



WELLINGTON

SHIRE COUNCIL

The Heart of Gippsland

Resolutions in Brief

To be read in conjunction with the Special Council Meeting Agenda
4 June 2019

COUNCILLORS PRESENT

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

IN ATTENDANCE

David Morcom - Chief Executive Officer
John Websdale - General Manager Development
Chris Hastie - General Manager Built & Natural Environment
Sharon Houlihan - General Manager Community & Culture
Arthur Skipitaris - General Manager Corporate Services
Trish Dean - Governance Officer

ORDINARY MEETING OF COUNCIL – 4 JUNE 2019

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ITEM A4

ADOPTION OF MINUTES OF PREVIOUS MEETING/S

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 21 May 2019 and Special Council Meeting of 28 May 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council adopt the minutes and resolutions of the Ordinary Council Meeting of 21 May 2019; and***
- 2. Council adopt the minutes and resolutions of the Special Council Meeting of 28 May 2019.***

COUNCILLOR BYE / COUNCILLOR HOLE

That:

- 1. Council adopt the minutes and resolutions of the Ordinary Council Meeting of 21 May 2019; and***
- 2. Council adopt the minutes and resolutions of the Special Council Meeting of 28 May 2019.***

CARRIED

ITEM A5

BUSINESS ARISING FROM PREVIOUS MEETINGS

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

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

ITEM A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

Councillor Bye acknowledged “Celebrate Volunteers’ Week” along with a special acknowledgement to Councillor McCubbin from organisers of the “Mother’s Day Classic”. The acknowledgement was in recognition of his continued support for being Master of Ceremonies for this event.

ITEM A10 QUESTIONS ON NOTICE

NIL

ITEM B DELEGATES REPORT

Councillor Hole provided a verbal delegate’s report from a meeting with Government Officials and representatives from Agriculture Victoria.

During this meeting the following items were discussed:

- Ongoing drought / hardship issues affecting Wellington
- Follow up regarding requests for further support
- Request for the Government to match councils \$1M contribution for drought support initiatives

Mayor Hall provided a verbal report on a meeting with representative from the farming community, representatives from Victorian Farmers Federation, Mayor and CEO East Gippsland, Latrobe Shire and the Federal Minister for Agriculture The Hon. Bridget McKenzie focusing on drought issues.

ITEM C2.1 ASSEMBLY OF COUNCILLORS

OBJECTIVE

To report on all assembly of Councillor records received for the period 15 May 2019 to 29 May 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY - NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 15 May 2019 to 29 May 2019.

COUNCILLOR BYE / COUNCILLOR CROSSLEY

That Council note and receive the attached Assembly of Councillor records for the period 15 May 2019 to 29 May 2019.

CARRIED

ITEM C2.2 2019/20 BUDGET AND FEES AND CHARGES, STRATEGIC RESOURCES PLAN AND RATES AND SERVICE CHARGES

OBJECTIVE

For Council to adopt the:

- 2019/20 Budget including:
 - Declared Rates and Service Charges
 - Fees and Charges
 - Budget allocation for multi-year projects
 - \$1M allocation specifically aimed at drought support initiatives
- 2019/20 Strategic Resource Plan

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY - NIL

RECOMMENDATION

That:

1. Council adopt the 2019/20 Budget including:

- **Fees and charges**
- **2019/20 and 20/21 Budget allocation for the following multi-year projects**
 - Cameron Sporting Complex Maffra- Stadium Redevelopment \$8,740,000.**
 - Stephenson Park Recreation Reserve Sale – Pavilion Redevelopment \$1,640,000**
 - Market Street/Macarthur Street Intersection Improvement \$973,502**
 - Maffra CBD Streetscape Renewal \$2,445,980**
 - Great Southern Rail Trail Extension Project – Alberton to Welshpool \$3,711,000**
 - Sale Oval – Changeroom Redevelopment \$880,000**
 - Port of Sale Mooring Access Project \$800,000**
 - Business Systems Upgrades \$582,484**
 - Yarram Walpole Stadium \$190,000**
- **A \$1M allocation specifically aimed at drought support initiatives;**

2. **Council adopt the 2019/20 Strategic Resource Plan; and**
3. **Council adopt the following declared rates and charges for the period commencing on 1 July 2019 and concluding on 30 June 2020:**

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 \$62,553,426:**

General Rate:	\$56,114,482
Cultural & Recreational Land rates	\$ 70,651
Garbage Charge:	\$ 4,325,448
Waste Infrastructure Charge:	\$ 1,702,800
EPA Levy Charge:	\$ 329,669
Boisdale Common Effluent System Charge	\$ 10,376

- 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 0.005140 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 0.005140**
- (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:**
Means any land that:
Is "Farm Land" within the meaning of Section 2(1) of the Valuation of Land Act 1960 (paras a) and b)) and other criteria as defined by Council in c) hereunder
- a) **that is not less than 2 hectares in area; and**
- b) **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**
- c) **where the ratepayer is a Primary Producer with any evidence/ruling confirmed by the Australian Taxation Office, registered ABN and business plan.**
- 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 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 \$415.00 be declared for wastewater availability in respect of Residential and Commercial premises in the township of Boisdale, to contribute towards the costs of operation and management of the Boisdale Common Effluent System (the System).**
 - (2) The charge be levied on each property which is connected to the System, at the rate of one charge per tenement connected.**
- G) Cultural and Recreational Land:**
- (1) The following amounts (excluding service charges) be declared as payable in accordance with Section 4 of the Cultural and Recreational Lands Act 1963, having regard to the services provided by the Council in relation to such lands and the benefit to the community derived from this recreational land:**

ORGANISATION	LOCATION	AMOUNT
Gippsland Woodcraft Group Inc	843 Maffra-Rosedale Rd, Nambrok	\$0.00
Glenmaggie & District Boat Club	Licola Rd, Glenmaggie	\$0.00
Heyfield Bowling Club Inc	George St, Heyfield	\$1,691.06
Heyfield Golf Club Inc	91 Golf Course Rd, Heyfield	\$2,009.74
Lake Wellington Yacht Club Inc	725 Marlay Point Rd, Clydebank	\$0.00
Maffra Bowling Club Inc	Princess St, Maffra	\$961.18
Maffra Golf Club	Fulton Rd, Maffra	\$4,313.75
Maffra Sale Motorcycle Club	54 Tatterson Lane, Newry	\$187.61
Maffra Sale Motorcycle Club	Morison St, Maffra	\$271.14
Maffra Squash & Racquetball Club Inc	Little Johnson St, Maffra	\$321.25
Newry Golf Club	875 Three Chain Rd Newry	\$0.00
Para Park Co-operative Game Reserve	Sunday Island, Port Albert	\$5,738.81
Port Albert Water Sports & Safety Centre	31-37 Bay St, Port Albert	\$0.00
Sale & District Aero Modellers Club Inc	Back Maffra Rd, Sale	\$224.88
Sale Agricultural Society – Showgrounds	Dawson St, Sale	\$3,466.93
Sale Agricultural Society – Sale Greyhound Club	Maffra-Sale Rd, Sale	\$10,572.98
Sale Angling & Sport Fishing Club	5 David St, Manns Beach	\$0.00
Sale Angling & Sport Fishing Club	Punt Lane, Sale	\$0.00
Sale Community Bowls Club Ltd	Foster St, Sale	\$4,845.74
Sale City Football Netball Club Inc	Guthridge Pde, Sale	\$1,313.27
Sale United Football Club Inc	313-321 Raglan St, Sale	\$ 652.78
Sale Croquet Club	Guthridge Pde, Sale	\$0.00

<i>Sale Field & Game Association</i>	<i>Chessum Rd, Longford</i>	<i>\$894.36</i>
<i>Sale Golf Club</i>	<i>2631 Rosedale-Longford Rd, Longford</i>	<i>\$6,827.21</i>
<i>Sale-Maffra Badminton Association Inc.</i>	<i>59 Gibsons Rd, Sale</i>	<i>\$578.25</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>\$714.46</i>
<i>Sale Turf Club</i>	<i>Maffra-Sale Rd, Sale</i>	<i>\$1,171.92</i>
<i>Sale Turf Club</i>	<i>1227 Maffra-Sale Rd, Sale</i>	<i>\$9,449.89</i>
<i>Sporting Legends Club Inc</i>	<i>316 Montgomery Rd, Bundalagwah</i>	<i>\$999.73</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>\$1,037.00</i>
<i>West Sale Bowls Club Inc</i>	<i>Hunt Place, Wurruk</i>	<i>\$571.83</i>
<i>The Yarram Country Club Inc</i>	<i>332-338 Commercial Rd, Yarram</i>	<i>\$9,521.85</i>
<i>Yarram Golf Club</i>	<i>42 Golf Links Rd, Yarram</i>	<i>\$2,313.00</i>
<i>Yarram Motorcycle Club</i>	<i>96 Morris Rd, Yarram</i>	<i>\$0.00</i>
TOTAL		\$70,650.62

H) Pursuant to the provisions of Section 169 of the Local Government Act 1989, Council declares 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

COUNCILLOR STEPHENS / COUNCILLOR RIPPER

That:

1. Council adopt the 2019/20 Budget including:
 - Fees and charges
 - 2019/20 and 20/21 Budget allocation for the following multi-year projects
 Cameron Sporting Complex Maffra- Stadium Redevelopment \$8,740,000.
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TOTAL		\$70,650.62

- H) Pursuant to the provisions of Section 169 of the Local Government Act 1989, Council declares 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**STRATEGIC LAND USE PLANNING - PROJECT PRIORITIES 2019/2020****OBJECTIVE**

To seek Council's support for the following project being undertaken as part of the 2019/2020 Strategic Land Use Planning work program:

1. An updated structure plan for Maffra.

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

That Council support the following project being undertaken as part of the 2019/2020 Strategic Land Use Planning work program:

1. *An updated structure plan for Maffra.*

COUNCILLOR MAHER / COUNCILLOR CROSSLEY

That Council support the following project being undertaken as part of the 2019/2020 Strategic Land Use Planning work program:

1. *An updated structure plan for Maffra.*

CARRIED

ITEM C3.2**PLANNING DECISIONS MARCH 2019****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 March 2019.

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

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 March and 31 March 2019.

COUNCILLOR ROSSETTI / COUNCILLOR BYE

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 March and 31 March 2019.

CARRIED

ITEM C4.1**ROAD DISCONTINUANCE AND ROAD EXCHANGE TO FORMALISE THE CREATION OF THE LANE OFF MACALISTER STREET SALE****OBJECTIVE**

The objective of this report is for Council to consider a discontinuance and road exchange to formalise the laneway off Macalister Street beside the Sale Secondary College (Macalister Campus).

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

That:

- 1. Pursuant to Section 206 including Clause 3 of schedule 10 and Section 207A of the Local Government Act 1989, Council resolve to advertise its intention to discontinue part of passageway on Lot 2 TP226561, Parish of Sale; and***
- 2. Pursuant to Section 206 including Clause 2 of Schedule 10 and Section 207A of the Local Government Act 1989, Council resolve to advertise its intention to undertake a road exchange by deviating a road from Lot 1 TP226561 and a road including part of passageway from Lot 2 TP226561 over parts of Lot 1 TP843438, Lot 1 TP663156, Lot 1 TP621934, Lot 1 TP338468, Lot 1 TP252408, Lot 2 TP226561, Lot 1 TP336451, Lot 1 TP338489, Lot 1 TP874027 and Lot 1 TP365529, Parish of Sale,***
- 3. Council place a public notice of the proposed road discontinuance and the road exchange in local newspapers;***
- 4. Council appoint three Councillors plus an alternative representative to form the 'Technical School Lane Road Exchange 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 are heard in support of their submissions; and***
- 5. In the event that there are no objections or submissions, Council authorise the Chief Executive Officer to progress the road discontinuance and road deviation including placing a notice in the Victoria Government Gazette.***

COUNCILLOR BYE / COUNCILLOR ROSSETTI

That:

- 1. Pursuant to Section 206 including Clause 3 of schedule 10 and Section 207A of the Local Government Act 1989, Council resolve to advertise its intention to discontinue part of passageway on Lot 2 TP226561, Parish of Sale; and**
- 2. Pursuant to Section 206 including Clause 2 of Schedule 10 and Section 207A of the Local Government Act 1989, Council resolve to advertise its intention to undertake a road exchange by deviating a road from Lot 1 TP226561 and a road including part of passageway from Lot 2 TP226561 over parts of Lot 1 TP843438, Lot 1 TP663156, Lot 1 TP621934, Lot 1 TP338468, Lot 1 TP252408, Lot 2 TP226561, Lot 1 TP336451, Lot 1 TP338489, Lot 1 TP874027 and Lot 1 TP365529, Parish of Sale,**
- 3. Council place a public notice of the proposed road discontinuance and the road exchange in local newspapers;**
- 4. Council appoint Councillor Bye, Councillor Rossetti , Councillor McCubbin plus Councillor Stephens as an alternative representative to form the 'Technical School Lane Road Exchange 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 are heard in support of their submissions; and**
- 5. In the event that there are no objections or submissions, Council authorise the Chief Executive Officer to progress the road discontinuance and road deviation including placing a notice in the Victoria Government Gazette.**

CARRIED

ITEM C4.2**PURCHASE AND SALE OF LAND - DESAILLY STREET SALE OFF-STREET CARPARK****OBJECTIVE**

The objective of this report is for Council to consider an exchange or sale of land within the Desailly Street off-street carpark area in Sale.

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

- 1. Pursuant to Section 189 of the Local Government Act 1989, Council resolve to advertise its intention to sell part of Lot 1 TP644057, Township of Sale, Parish of Sale; and***
- 2. Council resolve to acquire part of Lot 1 TP133811 at valuation; and***
- 3. Council resolve to create a drainage easement on Lot 1 TP740752; and***
- 4. Council appoint three Councillors plus an alternative representative to form the 'Desailly Street Off-street carpark Land Exchange 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 are heard in support of their submissions; and***
- 5. In the event that there are no objections or submissions, Council authorise the Chief Executive Officer to progress the sale and purchase of land including consent to the certification of a plan of subdivision when the owner of Victoria Hall has completed the agreed works on the elevated structure, the transfer of the 2m² of land from Lot 1 TP133811 and the creation of the drainage easement.***

COUNCILLOR McCUBBIN / COUNCILLOR BYE

That:

- 1. Pursuant to Section 189 of the Local Government Act 1989, Council resolve to advertise its intention to sell part of Lot 1 TP644057, Township of Sale, Parish of Sale; and**
- 2. Council resolve to acquire part of Lot 1 TP133811 at valuation; and**
- 3. Council resolve to create a drainage easement on Lot 1 TP740752; and**
- 4. Council appoint Councillor Bye, Councillor Rossetti, Councillor McCubbin plus Councillor Stephens as an alternative representative to form the 'Desailly Street Off-street carpark Land Exchange 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 are heard in support of their submissions; and**
- 5. In the event that there are no objections or submissions, Council authorise the Chief Executive Officer to progress the sale and purchase of land including consent to the certification of a plan of subdivision when the owner of Victoria Hall has completed the agreed works on the elevated structure, the transfer of the 2m² of land from Lot 1 TP133811 and the creation of the drainage easement.**

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 Comments – Nil

Gallery Comments

John Lees, Boisdale Resident

Spoke to Council regarding the following:

- Tree removal and tree planting criteria
- Operating costs associated with the Gippsland Art Gallery
- Why do Gippsland Art Gallery patrons not pay an entry fee?

John McLinden, Longford Resident

Spoke to Council regarding his personal concerns.

Meeting declared closed at: 3:45pm

The live streaming of this Council meeting will now come to a close.