



# WELLINGTON

## SHIRE COUNCIL

*The Heart of Gippsland*

### Resolutions In Brief

**To be read in conjunction with the Ordinary Council Meeting Agenda  
16 April 2019**

#### **COUNCILLORS PRESENT**

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

#### **IN ATTENDANCE**

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

#### **COUNCILLOR APOLOGY**

Alan Hall (Mayor)  
Ian Bye  
Darren McCubbin

# ORDINARY MEETING OF COUNCIL – 16 APRIL 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 2 April 2019.

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

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 2 April 2019.*

**COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 2 April 2019.*

**CARRIED**

**ITEM A5****BUSINESS ARISING FROM PREVIOUS MINUTES**

NIL

**ITEM A6****ACCEPTANCE OF LATE ITEMS**

NIL

**ITEM A7****NOTICES OF MOTION**

NIL

**ITEM A8(1)****OUTSTANDING PETITIONS**

ITEM	FROM MEETING	COMMENTS	ACTION BY
Installation of street light Colville Street, Port Albert	5 February 2019	Item to lay on the table until further notice.	Manager Assets & Projects
Lakeside Bowls Club relocation of Electronic Gaming Machines	2 April 2019	Council Officers are finalising relevant information and will report to Council on 7 May 2019.	Manager Community Wellbeing

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

NIL

**ITEM A10**                      **QUESTIONS ON NOITCE**

NIL

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

**RECOMMENDATION**

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

**COUNCILLOR RIPPER / COUNCILLOR MAHER**

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

**CARRIED**

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

Councillor Maher provided a verbal delegate's report from the Gippsland Waste Resource Recovery Group.

During the meeting the GWRRG discussed the following items:

- Opportunity for regional wide collaborative procurement opportunity – Expressions of Interest close 27 May 2019
- 6 Gippsland councils have all signed an MOU to explore the appetite regarding this regional wide collaborative procurement opportunity.
- Gippsland is seeking to maximise resource recovery and minimising waste volume to landfill
- Gippswide Kerbside project

**COUNCILLOR CROSSLEY / COUNCILLOR RIPPER**

*That Councillor Maher delegates report be accepted.*

**CARRIED**

**ITEM C1.1**

**CHIEF EXECUTIVE OFFICER'S REPORT**

**RECOMMENDATION**

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

**COUNCILLOR STEPHENS / COUNCILLOR CROSSLEY**

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

**CARRIED**

**ITEM C1.2**

**MARCH 2019 PERFORMANCE REPORT**

**OBJECTIVE**

For Council to receive and note the March 2019 Council Performance Report.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council receive and note the March 2019 Council Performance Report as attached.*

**COUNCILLOR STEPHENS / COUNCILLOR MAHER**

*That Council receive and note the March 2019 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 March 2019 to 10 April 2019.

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

*That Council note and receive the attached Assembly of Councillor records for the period 27 March 2019 to 10 April 2019.*

**COUNCILLOR CROSSLEY / COUNCILLOR ROSSETTI**

*That Council note and receive the attached Assembly of Councillor records for the period 27 March 2019 to 10 April 2019.*

**CARRIED**

**ITEM C2.2****RESOLVE TO ADVERTISE THE DRAFT 2019/20 BUDGET,  
PROPOSED RATES, FEES AND CHARGES****OBJECTIVE**

For Council to resolve to advertise its draft 2019/20 Budget and seek public submissions in accordance with Section 223 of the *Local Government Act 1989*.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

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**RECOMMENDATION**

**That:**

1. **Council advertise its draft 2019/20 Budget (as attached and updated) including:**
  - **fees and charges;**
  - **multi-year capital projects; and**
  - **a \$1M allocation specifically aimed at drought initiatives****in accordance with Section 129 of the Local Government Act 1989; and**
2. **Council consider submissions for the draft 2019/20 Budget at a Special Council Meeting on Tuesday 28 May 2019 at 3pm; and**
3. **Council meet on Tuesday 4 June 2019 at 3pm to consider the formal adoption of the 2019/20 Budget; and**
4. **Council makes the following declarations regarding 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 \$62,658,787:**

<b>General Rate:</b>	<b>\$56,218,025</b>
<b>Cultural &amp; Recreational Land rates</b>	<b>\$ 72,469</b>
<b>Garbage Charge:</b>	<b>\$ 4,325,448</b>
<b>Waste Infrastructure Charge:</b>	<b>\$ 1,702,800</b>
<b>EPA Levy Charge:</b>	<b>\$ 329,669</b>
<b>Boisdale Common Effluent System Charge</b>	<b>\$ 10,376</b>
  - B)
    - (1) **It be further declared that, subject to paragraph 4 of this Part, the general rate be raised through the application of differential rates.**
    - (2) **A rate in the dollar of 0.005273 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 0.005273**
    - (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 or not the owner or occupier of any such premises avails themselves of the service.*

**D) Waste Infrastructure Charge:**

- (1) An annual service charge be declared for the development of Landfills, Recycling facilities, Transfer Stations and the rehabilitation of Landfill sites, and provision of facilities for ongoing monitoring of landfills, to ensure that Council can continue to provide a waste disposal service.*
- (2) The charge be \$55.00 for each property in respect of which a municipal charge may be levied. This charge will not apply to properties identified as being within the Ninety Mile Beach Restructure Plan Stages 7 – 22, with the exception of those properties with an existing dwelling, where the charge will still apply.*

**E) EPA Levy Charge:**

- (1) An annual service charge of \$16.92 be declared to cover the costs levied by the Environment Protection Authority on the operation of landfills, not otherwise recouped.*
- (2) The charge be levied on each property to which a Garbage Charge is applied, at the rate of one EPA Levy Charge for each Garbage Charge.*

**F) Boisdale Common Effluent System Charge:**

- (1) An annual service charge of \$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 (subject to completion of 2019 valuation) as payable in accordance with Section 4 of the Cultural and Recreational Lands Act 1963, having regard to the services provided by the Council in relation to such lands and the benefit to the community derived from this recreational land:*

<b>ORGANISATION</b>	<b>LOCATION</b>	<b>AMOUNT</b>
<b>Gippsland Woodcraft Group Inc</b>	<b>843 Maffra-Rosedale Rd, Nambrok</b>	<b>0.00</b>
<b>Glenmaggie &amp; District Boat Club</b>	<b>Licola Rd, Glenmaggie</b>	<b>0.00</b>
<b>Heyfield Bowling Club Inc</b>	<b>George St, Heyfield</b>	<b>1734.82</b>
<b>Heyfield Golf Club Inc</b>	<b>91 Golf Course Rd, Heyfield</b>	<b>2061.74</b>
<b>Lake Wellington Yacht Club Inc</b>	<b>725 Marlay Point Rd, Clydebank</b>	<b>0.00</b>
<b>Newry Golf Club</b>	<b>875 Three Chain Road Newry</b>	<b>0.00</b>
<b>Maffra Bowling Club Inc</b>	<b>Princess St, Maffra</b>	<b>986.05</b>
<b>Maffra Golf Club</b>	<b>Fulton Rd, Maffra</b>	<b>4425.37</b>
<b>Maffra Sale Motorcycle Club</b>	<b>54 Tatterson Lane, Newry</b>	<b>192.46</b>
<b>Maffra Sale Motorcycle Club</b>	<b>Morison St, Maffra</b>	<b>278.15</b>
<b>Maffra Squash &amp; Racquetball Club Inc</b>	<b>Little Johnson St, Maffra</b>	<b>329.56</b>
<b>Para Park Co-operative Game Reserve</b>	<b>Sunday Island, Port Albert</b>	<b>5887.30</b>
<b>Port Albert Water Sports &amp; Safety Centre</b>	<b>31-37 Bay St, Port Albert</b>	<b>0.00</b>
<b>Sale &amp; District Aero Modellers Club Inc</b>	<b>Back Maffra Rd, Sale</b>	<b>230.69</b>
<b>Sale Agricultural Society – Showgrounds</b>	<b>Dawson St, Sale</b>	<b>10846.56</b>
<b>Sale Agricultural Society – Sale Greyhound Club</b>	<b>Maffra-Sale Rd, Sale</b>	<b>3556.64</b>
<b>Sale Angling &amp; Sport Fishing Club</b>	<b>5 David St, Manns Beach</b>	<b>0.00</b>
<b>Sale Angling &amp; Sport Fishing Club</b>	<b>Punt Lane, Sale</b>	<b>0.00</b>
<b>Sale Community Bowls Club Ltd</b>	<b>Foster St, Sale</b>	<b>4971.12</b>
<b>Sale City Football Netball Club Inc</b>	<b>Guthridge Pde, Sale</b>	<b>1347.25</b>
<b>Sale United Football Club Inc</b>	<b>313-321 Raglan St, Sale</b>	<b>669.67</b>
<b>Sale Croquet Club</b>	<b>Guthridge Pde, Sale</b>	<b>0.00</b>
<b>Sale Field &amp; Game Association</b>	<b>Chessum Rd, Longford</b>	<b>917.50</b>
<b>Sale Golf Club</b>	<b>2631 Rosedale-Longford Rd, Longford</b>	<b>7003.86</b>
<b>Sale-Maffra Badminton Association Inc.</b>	<b>59 Gibsons Rd, Sale</b>	<b>593.21</b>
<b>Sale Small Bore Rifle Club</b>	<b>86 Stephenson St, Sale</b>	<b>0.00</b>
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<b>Sale Turf Club</b>	<b>1227 Maffra-Sale Rd, Sale</b>	<b>1202.24</b>
<b>Sporting Legends Club Inc</b>	<b>316 Montgomery Rd, Bundalaguah</b>	<b>1025.60</b>
<b>Stratford Angling Club Inc</b>	<b>Hollands Landing Rd, Hollands Landing</b>	<b>0.00</b>
<b>Stratford Bowls Club</b>	<b>18-22 Dawson St, Stratford</b>	<b>1063.83</b>
<b>West Sale Bowls Club Inc</b>	<b>Hunt Place, Wurruk</b>	<b>586.62</b>
<b>The Yarram Country Club Inc</b>	<b>332-338 Commercial Rd, Yarram</b>	<b>9768.23</b>
<b>Yarram Golf Club</b>	<b>42 Golf Links Rd, Yarram</b>	<b>2372.85</b>
<b>Yarram Motorcycle Club</b>	<b>96 Morris Rd, Yarram</b>	<b>0.00</b>
<b>TOTAL</b>		<b>\$72,478.68</b>

- H) Pursuant to the provisions of Section 169 of the Local Government Act 1989, Council resolves to declare a Rates Rebate on land with a Deed of Covenant for conservation purposes.
- (1) Council considers that this rebate will ensure that the biodiversity values of the land will be protected for the benefit of the broader community.
  - (2) The rebate will apply only to the land that is affected by a covenant as described in the covenant document.
  - (3) The rebate will be applied at \$5 per hectare, with a minimum rebate of \$100 and a maximum equal to the annual general rate on the property for that portion of land.
  - (4) Conditions apply as per Council's Policy No. 4.1.12 – Rates Rebate on land with a Deed of Covenant for Conservation Purposes.
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**COUNCILLOR STEPHENS / COUNCILLOR ROSSETTI**

**That:**

1. Council advertise its draft 2019/20 Budget (as attached and updated) including:
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<b>TOTAL</b>		<b>\$72,478.68</b>

- H) Pursuant to the provisions of Section 169 of the Local Government Act 1989, Council resolves to declare a Rates Rebate on land with a Deed of Covenant for conservation purposes.**
- (1) Council considers that this rebate will ensure that the biodiversity values of the land will be protected for the benefit of the broader community.**
  - (2) The rebate will apply only to the land that is affected by a covenant as described in the covenant document.**
  - (3) The rebate will be applied at \$5 per hectare, with a minimum rebate of \$100 and a maximum equal to the annual general rate on the property for that portion of land.**
  - (4) Conditions apply as per Council's Policy No. 4.1.12 – Rates Rebate on land with a Deed of Covenant for Conservation Purposes.**

**CARRIED**



## OBJECTIVE

This report seeks Council's commitment to participate in a joint application for funding under the Victorian Government's Rural Councils Transformation Program (RCTP).

## PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

## RECOMMENDATION

***That Council:***

- 1. Note that Wellington Shire Council is a participant in a grouping of councils making an application for funding under the Victorian Government's, Rural Councils Transformation Program (RCTP) for the following initiative:***
  - a. Gippsland Shared Services Initiative Phase 1, in conjunction with Bass Coast, South Gippsland and East Gippsland Councils;***
- 2. Note that for an RCTP application to be eligible for consideration, the following criteria must be met:***
  - a. Submission of a joint business case (attached as a confidential document at Item F1.1 Rural Councils Transformation Program Funding Application) by 31 March 2019, noting that this has occurred; and***
  - b. Each council must pass an accompanying resolution committing to implement the business case, if approved for funding. The resolution must be lodged with Local Government Victoria by 30 April 2019.***
- 3. Approve the submission of the business case (attached as a confidential document at Item F1.1 Rural Councils Transformation Program Funding Application) by Wellington Shire Council on behalf of the participating Councils;***
- 4. Approve implementation of the project / initiatives within the submitted business by Wellington Shire Council, subject to the application being approved for RCTP funding.***
- 5. Note that the business case and supporting documents contained in the confidential Item F1.1 Rural Councils Transformation Program Funding Application of this Council Meeting agenda and designated confidential under Section 77 Clause (2)(c) of the Local Government Act 1989 by the General Manager Corporate Services on 11 April 2019 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, except that once this recommendation has been adopted, Council authorise the Chief Executive Officer, as he deems appropriate, to make this decision and elements of the business case application public upon completion of the consultation process with staff and other relevant key stakeholders.***

**COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY**

**That Council:**

- 1. Note that Wellington Shire Council is a participant in a grouping of councils making an application for funding under the Victorian Government's, Rural Councils Transformation Program (RCTP) for the following initiative:**
  - a. Gippsland Shared Services Initiative Phase 1, in conjunction with Bass Coast, South Gippsland and East Gippsland Councils;**
- 2. Note that for an RCTP application to be eligible for consideration, the following criteria must be met:**
  - a. Submission of a joint business case (attached as a confidential document at Item F1.1 Rural Councils Transformation Program Funding Application) by 31 March 2019, noting that this has occurred; and**
  - b. Each council must pass an accompanying resolution committing to implement the business case, if approved for funding. The resolution must be lodged with Local Government Victoria by 30 April 2019.**
- 3. Approve the submission of the business case (attached as a confidential document at Item F1.1 Rural Councils Transformation Program Funding Application) by Wellington Shire Council on behalf of the participating Councils;**
- 4. Approve implementation of the project / initiatives within the submitted business by Wellington Shire Council, subject to the application being approved for RCTP funding.**
- 5. Note that the business case and supporting documents contained in the confidential Item F1.1 Rural Councils Transformation Program Funding Application of this Council Meeting agenda and designated confidential under Section 77 Clause (2)(c) of the Local Government Act 1989 by the General Manager Corporate Services on 11 April 2019 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, except that once this recommendation has been adopted, Council authorise the Chief Executive Officer, as he deems appropriate, to make this decision and elements of the business case application public upon completion of the consultation process with staff and other relevant key stakeholders.**

**CARRIED**



**ITEM C3.1****QUARTERLY STRATEGIC LAND USE PLANNING UPDATE****OBJECTIVE**

To update Council on the strategic land use planning work program for the first quarter (January – March) of 2019.

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

*That Council receive the 2019 first quarterly update on the strategic land use planning work program (included in Attachment 1 to this Report).*

**COUNCILLOR MAHER / COUNCILLOR ROSSETTI**

*That Council receive the 2019 first quarterly update on the strategic land use planning work program (included in Attachment 1 to this Report).*

**CARRIED**

**ITEM C3.2****MONTHLY PLANNING DECISIONS - FEBRUARY****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 2019.

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

*That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 February and 28 February 2019.*

**COUNCILLOR MAHER / COUNCILLOR RIPPER**

*That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 February and 28 February 2019.*

**CARRIED**

## ITEM C4.1

## BRUCE STREET YARRAM SPECIAL CHARGE STREET CONSTRUCTION SCHEME – DECLARATION OF SCHEME

### OBJECTIVE

The purpose of this report is for Council to consider the declaration of the Bruce Street Special Charge Street Construction Scheme Number 1801 as a Special Charge Scheme for the construction of Bruce Street between CH100 and CH230 in Yarram.

### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

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### RECOMMENDATION

*That:*

- 1. Wellington Shire Council (Council) having noted there were no submissions/objections 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 Bruce 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 construction of Bruce Street between CH100 and CH230 and the provision of minor 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 benefit units and calculated by access benefit, where their land has and enjoys an abuttal to or access from Bruce 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 \$18,000 being the estimated cost of the works to be undertaken.*
- 5. The total estimated amount to be levied under the Scheme as the Special Charge is \$5,400.*
- 6. The Special Charge will commence on 16 April 2019 and remain in force for a period of four 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:***
  - the full amount within 45 days of invoice or***
  - payment may be made over 16 quarterly instalments (4 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 16 April 2019 and the reasons for the decision.***

**COUNCILLOR STEPHENS / COUNCILLOR MAHER**

**That:**

- 1. Wellington Shire Council (Council) having noted there were no submissions/objections 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 Bruce 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 construction of Bruce Street between CH100 and CH230 and the provision of minor 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 benefit units and calculated by access benefit, where their land has and enjoys an abuttal to or access from Bruce 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 \$18,000 being the estimated cost of the works to be undertaken.**
- 5. The total estimated amount to be levied under the Scheme as the Special Charge is \$5,400.**
- 6. The Special Charge will commence on 16 April 2019 and remain in force for a period of four 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:***
- ***the full amount within 45 days of invoice or***
  - ***payment may be made over 16 quarterly instalments (4 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 16 April 2019 and the reasons for the decision.***

**CARRIED**

**ITEM C5.1****GIPPSLAND ART GALLERY ADVISORY GROUP MINUTES****OBJECTIVE**

To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 4 March 2019.

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

*That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 4 March 2019.*

**COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY**

*That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 4 March 2019.*

**CARRIED**

**ITEM C5.2****BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES****OBJECTIVE**

For Council to receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 11 March 2019.

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

*That Council receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 11 March 2019.*

**COUNCILLOR RIPPER / COUNCILLOR CROSSLEY**

*That Council receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 11 March 2019.*

**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**

Tegan Davidson, Melbourne  
Raised concerns regarding Agenda Item C2.3 Rural Councils Transformation Program – Funding Application.

CEO advised that a response will be provided to Tegan and Councillors

### **GALLERY QUESTIONS - NIL**

Meeting declared closed at: 6:50pm

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