



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

Resolutions In Brief

**Virtual Council Meeting
To be read in conjunction with the Council Meeting Agenda 5 May 2020**

COUNCILLORS PRESENT

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

APOLOGIES

Councillor Alan Hall (Mayor)

ORDINARY MEETING OF COUNCIL – 5 MAY 2020
RESOLUTIONS IN BRIEF

	ITEM	PAGE NUMBER
A	PROCEDURAL	
A1	COUNCILLOR ROLL CALL	
A1(a)	COUNCIL MEETING INFORMATION	
A1(b)	STATEMENT OF ACKNOWLEDGEMENT AND PRAYER	
A2	APOLOGIES <i>MAYOR HALL</i>	
A3	DECLARATION OF CONFLICT/S OF INTEREST <i>NIL</i>	
A4	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING	
A5	BUSINESS ARISING FROM PREVIOUS MEETING/S	
A6	ACCEPTANCE OF LATE ITEMS <i>Item A6(1) Hardwood Timber Shutdown was accepted and can be found at Item C3.4.</i>	
A7	NOTICES OF MOTION <i>NIL</i>	
A8	RECEIVING OF PETITIONS OR JOINT LETTERS ITEM A8(1) OUTSTANDING PETITIONS ITEM A8 (2) RECEIPT OF PETITION: ABELS ROAD AND BOYLE ROAD, LONGFORD SEALING PROPOSAL	
A9	INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS <i>NIL</i>	
A10	QUESTIONS ON NOTICE <i>NIL</i>	
B	REPORT OF DELEGATES	
C	OFFICERS' REPORT	
	C1 CHIEF EXECUTIVE OFFICER	
	C2 GENERAL MANAGER CORPORATE SERVICES ITEM C2.1 ASSEMBLY OF COUNCILLORS ITEM C2.2 ADOPTION OF THE 2020 PROPERTY REVALUATION	

	ITEM	PAGE NUMBER
	ITEM C2.3 RESOLVE TO ADVERTISE THE DRAFT 2020/21 BUDGET, PROPOSED RATES, FEES AND CHARGES	
	C3 GENERAL MANAGER DEVELOPMENT ITEM C3.1 GIPPSLAND REGIONAL LIVESTOCK EXCHANGE ITEM C3.2 PLANNING DECISIONS - FEBRUARY 2020 ITEM C3.3 CENTRAL GIPPSLAND TOURISM (CGT) QUARTERLY REPORT - JANUARY - MARCH 2020 ITEM C3.4 HARDWOOD TIMBER SHUTDOWN	
	C4 GENERAL MANAGER BUILT & NATURAL ENVIRONMENT ITEM C4.1 DECLARED WASTE BOUNDARIES REVIEW	
	C5 GENERAL MANAGER COMMUNITY AND CULTURE	
D	URGENT BUSINESS	
E	FURTHER GALLERY AND CHAT ROOM COMMENTS	
F	CONFIDENTIAL ATTACHMENT/S ITEM F1.1 GIPPSLAND REGIONAL LIVESTOCK EXCHANGE FINANCIAL AND RELATED IMPACTS (Refer to Agenda Item C3.1) ITEM F1.2 CENTRAL GIPPSLAND TOURISM – MARKETING ACTIVITY REPORT and CENTRAL GIPPSLAND TOURISM – CAMPAIGN CONCEPT 2020 (Refer to Agenda Item C3.3)	
G	IN CLOSED SESSION	

ITEM A4**ADOPTION OF MINUTES OF PREVIOUS MEETING/S****OBJECTIVE**

To adopt the minutes of the Ordinary Council Meeting of 21 April 2020.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 21 April 2020.

COUNCILLOR BYE / COUNCILLOR CROSSLEY

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 21 April 2020.

CARRIED

ITEM A5**BUSINESS ARISING FROM PREVIOUS MEETING/S**

COUNCILLOR MCCUBBIN responded to the question asked by Mr Alan Heywood at the last Council meeting during the chatroom section of the Council meeting. He reiterated the response provided directly to Mr Heywood as noted in the Council minutes of the 21 April 2020 Council meeting.

ITEM A6**ACCEPTANCE OF LATE ITEMS**

That Item A6(1) Hardwood Timber Shutdown be accepted as a Late Item.
COUNCILLOR STEPHENS / COUNCILLOR CROSSLEY

ITEM A7**NOTICE/S OF MOTION**

NIL

ITEM A8**OUTSTANDING PETITIONS**

ITEM	FROM MEETING	COMMENTS	ACTION BY
Nil			

ITEM A8(2)

**RECEIPT OF PETITION: ABELS ROAD AND BOYLE ROAD,
LONGFORD SEALING PROPOSAL**

OBJECTIVE

To present Council with a petition in relation to sealing of Abels Road and Boyle Road in Longford.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the attached petition in relation to sealing of Abels Road and Boyle Road in Longford.

Councillor Bye proposed a change to the recommendation to be heard during Council's 2020/21 budget process:

COUNCILLOR BYE / COUNCILLOR MCCUBBIN

That Council receive the attached petition in relation to sealing of Abels Road and Boyle Road in Longford and refer the request as a budget submission to Council's 2020/21 budget process.

CARRIED

ITEM A9

**INVITED ADDRESSES, PRESENTATIONS OR
ACKNOWLEDGEMENTS**

NIL

ITEM A10

QUESTIONS ON NOTICE

NIL

ITEM B

DELEGATES REPORT

NIL

ITEM C2.1

ASSEMBLY OF COUNCILLORS

OBJECTIVE

To report on all assembly of Councillor records received for the period 16 April 2020 to 29 April 2020.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 15 April 2020 to 29 April 2020.

COUNCILLOR BYE / COUNCILLOR ROSSETTI

That Council note and receive the attached Assembly of Councillor records for the period 15 April 2020 to 29 April 2020.

CARRIED

ITEM C2.2**ADOPTION OF THE 2020 PROPERTY REVALUATION****OBJECTIVE**

To adopt the total valuation of all properties within the Shire as at the return date of 1 January 2020.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the following valuation figures as at the return date of 1 January 2020.

	SITE VALUE	CAPITAL IMPROVED VALUE	NET ANNUAL VALUE
RATEABLE	\$5,726,394,200	\$12,114,035,200	\$681,479,248
NON-RATEABLE	\$472,324,200	\$745,602,200	\$39,734,912
TOTAL VALUATION	\$6,198,718,400	\$12,859,637,400	\$721,214,160

COUNCILLOR MCCUBBIN / COUNCILLOR ROSSETTI

That Council adopt the following valuation figures as at the return date of 1 January 2020.

	SITE VALUE	CAPITAL IMPROVED VALUE	NET ANNUAL VALUE
RATEABLE	\$5,726,394,200	\$12,114,035,200	\$681,479,248
NON-RATEABLE	\$472,324,200	\$745,602,200	\$39,734,912
TOTAL VALUATION	\$6,198,718,400	\$12,859,637,400	\$721,214,160

CARRIED

ITEM C2.3

**RESOLVE TO ADVERTISE THE DRAFT 2020/21 BUDGET,
PROPOSED RATES, FEES AND CHARGES**

OBJECTIVE

For Council to resolve to advertise its draft 2020/21 Budget and seek public submissions in accordance with Section 223 of the *Local Government Act 1989*.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council advertise its draft 2020/21 Budget (as attached) including:**
 - *fees and charges; and*
 - *multi-year capital projects*

in accordance with Section 129 of the Local Government Act 1989; and
- 2. Council consider submissions for the draft 2020/21 Budget at a Special Council Meeting on Tuesday 9 June 2020 at 3pm; and**
- 3. Council meet on Tuesday 16 June 2020 at 6pm to consider the formal adoption of the 2020/21 Budget; and**
- 4. Council make the following declarations regarding rates and charges for the period commencing on 1 July 2020 and concluding on 30 June 2021:**

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 \$62,964,747:

General Rate:	\$56,483,556
Cultural & Recreational Land rates	\$ 68,647
Garbage Charge:	\$ 4,371,624
Waste Infrastructure Charge:	\$ 1,697,355
EPA Levy Charge:	\$ 333,189
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 0.004911 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 0.004911**
 - (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 (same as last year) 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 (same as last year) 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 (same as last year) 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. – except those properties recently the subject of the Ombudsman's report into non developable blocks along Ninety Mile Beach and noted on Council's website.**

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	1615.72
Heyfield Golf Club Inc	91 Golf Course Rd, Heyfield	1920.20
Lake Wellington Yacht Club Inc	725 Marlay Point Rd, Clydebank	0.00
Newry Golf Club	875 Three Chain Road Newry	0.00
Maffra Bowling Club Inc	Princess St, Maffra	918.36
Maffra Golf Club	Fulton Rd, Maffra	4121.56
Maffra Sale Motorcycle Club	54 Tatterson Lane, Newry	179.25
Maffra Sale Motorcycle Club	Morison St, Maffra	259.06
Maffra Squash & Racquetball Club Inc	Little Johnson St, Maffra	306.94
Para Park Co-operative Game Reserve	Sunday Island, Port Albert	5483.13
Port Albert Water Sports & Safety Centre	31-37 Bay St, Port Albert	0.00
Sale Agricultural Society – Showgrounds	Dawson St, Sale	10101.93
Sale Agricultural Society – Sale Greyhound Club	Maffra-Sale Rd, Sale	3312.47
Sale Angling & Sport Fishing Club	5 David St, Manns Beach	0.00
Sale Angling & Sport Fishing Club	Punt Lane, Sale	0.00
Sale City Football Netball Club Inc	Guthridge Pde, Sale	1254.76
Sale Community Bowls Club Ltd	Foster St, Sale	4629.85
Sale Croquet Club	Guthridge Pde, Sale	0.00
Sale & District Aero Modellers Club Inc	Back Maffra Rd, Sale	214.86
Sale Field & Game Association	Chessum Rd, Longford	854.51
Sale Golf Club	2631 Rosedale-Longford Rd, Longford	6523.04
Sale-Maffra Badminton Association Inc.	59 Gibsons Rd, Sale	552.49
Sale Small Bore Rifle Club	86 Stephenson St, Sale	0.00

Sale Tennis Club	51 Guthridge Pde, Sale	682.63
Sale Turf Club	Maffra-Sale Rd, Sale	9888.30
Sale Turf Club	1227 Maffra-Sale Rd, Sale	1119.71
Sale United Football Club Inc	313-321 Raglan St, Sale	908.54
Sporting Legends Club Inc	316 Montgomery Rd, Bundalaguah	955.19
Stratford Angling Club Inc	Hollands Landing Rd, Hollands Landing	0.00
Stratford Bowls Club	18-22 Dawson St, Stratford	990.79
West Sale Bowls Club Inc	Hunt Place, Wurruk	546.35
The Yarram Country Club Inc	332-338 Commercial Rd, Yarram	9097.63
Yarram Golf Club	42 Golf Links Rd, Yarram	2209.95
Yarram Motorcycle Club	96 Morris Rd, Yarram	0.00
TOTAL		\$68,647.22

- 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 ROSSETTI / COUNCILLOR MCCUBBIN

DIVISION:

Councillor Hole requested that the CEO prepare another budget per his detailed motion. Councillor Bye and Councillor Ripper supported this with their own motions against the draft budget. Councillors Crossley, Rossetti, McCubbin and Stephens all spoke for the budget as presented.

COUNCILLORS AGAINST: COUNCILLOR HOLE, COUNCILLOR BYE, COUNCILLOR RIPPER

COUNCILLORS FOR: COUNCILLOR ROSSETTI, COUNCILLOR MCCUBBIN, COUNCILLOR STEPHENS, COUNCILLOR CROSSLEY, COUNCILLOR MAHER

That:

1. Council advertise its draft 2020/21 Budget (as attached) including:
 - fees and charges; and
 - multi-year capital projects
in accordance with Section 129 of the Local Government Act 1989; and

2. **Council consider submissions for the draft 2020/21 Budget at a Special Council Meeting on Tuesday 9 June 2020 at 3pm; and**
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- (2) **A rate in the dollar of 0.004911 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 0.004911**
- (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:**
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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
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TOTAL		\$68,647.22

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

OBJECTIVE

The purpose of this report is to provide an outline of the operations of the Gippsland Regional Livestock Exchange (GRLE) noting Council assumed direct management on 1 April 2018.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council resolves;

- 1. To continue to directly manage and operate the Gippsland Regional Livestock Exchange as it supports local employment and provides an essential service for the Wellington agricultural sector which is a vital part of the Shire's economy; and*
- 2. That the information contained in the confidential document Gippsland Regional Livestock Exchange financial and related impacts and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Development on 20 April 2020 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 RIPPER

That Council resolves;

- 1. To continue to directly manage and operate the Gippsland Regional Livestock Exchange as it supports local employment and provides an essential service for the Wellington agricultural sector which is a vital part of the Shire's economy; and*
- 2. That the information contained in the confidential document Gippsland Regional Livestock Exchange financial and related impacts and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Development on 20 April 2020 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

ITEM C3.2**PLANNING DECISIONS - FEBRUARY 2020****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 2020.

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 February and 29 February 2020.

COUNCILLOR BYE / COUNCILLOR MCCUBBIN

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 February and 29 February 2020.

CARRIED

ITEM C3.3**CENTRAL GIPPSLAND TOURISM (CGT) QUARTERLY REPORT -
JANUARY - MARCH 2020****OBJECTIVE**

To receive the quarterly report from Central Gippsland Tourism (CGT) for the quarter January to March 2020.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the confidential report from Central Gippsland Tourism (CGT) at Item F1.2 Central Gippsland Tourism – Marketing Activity Report and Central Gippsland Tourism – Campaign Concept 2020 for the quarter January to March 2020.

COUNCILLOR RIPPER / COUNCILLOR STEPHENS

That Council receive the confidential report from Central Gippsland Tourism (CGT) at Item F1.2 Central Gippsland Tourism – Marketing Activity Report and Central Gippsland Tourism – Campaign Concept 2020 for the quarter January to March 2020.

CARRIED

ITEM C3.4

HARDWOOD TIMBER SHUTDOWN

OBJECTIVE

Following the Victorian Government's unexpected announcement in November 2019 around the native timber phaseout the objectives of this report are threefold;

1. To update Council on the response from the Victorian Government to the letter sent by the Mayor following the notice of motion resolution on the subject at the November 2019 Council meeting.
2. To bring to Council's attention to recent industry concerns around court injunctions and the relevant Code of Practice.
3. To recommend to Council that a native timber taskforce be established to lobby the State Government in respect of the proposed native timber phaseout.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

1. *Receive and note the updated information and concerns in respect of the proposed native timber phaseout;*
2. *Initiate the establishment of a native timber taskforce to lobby the Victorian State Government in respect of the proposed native timber harvesting phaseout. That the taskforce membership includes but is not be limited to representatives of the Wellington Shire Council, other impacted Councils, Australian Sustainable Hardwoods in Heyfield, Radial Timber in Yarram, forestry contractors and the Construction, Forestry, Maritime, Mining and Energy Union (CFMEU).*

COUNCILLOR HOLE / COUNCILLOR ROSSETTI

That Council:

1. *Receive and note the updated information and concerns in respect of the proposed native timber phaseout;*
2. *Initiate the establishment of a native timber taskforce to lobby the Victorian State Government in respect of the proposed native timber harvesting phaseout. That the taskforce membership includes but is not be limited to representatives of the Wellington Shire Council, other impacted Councils, Australian Sustainable Hardwoods in Heyfield, Radial Timber in Yarram, forestry contractors and the Construction, Forestry, Maritime, Mining and Energy Union (CFMEU).*

CARRIED

ITEM C4.1

DECLARE WASTE BOUNDARIES REVIEW

PURPOSE

To approve the revised Designated Waste Collection Boundaries, as defined in the attached Waste Collection Maps.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council approve the revised Designated Waste Collection boundaries, as defined in the attached Waste Collection Maps.

COUNCILLOR STEPHENS / COUNCILLOR CROSSLEY

That Council approve the revised Designated Waste Collection boundaries, as defined in the attached Waste Collection Maps.

CARRIED

ITEM D

URGENT BUSINESS

NIL

ITEM E

FURTHER GALLERY AND CHAT ROOM COMMENTS

CHAT ROOM – NIL

GALLERY COMMENTS – NIL

Meeting declared closed at: 4:14pm

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