



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

RESOLUTIONS IN BRIEF ORDINARY MEETING

To be read in conjunction with the Council Meeting Agenda 6 June 2023

COUNCILLORS PRESENT

Cr Ian Bye (Mayor)
Cr John Tatterson (Deputy Mayor)
Cr Carolyn Crossley
Cr Marcus McKenzie
Cr Gayle Maher
Cr Carmel Ripper
Cr Scott Rossetti
Cr Garry Stephens
Cr Jill Wood

OFFICERS PRESENT

David Morcom, Chief Executive Officer
Clem Gillings, General Manager Community and Culture
Arthur Skipitaris, General Manager Corporate Services
Chris Hastie, General Manager Built and Natural Environment
Andrew Pomeroy, General Manager Development
Hayley Furlong, Governance and Council Business Officer
Kimberly Salleh, Coordinator Communications and Media

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1. APOLOGIES

NIL

2. DECLARATION OF CONFLICT/S OF INTEREST

NIL

3. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

3.1. ADOPTION OF MINUTES OF PREVIOUS COUNCIL MEETING

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To adopt the minutes of the Ordinary Council Meeting of 16 May 2023 and the Unscheduled Council Meeting of 18 May 2023.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 16 May 2023 and the Unscheduled Council Meeting of 18 May 2023.

COUNCILLOR WOOD / COUNCILLOR STEPHENS

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 16 May 2023 and the Unscheduled Council Meeting of 18 May 2023.

CARRIED

4. BUSINESS ARISING FROM PREVIOUS MEETINGS

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

5. ACCEPTANCE OF LATE AND URGENT ITEMS

NIL

6. NOTICE/S OF MOTION

NIL

7. RECEIVING OF PETITION OR JOINT LETTERS

7.1. OUTSTANDING PETITIONS

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

COUNCILLOR CROSSLEY acknowledged National Reconciliation Week held from 27 May to 3 June 2023. She recognised this was a time for members of the community to share their experience and work towards a better future and reconciled country for all. Councillor Crossley noted National Sorry Day held on 26 May 2023 which was the 26th Anniversary of the *Bringing Them Home* report. Councillor Crossley referenced a ceremony held by Ramahyuck where stories were also shared by those effected by the Stolen Generation and encouraged everyone to attend next years event.

COUNCILLOR MAHER recognised National Volunteer Week held from 15 to 19 May 2023. She noted the lunch events held in Yarram, Maffra and Sale, hosted by Wellington Shire Council staff and Councillors. Councillor Maher acknowledged Melissa, Sharon, Claudia and Darren for their great planning, communication, and coordination of the events. She also thanked Lisa, Tracey and the team who assisted their manager, Sam. Lastly, she thanked the guest speakers who took their time to speak at each event, Kathy Cook from Yarram, Pat Weatherly from Maffra and Heather and David Harrington from Sale. Recognising that volunteers make our communities, Councillor Maher thanked every volunteer for making our communities a better place.

Councillor Maher also congratulated the ten Woodside Beach Life Saving Club members who were successful at the recent awards day held at Seaspray Surf Life Saving Club, the small club received seven gold, one silver and two bronze awards.

COUNCILLOR BYE addressed the recent State Budget announcement by the Victorian Government to close the sustainable native timber industry in January 2024 instead of 2030. Councillor Bye explained that with no consultation surrounding the change, this has been a disappointing, terrible decision and disgraceful act. Councillor Bye spoke about the devastating news and of the effects this announcement has on our community. He noted the recent media coverage on the Today Show and commended the Heyfield community for coming together to support one another and voice their disappointment. Councillor Bye reinforced that Council is thinking of those community members that are affected and will continue to advocate for the best outcome for our community.

9. QUESTION/S ON NOTICE

9.1. OUTSTANDING QUESTION/S ON NOTICE

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

10. DELEGATES REPORT

NIL

11. GENERAL MANAGER CORPORATE SERVICES

11.1. ASSEMBLY OF COUNCILLORS REPORT

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

OBJECTIVE

To report on all assembly of Councillor records received for the period 8 May 2023 to 28 May 2023.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 8 May 2023 to 28 May 2023.

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council note and receive the attached Assembly of Councillor records for the period 8 May 2023 to 28 May 2023.

CARRIED

11.2. REMUNERATION COMMITTEE MINUTES

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

PURPOSE

For Council to note and receive the minutes and endorse the actions of the Remuneration Committee meeting held on 2 May 2023.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY
NIL

RECOMMENDATION

That Council:

- 1. Note and receive the minutes from the Remuneration Committee meeting held on 2 May 2023 as attached; and***
- 2. Endorse the actions from the Remuneration Committee meeting held on 2 May 2023 as detailed in the attached minutes.***

COUNCILLOR MCKENZIE / COUNCILLOR TATTERSON

That Council:

- 1. Note and receive the minutes from the Remuneration Committee meeting held on 2 May 2023 as attached; and***
- 2. Endorse the actions from the Remuneration Committee meeting held on 2 May 2023 as detailed in the attached minutes.***

CARRIED

11.3. REVIEWED APPOINTMENT OF COMMITTEES & DELEGATES 2022/2023

ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE

PURPOSE

To update Council on the appointment of Councillors to the following Committees for 2022-2023:

- Advisory Committees;
- Committees of other Organisations;
- Other groups and statutory Committees: and
- Community Asset Committees;

in accordance with the updated register as attached.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY
NIL

RECOMMENDATION

That Councillors be formally appointed to the revised Council Committees in accordance with the updated 2022-2023 register as attached.

COUNCILLOR ROSSETTI / COUNCILLOR MAHER

That Councillors be formally appointed to the revised Council Committees in accordance with the updated 2022-2023 register as attached.

CARRIED

11.4. S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION (PLANNING AND ENVIRONMENT ACT 1987 ONLY) - JUSTIN GORWELL

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

This report seeks Council's approval for the designated Council Officer responsible for administration and enforcement of the *Planning and Environment Act 1987* (the Act) to be appointed and authorised as an Authorised Officer under the Act.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council, in the exercise of the powers conferred by section 224 of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached S11A Instrument of Appointment and Authorisation (the instrument), resolve that:

- 1. Council Officer Justin Gorwell be appointed and authorised as set out in the instrument as provided at Attachment 1; and***
- 2. The instrument be signed by the Chief Executive Officer.***

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council, in the exercise of the powers conferred by section 224 of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached S11A Instrument of Appointment and Authorisation (the instrument), resolve that:

- 1. Council Officer Justin Gorwell be appointed and authorised as set out in the instrument as provided at Attachment 1; and***
- 2. The instrument be signed by the Chief Executive Officer.***

CARRIED

12. GENERAL MANAGER DEVELOPMENT

12.1. COUNCIL POSITION STATEMENT - RENEWABLE ENERGY

ACTION OFFICER: GENERAL MANAGER DEVELOPMENT

PURPOSE

For Council to adopt the attached Position Statement on Renewable Energy.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the attached Position Statement on Renewable Energy.

COUNCILLOR CROSSLEY / COUNCILLOR WOOD

That Council adopt the attached Position Statement on Renewable Energy.

CARRIED

13. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

13.1. UNUSED ROAD LICENCE - ROAD OFF MUNRO - STOCKDALE RD, MUNRO

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

PURPOSE

The objective of this report is for Council to consider an application received to provide consent for a Government Road off Munro-Stockdale Road in Munro to be deemed an unused road for the granting of an unused road licence by the Department of Environment, Energy and Climate Action (DEECA).

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council, pursuant to section 400 of the Land Act 1958, give notice that Government Road between Lot 2 on PS544411 and CA 2A Sec C Parish of Nerrang is not required for public traffic and is therefore an unused road.

COUNCILLOR RIPPER / COUNCILLOR MAHER

That Council, pursuant to section 400 of the Land Act 1958, give notice that Government Road between Lot 2 on PS544411 and CA 2A Sec C Parish of Nerrang is not required for public traffic and is therefore an unused road.

CARRIED

13.2. SPECIAL HEARING REPORT OBJECTION - SPECIAL CHARGE SCHEMES ELLEN AVENUE, SEASPRAY

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

PURPOSE

The purpose of this report is for Council to receive and consider the report from the Ellen Avenue, Seaspray Special Charge Scheme Submissions Committee that was set up to hear submissions on the Ellen Avenue, Seaspray Special Charge Street Construction Scheme.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council receive and consider the report from the Submissions Committee in relation to the Ellen Avenue, Seaspray Special Charge Street Construction Scheme; and***
- 2. Having regard to the written submissions/objections opposing the proposed Street Construction Scheme and the Submission Committee finding that the proposed Special Charge Street Construction Scheme for Ellen Avenue, Seaspray has been prepared in accordance with the provisions of the Local Government Act 1989, Council determine that the objections 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 invite an application from the objector; and***
- 4. The information contained in the confidential attachment and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 9 May 2023 because it relates to the following grounds: (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020.***

COUNCILLOR TATTERSON / COUNCILLOR MCKENZIE

That:

- 1. Council receive and consider the report from the Submissions Committee in relation to the Ellen Avenue, Seaspray Special Charge Street Construction Scheme; and***
- 2. Having regard to the written submissions/objections opposing the proposed Street Construction Scheme and the Submission Committee finding that the proposed Special Charge Street Construction Scheme for Ellen Avenue, Seaspray has been prepared in accordance with the provisions of the Local Government Act 1989, Council determine that the objections 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 invite an application from the objector; and

- 4. The information contained in the confidential attachment and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 9 May 2023 because it relates to the following grounds: (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020.**

CARRIED

13.3. SPECIAL CHARGE STREET CONSTRUCTION SCHEME - DECLARATION OF SCHEME - ELLEN AVENUE, SEASPRAY

ACTION OFFICER: GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

PURPOSE

The purpose of this report is for Council to consider to formally proceed with the proposed Ellen Avenue Special Charge Street Construction Scheme Number 2204 by way of formal declaration as a Special Charge Scheme under section 163(1) of the *Local Government Act 1989* for the construction and sealing of Ellen Avenue including a connecting section of Davies Street in Seaspray.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council, having considered all submissions received and taken account all objections lodged and having complied with 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 Ellen Avenue (CH00–CH450) and Davies Street (CH350–CH470) in Seaspray or any component of the Streets have not previously been constructed by way of a special rate or charge, hereby proceed to declare a Special Charge Scheme under section 163(1) of the Act (Scheme) in accordance with the Declaration of Special Charge (Declaration) attached to and forming a part of this Report, such Declaration being for the purposes of constructing the Streets and providing ancillary works, including driveway crossover and culverts.**
- 2. Council direct that, under cover of a letter, a written notice, enclosing a notice of levy, be sent to all owners of properties included in the Scheme, including those who have made a submission and/or lodged an objection in writing, of the decision of Council to make the Declaration, and the reasons for the decision.**
- 3. For the purposes of resolution 2, the reasons of Council for making the Declaration are that –**

- (a) There is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Scheme from property owners;**
 - (b) Council considers that it is acting in accordance with the functions, powers and objectives conferred on it under the Act, particularly in relation to the provision of proper, safe and suitable roads and property services in and for the Scheme area;**
 - (c) All property owners who are liable or required to pay the Special Charge and the properties respectively owned and occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties;**
 - (d) The basis of distribution of the Special Charge amongst the property owners who are liable or required to pay the Special Charge is considered to be fair and reasonable;**
 - (e) The works proposed by the Scheme are consistent with all and any policies and/or objectives set out in the planning scheme for the area; and**
 - (f) The works proposed for the construction and drainage of the Street(s) are necessary, reasonable, not excessive, sufficient, suitable and not costly, having regard to the locality or environment and the probable use of the Street(s).**
- 4. The Chief Executive Officer (or any person for the time being acting in that position) be authorised to carry out any and all other administrative procedures necessary to enable Council to give effect to this resolution, including in relation to the levying of the Special Charge.**

COUNCILLOR TATTERSON / COUNCILLOR RIPPER

That:

- 1. Council, having considered all submissions received and taken account all objections lodged and having complied with 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 Ellen Avenue (CH00–CH450) and Davies Street (CH350–CH470) in Seaspray or any component of the Streets have not previously been constructed by way of a special rate or charge, hereby proceed to declare a Special Charge Scheme under section 163(1) of the Act (Scheme) in accordance with the Declaration of Special Charge (Declaration) attached to and forming a part of this Report, such Declaration being for the purposes of constructing the Streets and providing ancillary works, including driveway crossover and culverts.**
- 2. Council direct that, under cover of a letter, a written notice, enclosing a notice of levy, be sent to all owners of properties included in the Scheme, including those who have made a submission and/or lodged an objection in writing, of the decision of Council to make the Declaration, and the reasons for the decision.**
- 3. For the purposes of resolution 2, the reasons of Council for making the Declaration are that –**
 - (a) There is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Scheme from property owners;**

- (b) Council considers that it is acting in accordance with the functions, powers and objectives conferred on it under the Act, particularly in relation to the provision of proper, safe and suitable roads and property services in and for the Scheme area;**
 - (c) All property owners who are liable or required to pay the Special Charge and the properties respectively owned and occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties;**
 - (d) The basis of distribution of the Special Charge amongst the property owners who are liable or required to pay the Special Charge is considered to be fair and reasonable;**
 - (e) The works proposed by the Scheme are consistent with all and any policies and/or objectives set out in the planning scheme for the area; and**
 - (f) The works proposed for the construction and drainage of the Street(s) are necessary, reasonable, not excessive, sufficient, suitable and not costly, having regard to the locality or environment and the probable use of the Street(s).**
- 4. The Chief Executive Officer (or any person for the time being acting in that position) be authorised to carry out any and all other administrative procedures necessary to enable Council to give effect to this resolution, including in relation to the levying of the Special Charge.**

CARRIED

13.4. SPECIAL HEARING REPORT OBJECTION - SPECIAL CHARGE SCHEMES LONGFORD CENTRAL

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

PURPOSE

The purpose of this report is for Council to receive and consider the report from the Longford Central Special Charge Scheme Submissions Committee that was set up to hear submissions on the Longford Central Special Charge Street Construction Scheme.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

TREVOR CAWTHAN, LONGFORD: addressed Council to query the consideration of the street scheme to be extended further along High Street, Longford. The Mayor explained the process involved in raising a street scheme, and General Manager Built and Natural Environment will respond to Trevor directly.

RECOMMENDATION

That:

- 1. Council receive and consider the report from the Submissions Committee in relation to the Longford Central Special Charge Street Construction Scheme; and**
- 2. Having regard to the written submissions/objections opposing the proposed Street Construction Scheme and the Submission Committee finding that the proposed Special Charge Street Construction Scheme for Longford Central**

has been prepared in accordance with the provisions of the Local Government Act 1989, Council determine that the objections should not stop the scheme being considered for adoption; and

- 3. The Chief Executive Officer write to the objectors and advise of the Council decision and the reason for that decision; and*
- 4. The information contained in the confidential attachment and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 9 May 2023 because it relates to the following grounds: (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020.*

COUNCILLOR TATTERSON / COUNCILLOR WOOD

That:

- 1. Council receive and consider the report from the Submissions Committee in relation to the Longford Central Special Charge Street Construction Scheme; and*
- 2. Having regard to the written submissions/objections opposing the proposed Street Construction Scheme and the Submission Committee finding that the proposed Special Charge Street Construction Scheme for Longford Central has been prepared in accordance with the provisions of the Local Government Act 1989, Council determine that the objections should not stop the scheme being considered for adoption; and*
- 3. The Chief Executive Officer write to the objectors and advise of the Council decision and the reason for that decision; and*
- 4. The information contained in the confidential attachment and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 9 May 2023 because it relates to the following grounds: (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020.*

CARRIED

13.5. SPECIAL CHARGE STREET CONSTRUCTION SCHEME - DECLARATION OF SCHEME - LONGFORD CENTRAL

ACTION OFFICER: GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

PURPOSE

The purpose of this report is for Council to consider to formally proceed with the proposed Longford Central Special Charge Street Construction Scheme Number 2203 by way of formal declaration as a Special Charge under section 163(1) of the *Local Government Act 1989* for the construction and sealing of streets within the Longford Central area.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council, having considered all submissions received and taken account all objections lodged and having complied with 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 Streets within the Longford Central Area or any component of the Streets have not previously been constructed by way of a special rate or charge, hereby proceed to declare a Special Charge Scheme under section 163(1) of the Act (Scheme) in accordance with the Declaration of Special Charge (Declaration) attached to and forming a part of this Report, such Declaration being for the purposes of constructing the Streets and providing ancillary works, including driveway crossover and culverts.***
- 2. Council directs that, under cover of a letter, a written notice, enclosing a notice of levy, be sent to all owners of properties included in the Scheme, including those who have made a submission and/or lodged an objection in writing, of the decision of Council to make the Declaration, and the reasons for the decision.***
- 3. For the purposes of resolution 2, the reasons of Council for making the Declaration are that –***
 - (a) There is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Scheme from property owners;***
 - (b) Council considers that it is acting in accordance with the functions, powers and objectives conferred on it under the Act, particularly in relation to the provision of proper, safe and suitable roads and property services in and for the Scheme area;***
 - (c) All property owners who are liable or required to pay the Special Charge and the properties respectively owned and occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties;***
 - (d) The basis of distribution of the Special Charge amongst the property owners who are liable or required to pay the Special Charge is considered to be fair and reasonable;***

- (e) The works proposed by the Scheme are consistent with all and any policies and/or objectives set out in the planning scheme for the area; and*
 - (f) The works proposed for the construction and drainage of the Street(s) are necessary, reasonable, not excessive, sufficient, suitable and not costly, having regard to the locality or environment and the probable use of the Street(s).*
- 4. The Chief Executive Officer (or any person for the time being acting in that position) be authorised to carry out any and all other administrative procedures necessary to enable Council to give effect to this resolution, including in relation to the levying of the Special Charge.**

COUNCILLOR TATTERSON / COUNCILLOR MAHER

That:

- 1. Council, having considered all submissions received and taken account all objections lodged and having complied with 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 Streets within the Longford Central Area or any component of the Streets have not previously been constructed by way of a special rate or charge, hereby proceed to declare a Special Charge Scheme under section 163(1) of the Act (Scheme) in accordance with the Declaration of Special Charge (Declaration) attached to and forming a part of this Report, such Declaration being for the purposes of constructing the Streets and providing ancillary works, including driveway crossover and culverts.**
- 2. Council directs that, under cover of a letter, a written notice, enclosing a notice of levy, be sent to all owners of properties included in the Scheme, including those who have made a submission and/or lodged an objection in writing, of the decision of Council to make the Declaration, and the reasons for the decision.**
- 3. For the purposes of resolution 2, the reasons of Council for making the Declaration are that –**
 - (a) There is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Scheme from property owners;**
 - (b) Council considers that it is acting in accordance with the functions, powers and objectives conferred on it under the Act, particularly in relation to the provision of proper, safe and suitable roads and property services in and for the Scheme area;**
 - (c) All property owners who are liable or required to pay the Special Charge and the properties respectively owned and occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties;**
 - (d) The basis of distribution of the Special Charge amongst the property owners who are liable or required to pay the Special Charge is considered to be fair and reasonable;**
 - (e) The works proposed by the Scheme are consistent with all and any policies and/or objectives set out in the planning scheme for the area; and**

(f) The works proposed for the construction and drainage of the Street(s) are necessary, reasonable, not excessive, sufficient, suitable and not costly, having regard to the locality or environment and the probable use of the Street(s).

- 4. The Chief Executive Officer (or any person for the time being acting in that position) be authorised to carry out any and all other administrative procedures necessary to enable Council to give effect to this resolution, including in relation to the levying of the Special Charge.**

CARRIED

14. FURTHER GALLERY AND ONLINE 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 if your query requires a written response, we will advise you that a response will be forthcoming, 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.

ONLINE COMMENTS - NIL

FURTHER GALLERY COMMENTS –

VERONICA BARNES, ROSEDALE: Congratulated Council on the professionalism and manner that the Council Meetings are conducted. She noted concerns regarding the announcement for early closure of the timber industry in 2024 and requested Council provide a statement to address the matter. The Mayor noted he has issued a statement and a copy of his media release will be sent to Veronica directly.

Lastly, Veronica noted the removal of prayer from Council meetings and queried the reasoning for this. The Mayor advised a response will be sent to Veronica directly, addressing her query.

TREVOR CAWTHAN, LONGFORD: addressed Council, querying the use of the old gravel pit at the end of Hobson's Road, Longford. The CEO advised his query will be taken on notice and the General Manager Built and Natural Environment will address his questions directly within seven business days.

Meeting declared closed at: 5:39pm

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

15. IN CLOSED SESSION

COUNCILLOR ROSSETTI / COUNCILLOR STEPHENS

That the meeting be closed to the public pursuant to Section 66(2) of the Local Government Act 2020 to consider matters under Section 66(5)(b) as defined by Section 3(1) being:

- g) Private commercial information being information provided by a business, commercial or financial undertaking that —
(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;***

CARRIED

IN CLOSED SESSION

COUNCILLOR ROSSETTI / COUNCILLOR MAHER

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

CARRIED