalments (10 years) including interest.**
- 11. Council will consider proven cases of financial and other hardship and may reconsider other payment options for the Special Charge.**
- 12. No incentives will be given for payment of the Special Charge before the due date for payment.**
- 13. Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge. The criteria used as a basis for declaring the special charge are:**
 - Reduction in dust**
 - Enhance the amenity and character of the land and local area**
 - Creation of improved riding surface for the street**
 - Improved access and egress from properties**
 - Improved road drainage**
 - Improved road safety for motorists**
- 14. Notice be given to all owners of properties included in the Scheme in writing of the decision of Council to declare and levy the Special Charge commencing on 20 March 2018 and the reasons for the decision.**

COUNCILLOR RIPPER / COUNCILLOR HOLE

That:

- 1. Wellington Shire Council (Council) having noted no objections were received within the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (the Act) and otherwise according to law and having, so far as can be ascertained from available records and can reasonably be concluded, ascertained that the section of Riverview Road Wurruk for which it is proposed the Special Charge will be declared has not previously been constructed by way of a Special Rate or Special Charge, hereby declares a Special Charge under section 163(1) of the Act for the purposes of repaying (with interest) any loan raised by Council in relation to the construction of Riverview Road between Golding and Fisk Streets in Wurruk and the provision of any ancillary works.**
- 2. The criteria which form the basis of the declaration of the Special Charge is the ownership of rateable land in the area of the Scheme which, based on scheme access benefit units and calculated by frontage as to 33.3% and abuttal as to 66.7%, has and enjoys an abuttal to or access from Riverview Road, and having regard to frontage of the lands to the proposed works.**
- 3. In declaring the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the Wellington Shire, in particular the provision of proper, safe and suitable roads and property services within the area for which the Special Charge is declared.**
- 4. The total cost of the performance of the function and the exercise of the power by Council (in relation to the provision of proper, safe and suitable roads and property services in the area for which the Special Charge is declared) is \$185,000 being the estimated cost of the works to be undertaken. Council funding is to be allocated from its Commonwealth Roads to Recovery Program.**
- 5. The total estimated amount to be levied under the Scheme as the Special Charge is \$74,000.**
- 6. The Special Charge will commence on 20 March 2018 and remain in force for a period of ten years.**
- 7. The area for which the Special Charge is declared is all of the land within the boundary shown on the plan set out in the attachment forming a part of this declaration (being Attachment 1).**
- 8. The Special Charge will be declared and assessed in accordance with the amounts set out alongside each property in Attachment 2. Such amounts having respectively been assessed based on access benefit which a property included in the scheme has to the road.**
- 9. The Special Charge will be levied by sending a notice of levy in the prescribed form quarterly to the person liable to pay the Special Charge.**

10. Because the performance of the function and the exercise of the power in respect of which the Special Charge is declared and levied relates substantially to capital works, the Special Charge will be levied on the basis of an instalment plan being given to ratepayers whereby:- such ratepayers may subject to any further resolution by Council, pay the special charge per property/title in accordance with the following:

- 1. The full amount within 45 days of invoice or**
- 2. payment may be made over 40 quarterly instalments (10 years) including interest.**

11. Council will consider proven cases of financial and other hardship and may reconsider other payment options for the Special Charge.

12. No incentives will be given for payment of the Special Charge before the due date for payment.

13. Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge. The criteria used as a basis for declaring the special charge are:

- Reduction in dust**
- Enhance the amenity and character of the land and local area**
- Creation of improved riding surface for the street**
- Improved access and egress from properties**
- Improved road drainage**
- Improved road safety for motorists**

14. Notice be given to all owners of properties included in the Scheme in writing of the decision of Council to declare and levy the Special Charge commencing on 20 March 2018 and the reasons for the decision.

CARRIED

OBJECTIVE

The purpose of this report is for Council to receive the minutes from the Place Names Committee meeting held on 27 February 2018 and to consider the recommendations from that meeting.

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

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 27 February 2018; and**
- 2. Apply to the Registrar of Geographic Names for the trafficable section of Earl Street west of High Street to be renamed *BUNTINE* Road and the section of Earl Street north of Victoria Street be renamed *LEAR* Lane and that letters be sent to affected property owners outlining the history behind the names selected.**
- 3. Approval is sought from the Office of Geographic Names to determine if the proximity of Bedggood & Richardsons Road is acceptable and if so then advertise the name *BEDGGOOD* Road and if no negative response is received within 30 days then apply to the Registrar of Geographic Names to formalise the name.**
- 4. That the proposed name does not reflect the usage of the pavilion and that the Registrar of Geographic Names is requested to formalise the name *MAFFRA RECREATION CENTRE* as the pavilion name.**
- 5. That the road(s) from Foster Street (Princes Highway) through to Raymond Street namely the northern section of Park Street, Canal Road and the western section of McMillan Street, have one single name being *GRAND CANAL DRIVE* and that the Registrar of Geographic Names be requested to formalise the name.**
- 6. That the name *PEPPERTREE HILL ROAD* be endorsed for a subdivision in Longford.**
 - That the following ANZAC names be added to the Wellington Shire Council Approved Road Names List for the locality of Heyfield in recognition of their service.**
 - *BETTLES* - Roy Scott**
 - *FITTON* - William Reid**
 - *FITZPATRICK* - Samuel and brother Theodore**
 - *HIND* - William**
 - *PALLOT* – Ernest**

RECOMMENDATION

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 27 February 2018; and***
- 2. Apply to the Registrar of Geographic Names for the trafficable section of Earl Street, Woodside west of High Street to be renamed BUNTINE Road and the section of Earl Street north of Victoria Street be renamed LEAR Lane and that letters be sent to affected property owners outlining the history behind the names selected.***
- 3. Approval is sought from the Office of Geographic Names to determine if the proximity of Bedggood & Richardsons Road, Briagolong is acceptable and if so then advertise the name BEDGGOOD Road, Perry Bridge and if no negative response is received within 30 days then apply to the Registrar of Geographic Names to formalise the name.***
- 4. That the proposed name does not reflect the usage of the pavilion and that the Registrar of Geographic Names is requested to formalise the name MAFFRA RECREATION CENTRE, Maffra as the pavilion name.***
- 5. That the road(s) from Foster Street (Princes Highway) through to Raymond Street, Sale namely the northern section of Park Street, Canal Road and the western section of McMillan Street, have one single name being GRAND CANAL DRIVE and that the Registrar of Geographic Names be requested to formalise the name.***
- 6. That the name PEPPERTREE HILL ROAD be endorsed for a subdivision in Longford.***
 - That the following ANZAC names be added to the Wellington Shire Council Approved Road Names List for the locality of Heyfield in recognition of their service.***
 - BETTLES - Roy Scott***
 - FITTON - William Reid***
 - FITZPATRICK - Samuel and brother Theodore***
 - HIND - William***
 - PALLOT – Ernest***

COUNCILLOR McCUBBIN / COUNCILLOR MAHER

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 27 February 2018; and**
- 2. Apply to the Registrar of Geographic Names for the trafficable section of Earl Street, Woodside west of High Street to be renamed BUNTINE Road and the section of Earl Street north of Victoria Street be renamed LEAR Lane and that letters be sent to affected property owners outlining the history behind the names selected.**
- 3. Approval is sought from the Office of Geographic Names to determine if the proximity of Bedggood & Richardsons Road, Briagolong is acceptable and if so then advertise the name BEDGGOOD Road, Perry Bridge and if no negative response is received within 30 days then apply to the Registrar of Geographic Names to formalise the name.**
- 4. That the proposed name does not reflect the usage of the pavilion and that the Registrar of Geographic Names is requested to formalise the name MAFFRA RECREATION CENTRE, Maffra as the pavilion name.**
- 5. That the road(s) from Foster Street (Princes Highway) through to Raymond Street, Sale namely the northern section of Park Street, Canal Road and the western section of McMillan Street, have one single name being GRAND CANAL DRIVE and that the Registrar of Geographic Names be requested to formalise the name.**
- 6. That the name PEPPERTREE HILL ROAD be endorsed for a subdivision in Longford.**
 - That the following ANZAC names be added to the Wellington Shire Council Approved Road Names List for the locality of Heyfield in recognition of their service.**
 - BETTLES - Roy Scott**
 - FITTON - William Reid**
 - FITZPATRICK - Samuel and brother Theodore**
 - HIND - William**
 - PALLOT – Ernest**

CARRIED

ITEM C5.1

QUICK RESPONSE GRANT SCHEME

OBJECTIVE

For Council to note the information regarding applications received under the Quick Response Grant Scheme (QRGS) for the period November 2017 to February 2018 as at Attachment A.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note the information regarding applications received under the Quick Response Grant Scheme for the period November 2017 to February 2018 as at Attachment A.

Councillor Maher declared an indirect conflict of interest due to a conflict of duty and left the chamber at 6:46pm.

COUNCILLOR STEPHENS / COUNCILLOR ROSSETTI

That Council note the information regarding applications received under the Quick Response Grant Scheme for the period November 2017 to February 2018 as at Attachment A.

CARRIED

Councillor Maher returned to the chamber at 6:48pm

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 comments - Nil

Gallery Comments

Keith Mills, Crooked River Dargo
Spoke to Council regarding his concerns.

Yvonne Martin, Sale
Spoke to Council regarding Item A8(3) Response to Petition – Objection renaming of Park Street from Ordinary Council Meeting 6 March 2018.

Alan Heywood, Pearsondale
Spoke to Council regarding his concerns.

Tracey Anton, Toongabbie
Spoke to Council regarding the following:

- Concerns with property damage at Golden Beach from works undertaken during the Carbon Net Seismic Survey.
- Requested Council to advocate on behalf of affected property owners to Federal and State Government regarding property damage
- Toongabbie Broiler Farm transporting of litter materials (manure).

Meeting declared closed at 7:08pm