



# WELLINGTON

## SHIRE COUNCIL

*The Heart of Gippsland*

### Resolutions In Brief

***To be read in conjunction with Ordinary Council Meeting Agenda  
18 April 2017***

#### **PRESENT**

Councillor – Carolyn Crossley – Mayor  
Councillor – Alan Hall – Deputy Mayor  
Councillor - Malcolm Hole  
Councillor – Scott Rossetti  
Councillor – Ian Bye  
Councillor – Keith Mills  
Councillor – Darren McCubbin  
Councillor – Gayle Maher  
Councillor – Garry Stephens

#### **IN ATTENDANCE**

David Morcom – Chief Executive Officer  
Glenys Butler – General Manager Community & Culture  
Arthur Skipitaris – General Manager Corporate Services  
Chris Hastie – General Manager Built and Natural Environment  
Trish Dean – Governance Officer

# ORDINARY MEETING OF COUNCIL – 18 APRIL 2017

## AGENDA & TABLE OF CONTENTS

	ITEM	PAGE NUMBER
<b>A</b>	<b>PROCEDURAL</b>	
A1	STATEMENT OF ACKNOWLEDGEMENT AND PRAYER	
A2	APOLOGIES - Nil	
A3	DECLARATION OF CONFLICT/S OF INTEREST –  Item C3.2 Councillor Hole declared a direct conflict of interest due to a reasonable likelihood of a direct benefit or loss. Item C3.3 Councillor Hole declared a direct conflict of interest due to a reasonable likelihood of a direct benefit or loss. Item C3.4 Councillor Crossley declared an indirect conflict of interest due to close association Item C5.5 Councillor Bye declared an indirect conflict of interest due to a conflict of duty Item C5.5 Councillor Hall declared an indirect conflict of interest due to a conflict of duty	
A4	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING	
A5	BUSINESS ARISING FROM PREVIOUS MEETING/S - Nil	
A6	ACCEPTANCE OF LATE ITEMS - Nil	
A7	NOTICES OF MOTION - Nil	
A8	RECEIVING OF PETITIONS OR JOINT LETTERS ITEM A8(1) Outstanding Petitions	
A9	INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS - Nil	
A10	QUESTIONS ON NOTICE - Nil	
A11	MAYORS REPORT ITEM A11(1) MAYORS REPORT	
<b>B</b>	<b>REPORT OF DELEGATES</b>	

<b>C</b>	<b>OFFICERS' REPORT</b>	
	<b>C1 CHIEF EXECUTIVE OFFICER</b>  ITEM C1.1 CHIEF EXECUTIVE OFFICERS REPORT  ITEM C1.2 MARCH 2017 PERFORMANCE REPORT	
	<b>C2 GENERAL MANAGER CORPORATE SERVICES</b>  ITEM C2.1 ASSEMBLY OF COUNCILLORS  ITEM C2.2 RESOLVE TO ADVERTISE THE DRAFT 2017/18 BUDGET, PROPOSED RATES AND FEES AND CHARGES  ITEM C2.3 RESOLVE TO ADVERTISE THE DRAFT 2017/21 COUNCIL PLAN	
	<b>C3 GENERAL MANAGER DEVELOPMENT</b>  ITEM C3.1 MONTHLY PLANNING DECISIONS – FEBRUARY 2017  ITEM C3.2 HEYFIELD LOW DENSITY RESIDENTIAL LAND SUPPLY STUDY  ITEM C3.3 STRATEGIC PLANNING UPDATE JANUARY TO MARCH 2017  ITEM C3.4 PLANNING PERMIT APPLICATION PS286/2016	
	<b>C4 GENERAL MANAGER BUILT &amp; NATURAL ENVIRONMENT</b>  ITEM C4.1 PROPOSED DECLARATION OF A SECTIONS OF DUKE STREET AND CARRAJUNG WOODSIDE ROAD AS A PUBLIC HIGHWAY	
	<b>C5 GENERAL MANAGER COMMUNITY AND CULTURE</b>  ITEM C5.1 GIPPSLAND ART GALLERY ADVISORY GROUP MINUTES  ITEM C5.2 NEWRY RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES  ITEM C5.3 BRIAGOLONG QUARRY RESERVE COMMITTEE OF MANAGEMENT MINUTES AND MEMBERSHIP  ITEM C5.4 GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIP  ITEM C5.5 REVIEWING COUNCIL'S RESPONSIBLE GAMING POLICY	

<b>D</b>	<b>URGENT BUSINESS</b>	
<b>E</b>	<b>FURTHER GALLERY AND CHAT ROOM COMMENTS</b>	
<b>F</b>	<b>CONFIDENTIAL ATTACHMENTS</b>  ITEM F1.1     NEWRY RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIP (Refer to Item C5.2)  ITEM F1.2     BRIAGOLONG QUARRY RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIP (Refer to Item C5.3)  ITEM F1.3     GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIP (Refer to Item C5.4)	
<b>G</b>	<b>IN CLOSED SESSION</b>	

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

**OBJECTIVE**

To adopt the minutes of the Ordinary Council Meeting of 4 April 2017 as tabled.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 4 April 2017 as tabled.*

**COUNCILLOR BYE / COUNCILLOR ROSSETTI**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 4 April 2017 as tabled.*

**CARRIED**

**ITEM A5                      BUSINESS ARISING FROM PREVIOUS MEETINGS**

NIL

**ITEM A6                      ACCEPTANCE OF LATE ITEMS**

NIL

**ITEM A7                      NOTICE OF MOTION**

NIL

**ITEM A8                      RECEIVING OF PETITIONS OR JOINT LETTERS**

NIL

**ITEM A8(1)                      OUTSTANDING PETITIONS**

NIL

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

NIL

**ITEM A10                      NOTICE OF MOTION**

NIL

**ITEM B                      DELEGATES REPORT**

NIL

**ITEM A11(1)                    MAYOR'S REPORT**

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**RECOMMENDATION**

*That the Mayor's report be noted.*

**COUNCILLOR HALL / COUNCILLOR McCUBBIN**

*That the Mayor's report be noted*

**CARRIED**

**ITEM B                                DELEGATES REPORT**

NIL

**ITEM C1.1                    CHIEF EXECUTIVE OFFICER'S REPORT**

**RECOMMENDATION**

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

**COUNCILLOR MAHER / COUNCILLOR HALL**

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

**CARRIED**

**ITEM C1.2                                MARCH 2017 PERFORMANCE REPORT**

**OBJECTIVE**

For Council to receive and note the March 2017 Council Performance Report.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council receive and note the March 2017 Council Performance Report as attached.*

**COUNCILLOR HALL / COUNCILLOR MAHER**

*That Council receive and note the March 2017 Council Performance Report as attached*

**CARRIED**

**ITEM C2.1****ASSEMBLY OF COUNCILLORS****OBJECTIVE**

To report on all assembly of Councillor records received for 23 March 2017 and for the period 28 March 2017 to 11 April 2017.

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

*That Council note and receive the attached Assembly of Councillor records received for 23 March 2017 and for the period 28 March 2017 to 11 April 2017.*

**COUNCILLOR BYE / COUNCILLOR MILLS**

*That Council note and receive the attached Assembly of Councillor records received for 23 March 2017 and for the period 28 March 2017 to 11 April 2017*

**CARRIED**

**ITEM C2.2****RESOLVE TO ADVERTISE THE DRAFT 2017/18 BUDGET,  
PROPOSED RATES AND FEES AND CHARGES****OBJECTIVE**

For Council to resolve to advertise the draft 2017/18 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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## **COUNCILLOR STEPHENS / COUNCILLOR BYE**

**That:**

- 1. Council advertise its draft 2017/18 Budget (as attached) in accordance with Section 129 of the Local Government Act 1989; and**
- 2. Council consider submissions for the draft 2017/18 Budget at a Special Council Meeting on Tuesday 30 May 2017 at 3pm; and**
- 3. Council meet on Tuesday 6 June 2017 at 3pm to consider the formal adoption of the 2017/18 Budget; and**
- 4. Council makes the following declarations regarding rates and charges for the period commencing on 1 July 2017 and concluding on 30 June 2018:**

**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 \$55,499,859:**

<b>General Rate:</b>	<b>\$49,874,190</b>
<b>Cultural &amp; Recreational Land rates</b>	<b>\$ 70,930</b>
<b>Supplementary Rates</b>	<b>\$ 195,787</b>
<b>Garbage Charge:</b>	<b>\$ 3,533,086</b>
<b>Waste Infrastructure Charge:</b>	<b>\$ 1,533,850</b>
<b>EPA Levy Charge:</b>	<b>\$ 282,316</b>
<b>Boisdale Common Effluent System Charge</b>	<b>\$ 9,700</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 0.005436 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 0.005436**
  - (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:**

**Within the meaning of Section 2 of the Valuation of Land Act 1960 as amended**

**“Farm land” means rateable land –**

        - that is not less than 2 hectares in area; and**
        - 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**
        - that is used by a business –**
          - that has a significant and substantial commercial purpose or character; and**
          - that seeks to make a profit on a continuous or repetitive basis from its activities on the land; and**
          - that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating; and**
          - where the ratepayer is a Primary Producer**



- C) Garbage Charge:**  
(1) *An annual service charge of \$187.00 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 is able to continue to provide a waste disposal service.*  
(2) *The charge be \$50.00 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 \$14.92 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 \$396.00 be declared for wastewater availability in respect of Residential premises in the township of Boisdale, to contribute towards the costs of operation and management of the Boisdale Common Effluent System (the System).*  
(2) *An annual service charge of \$435.34 (includes GST) be declared for wastewater availability in respect of Commercial premises in the township of Boisdale, to contribute towards the costs of operation and management of the System.*  
(3) *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:*

<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>\$1,201.35</b>
<b>Heyfield Golf Club Inc</b>	<b>91 Golf Course Rd, Heyfield</b>	<b>\$1,693.32</b>
<b>Lake Wellington Yacht Club Inc</b>	<b>725 Marlay Point Rd, Clydebank</b>	<b>0.00</b>
<b>Maffra Bowling Club Inc</b>	<b>Princess St, Maffra</b>	<b>\$994.79</b>
<b>Maffra Golf Club</b>	<b>Fulton Rd, Maffra</b>	<b>\$4,060.70</b>
<b>Maffra Sale Motorcycle Club</b>	<b>54 Tatterson Lane, Newry</b>	<b>\$186.18</b>
<b>Maffra Sale Motorcycle Club</b>	<b>Morison St, Maffra</b>	<b>\$292.18</b>
<b>Maffra Squash &amp; Racquetball Club Inc</b>	<b>Little Johnson St, Maffra</b>	<b>\$221.52</b>
<b>Para Park Co-operative Game Reserve</b>	<b>Sunday Island, Port Albert</b>	<b>\$6,069.30</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>\$70.67</b>
<b>Sale Agricultural Society – Showgrounds</b>	<b>Dawson St, Sale</b>	<b>\$2,787.31</b>
<b>Sale Agricultural Society – Sale Greyhound Club</b>	<b>Maffra-Sale Rd, Sale</b>	<b>\$9,662.49</b>
<b>Sale Angling &amp; Sportsfishing Club</b>	<b>5 David St, Manns Beach</b>	<b>\$0.00</b>
<b>Sale Angling &amp; Sportsfishing Club</b>	<b>Punt Lane, Sale</b>	<b>\$0.00</b>
<b>Sale Community Bowls Club Ltd</b>	<b>Foster St, Sale</b>	<b>\$5,658.88</b>
<b>Sale City Football Netball Club Inc</b>	<b>Guthridge Pde, Sale</b>	<b>\$1,375.31</b>
<b>Sale United Football Club Inc</b>	<b>313-321 Raglan St, Sale</b>	<b>\$602.04</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>\$456.63</b>
<b>Sale Golf Club</b>	<b>2631 Rosedale-Longford Rd, Longford</b>	<b>\$7,220.37</b>
<b>Sale-Maffra Badminton Association Inc.</b>	<b>59 Gibsons Rd, Sale</b>	<b>\$611.55</b>
<b>Sale Small Bore Rifle Club</b>	<b>86 Stephenson St, Sale</b>	<b>0.00</b>
<b>Sale Tennis Club</b>	<b>51 Guthridge Pde, Sale</b>	<b>\$777.35</b>
<b>Sale Turf Club</b>	<b>Maffra-Sale Rd, Sale</b>	<b>\$1,239.41</b>
<b>Sale Turf Club</b>	<b>1227 Maffra-Sale Rd, Sale</b>	<b>\$8,972.12</b>
<b>Sporting Legends Club Inc</b>	<b>316 Montgomery Rd, Bundalaguah</b>	<b>\$1,011.09</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>\$4,571.68</b>
<b>West Sale Bowls Club Inc</b>	<b>Hunt Place, Wurruk</b>	<b>\$593.88</b>
<b>The Yarram Country Club Inc</b>	<b>332-338 Commercial Rd, Yarram</b>	<b>\$8,154.00</b>
<b>Yarram Golf Club</b>	<b>42 Golf Links Rd, Yarram</b>	<b>\$2,446.20</b>
<b>Yarram Motorcycle Club</b>	<b>96 Morris Rd, Yarram</b>	<b>\$0.00</b>
<b>TOTAL</b>		<b>\$70,930.32</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**

## **ITEM C2.3**

## **RESOLVE TO ADVERTISE THE DRAFT 2017/21 COUNCIL PLAN**

### **OBJECTIVE**

For Council to resolve to advertise the draft 2017/21 Council Plan and seek public submissions in accordance with Section 223 of the *Local Government Act 1989*.

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

#### **RECOMMENDATION**

**That:**

- 1. Council advertise its 2017/21 draft Council Plan (as attached) in accordance with requirements of Section 223 of the Local Government Act 1989; and**
- 2. Council consider submissions for the 2017/21 draft Council Plan at a Special Council Meeting to be held on Tuesday 30 May 2017 at 3pm.**
- 3. Council meet on Tuesday 6 June 2017 at 3pm to consider the formal adoption of the 2017/21 Council Plan.**

#### **COUNCILLOR HOLE / COUNCILLOR HALL**

**That:**

- 1. Council advertise its 2017/21 draft Council Plan (as attached) in accordance with requirements of Section 223 of the Local Government Act 1989; and**
- 2. Council consider submissions for the 2017/21 draft Council Plan at a Special Council Meeting to be held on Tuesday 30 May 2017 at 3pm.**
- 3. Council meet on Tuesday 6 June 2017 at 3pm to consider the formal adoption of the 2017/21 Council Plan.**

**CARRIED**

**ITEM C3.1****MONTHLY PLANNING DECISIONS – FEBRUARY 2017****OBJECTIVE**

To provide a report to Council on recent planning permit trends and planning decisions, made under delegation by Statutory Planners for information during the month of February 2017.

**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 2017.*

**COUNCILLOR BYE / COUNCILLOR MAHER**

*That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 February and 28 February 2017.*

**CARRIED**

**ITEM C3.2****HEYFIELD LOW DENSITY RESIDENTIAL LAND SUPPLY STUDY****OBJECTIVE**

- To consider all written submissions received to the draft Heyfield Low Density Residential Land Supply Study and adopt the Heyfield Low Density Residential Land Supply Study.
- To request the Minister for Planning to authorise Council, as the Planning Authority, to prepare Amendment C96 - Heyfield Low Density Residential Zones and once authorisation is granted, proceed to public exhibition.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

## RECOMMENDATION

***That:***

- 1. Council having considered all written submissions received, resolve to adopt the Heyfield Low Density Residential Land Supply Study (refer to Attachment 1).***
- 2. Pursuant to Section 8A of the Planning and Environment Act 1987 resolve to request the Minister for Planning to authorise Council as the planning authority to prepare Amendment C96 – Heyfield Low Density Residential Zone (refer to Attachment 2) and once authorisation is granted, proceed to public exhibition.***

Councillor Hole declared a direct conflict and left the chamber at 6:23pm

**COUNCILLOR ROSSETTI / COUNCILLOR BYE**

***That:***

- 1. Council having considered all written submissions received, resolve to adopt the Heyfield Low Density Residential Land Supply Study (refer to Attachment 1).***
- 2. Pursuant to Section 8A of the Planning and Environment Act 1987 resolve to request the Minister for Planning to authorise Council as the planning authority to prepare Amendment C96 – Heyfield Low Density Residential Zone (refer to Attachment 2) and once authorisation is granted, proceed to public exhibition***

**CARRIED**

Councillor Hole returned to the chamber at 6:30pm

## **ITEM C3.3                      STRATEGIC PLANNING UPDATE JANUARY TO MARCH 2017**

### **OBJECTIVE**

To update Council on the strategic land use planning work program for the first quarter of 2017.

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

## RECOMMENDATION

***That Council receive the 2017 first quarterly update on the strategic land use planning work program (included in Attachment 1 to the report).***

Councillor Hole declared a direct conflict of interest and left the chamber at 6:23pm

**COUNCILLOR McCUBBIN / COUNCILLOR BYE**

***That Council receive the 2017 first quarterly update on the strategic land use planning work program (included in Attachment 1 to the report).***

**CARRIED**

Councillor Hole returned to the Chamber at 6:30pm

## ITEM C3.4

## PLANNING PERMIT APPLICATION P286/2016

### OBJECTIVE

To determine planning permit application P286/2016 for a proposed second dwelling located at 22 Evelyn Drive, Sale.

### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

Gary Howard, Evelyn Drive, Sale resident  
Spoke to Council regarding Evelyn Drive Estate.

- Retaining the "Neighbourhood Character" of Evelyn Drive
- Covenant restricting 1 resident per 1-acre block on the entire Estate
- Increase in traffic volume which will overtax the existing road infrastructure

Prinesh Narayan, Evelyn Drive, Sale resident  
Spoke to Council regarding Evelyn Drive Estate.

- Purchased his property with the understanding the Estate was covered by a single dwelling covenant
- Worried about changing the outlook and value of the Estate

Sharon Howes, Evelyn Drive, Sale resident  
Spoke to Council regarding Evelyn Drive Estate.

- Purchased her property with the understanding the Estate was covered by a single dwelling covenant
- Concerned about the development of existing blocks of land within the Estate.

Peter Jackson, Evelyn Drive Sale (Developer), Clydebank resident  
Spoke to Council regarding Evelyn Drive Estate

- The 'calling in' by Council of the dual occupancy planning permit application.
- Clarified the concerns regarding the covenant for 22 Evelyn Drive, Sale.
- Requested Council to consider all the facts prior to taking any further action.

## RECOMMENDATION

***That:***

**Council pursuant to Section 59, 60, 61, 62 and 64 of the *Planning and Environment Act 1987* issue a Notice of Decision to Grant Planning Permit P286/2016 for the use and development of a second dwelling subject to conditions included in Attachment 2.**

**That Council pursuant to Section 59, 60, 61 and 65 of the *Planning and Environment Act 1987* issue a notice of refusal to grant a planning permit for the use and development of a second dwelling on the following grounds:**

- 1. The use and development will have an adverse effect on the amenity and character of the Evelyn Drive estate.**
- 2. The use and development is inconsistent with the orderly development of the Evelyn Drive estate and the reasonable expectations of other landowners within the estate.**

Councillor Crossley declared an indirect conflict of interest and left the chamber at 6:34pm

***COUNCILLOR McCUBBIN / COUNCILLOR BYE***

***That Council pursuant to Section 59, 60, 61 and 65 of the Planning and Environment Act 1987 issue a notice of refusal to grant a planning permit for the use and development of a second dwelling on the following grounds:***

- 1. The use and development will have an adverse effect on the amenity and character of the Evelyn Drive estate.***
- 2. The use and development is inconsistent with the orderly development of the Evelyn Drive estate and the reasonable expectations of other landowners within the estate.***

***CARRIED***

Councillor Crossley returned to the chamber at 6:40pm

**OBJECTIVE**

The objective of this report is for Council to declare sections of Duke Street and Carrajung Woodside Road at Woodside that were constructed by agreement on private properties in 1967, as "Public Highways".

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That*

- 1. Pursuant to Section 204(1) of the Local Government Act 1989 Council resolves to declare the section of Duke St, Woodside through Lot 1 PS706927F being Crown Allotment 21D (Part) Section 1 Parish of Woodside as a public highway; and**
- 2. Pursuant to Section 204(1) of the Local Government Act 1989 Council resolves to declare the sections of Carrajung Woodside Road, Woodside through Lot 1 and 2 PS706928D being Crown Allotment 42 and 45 Parish of Bruthen as a public highway; and**
- 3. A notice to this effect be placed in the Victorian Government Gazette.**

**COUNCILLOR STEPHENS / COUNCILLOR HALL**

*That*

- 1. Pursuant to Section 204(1) of the Local Government Act 1989 Council resolves to declare the section of Duke St, Woodside through Lot 1 PS706927F being Crown Allotment 21D (Part) Section 1 Parish of Woodside as a public highway; and**
- 2. Pursuant to Section 204(1) of the Local Government Act 1989 Council resolves to declare the sections of Carrajung Woodside Road, Woodside through Lot 1 and 2 PS706928D being Crown Allotment 42 and 45 Parish of Bruthen as a public highway; and**
- 3. A notice to this effect be placed in the Victorian Government Gazette.**

**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 6 March 2017.

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

*That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 6 March 2017.*

**COUNCILLOR ROSSETTI / COUNCILLOR McCUBBIN**

*That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 6 March 2017.*

**CARRIED**

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

For Council to amend the current Newry Recreation Reserve Committee of Management Terms of Reference to reflect a membership of up to five community representatives and for Council to appoint the nominated community representative, as detailed in the attached confidential report, to the Newry Recreation Reserve Section 86 Committee of Management for the remainder of the three year period, ending 18 December 2018.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

## RECOMMENDATION

***That:***

- 1. Council amend the current Newry Recreation Reserve Committee of Management Terms of Reference to reflect a membership of up to five community representatives;***
- 2. Council appoint the nominated community representative as detailed in the attached confidential report, to the Newry Recreation Reserve Section 86 Committee of Management;***
- 3. The information contained in the confidential attachment Item F1.1 Newry Recreation Reserve Section 86 Committee of Management Membership of this Council meeting agenda and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Community and Culture on 30 March 2017 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 MILLS / COUNCILLOR MAHER**

***That:***

- 1. Council amend the current Newry Recreation Reserve Committee of Management Terms of Reference to reflect a membership of up to five community representatives;***
- 2. Council appoint the nominated community representative as detailed in the attached confidential report, to the Newry Recreation Reserve Section 86 Committee of Management;***
- 3. The information contained in the confidential attachment Item F1.1 Newry Recreation Reserve Section 86 Committee of Management Membership of this Council meeting agenda and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Community and Culture on 30 March 2017 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 C5.3**

### **BRIAGOLONG QUARRY RESERVE COMMITTEE OF MANAGEMENT MINUTES AND MEMBERSHIP**

#### **OBJECTIVE**

For Council to receive the minutes from the Briagolong Quarry Reserve Committee of Management's Ordinary Meeting held on 6 March 2017.

For Council to appoint the nominated community representative, as detailed in the attached confidential report, to the Briagolong Quarry Reserve Section 86 Committee of Management for the remainder of the three year period, ending 18 December 2018.

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

### **RECOMMENDATION**

***That:***

- 1. Council receive the minutes from the Briagolong Quarry Reserve Committee of Management's Ordinary Meeting held on 6 March 2017.***
- 2. Council appoint the nominated community representative as detailed in the attached confidential report, to the Briagolong Quarry Reserve Section 86 Committee of Management;***
- 3. The information contained in the confidential attachment Item F1.2 Briagolong Quarry Reserve Section 86 Committee of Management Membership of this Council meeting agenda and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Community and Culture on 30 March 2017 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 MILLS / COUNCILLOR HOLE**

***That:***

- 1. Council receive the minutes from the Briagolong Quarry Reserve Committee of Management's Ordinary Meeting held on 6 March 2017.***
- 2. Council appoint the nominated community representative as detailed in the attached confidential report, to the Briagolong Quarry Reserve Section 86 Committee of Management;***
- 3. The information contained in the confidential attachment Item F1.2 Briagolong Quarry Reserve Section 86 Committee of Management Membership of this Council meeting agenda and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Community and Culture on 30 March 2017 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 C5.4

## GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIP

### OBJECTIVE

For Council to receive the minutes, including financials, from the Gordon Street Recreation Reserve Committee of Management's Ordinary Meeting held on 27 February 2017.

For Council to appoint the nominated Heyfield Basketball Club representative, as detailed in the attached confidential report, to the Gordon Street Recreation Reserve Committee of Management for the remainder of the three year period, ending 18 December 2018.

### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

***That:***

- 1. Council receive the minutes, including financials, from the Gordon Street Recreation Reserve Committee of Management's Ordinary Meeting held on 27 February 2017.***
- 2. Council appoint the nominated Heyfield Basketball Club representative as detailed in the attached confidential report to the Gordon Street Recreation Reserve Section 86 Committee of Management;***
- 3. The information contained in the confidential attachment Item F1.3 Gordon Street Recreation Reserve Section 86 Committee of Management Membership of this Council meeting agenda and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Community and Culture on 30 March 2017 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 MILLS

***That:***

- 1. Council receive the minutes, including financials, from the Gordon Street Recreation Reserve Committee of Management's Ordinary Meeting held on 27 February 2017.***
- 2. Council appoint the nominated Heyfield Basketball Club representative as detailed in the attached confidential report to the Gordon Street Recreation Reserve Section 86 Committee of Management;***
- 3. The information contained in the confidential attachment Item F1.3 Gordon Street Recreation Reserve Section 86 Committee of Management Membership of this Council meeting agenda and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Community and Culture on 30 March 2017 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 C5.5****REVIEWING COUNCIL'S RESPONSIBLE GAMING POLICY****OBJECTIVE**

For Council to endorse the draft Electronic Gaming Machine Policy attached.

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

***That Council endorse the draft Electronic Gaming Machine Policy attached.***

Councillor Bye declared an indirect conflict of interest and left the chamber at 7:01pm

Councillor Hall declared an indirect conflict of interest and left the chamber at 7:01pm

***COUNCILLOR McCUBBIN / COUNCILLOR STEPHENS***

***That Council endorse the draft Electronic Gaming Machine Policy attached***

***CARRIED***

Councillor Bye returned to the chamber at 7:06pm

Councillor Hall returned to the chamber at 7:06pm



## D. URGENT BUSINESS

NIL



## E. FURTHER GALLERY AND CHAT ROOM COMMENTS

### CHAT ROOM COMMENTS

NIL

### GALLERY COMMENTS

Jane Cahill, Dundas Street Sale Resident  
Spoke to Council regarding the following:

- What is the criteria used to determine the engagement of a planning consultant to represent Council at Victorian Civil and Administrative Tribunal?
- Requested a copy of the legal opinion acquired by Council under section 163 of the *Local Government Act 1989* regarding the Dundas Street Special Charge Scheme

John McLinden, Longford Resident  
Spoke to Council primarily regarding 70 year old Red Gum Tree in Macarthur Street, Sale

Meeting closed at 7:20pm