

The Heart of Gippsland



Resolutions in Brief

To be read in conjunction with the Agenda 18 August 2015

PRESENT:

Councillor Carolyn Crossley, Mayor

Councillor Malcolm Hole

Councillor Bob Wenger

Councillor John Duncan

Councillor Peter Cleary

Councillor Darren McCubbin

Councillor Scott Rossetti

Councillor Patrick McIvor

IN ATTENDANCE:

David Morcom, Chief Executive Officer Chris Hastie, General Manager Built & Natural Environment John Websdale, General Manager Development Frances Ford, Acting General Manager Community and Culture Arthur Skipitaris, General Manager Corporate Services Trish Dean, Governance Officer

APOLOGY

Councillor Emily Davine

ORDINARY MEETING OF COUNCIL – 18 AUGUST 2015

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ITEM A4 ADOPTION OF MINUTES OF PREVIOUS MEETING/S

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 4 August 2015 as tabled.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 4 August 2015 as tabled.

COUNCILLOR WENGER / COUNCILLOR CLEARY
That Council adopt the minutes and resolutions of the Ordinary Council Meeting of
4 August 2015 as tabled.

CARRIED

ITEM A5 BUSINESS ARISING FROM PREVIOUS MEETING/S

NIL

ITEM A6 ACEPTANCE OF LATE ITEMS

NIL

ITEM A7 NOTICE OF MOTION

NIL

ITEM A8 RECEIVING OF PETITIONS OR JOINT LETTERS

NIL

ITEM A8(1)

OUTSTANDING PETITIONS

ITEM	FROM	COMMENTS	ACTION BY
	MEETING		
Drumming from 132 The Boulevard, Paradise Beach	19 May 2015	That the motion lay on the table until the meeting of July 21 or until mediation can take place	Manager Municipal Services
Provision of a public toilet facility in the Sale CBD	7 July 2015	Report to Council 18 August 2015	Manager Natural Environment & Parks
Objection to the proposed Wellington Shire Council tree planting scheme for Powerscourt Street Maffra	7 July 2015	Report to Council 1 September 2015	Manager Natural Environment and Parks
Exclusion of properties from garbage collection Anderson Court Myrtlebank	21 July 2015	Report to Council 1 September 2015	Manager Natural Environment & Parks
Restoration of Willung Bridge on Merton Vale Road, Willung	18 August 2015	Report to Council 15 September 2015	Manager Built Environment

ITEM A8(2)

RECEIPT OF PETITION: RESTORATION OF WILLUNG BRIDGE MERTON VALE ROAD, WILLUNG.

OBJECTIVE

To present Council with a petition in relation to restoration of Willung Bridge Merton Vale Road, Willung.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the attached petition in relation to restoration of Willung Bridge on Merton Vale Road, Willung.

COUNCILLOR CLEARY / COUNCILLOR WENGER

That Council receive the attached petition in relation to restoration of Willung Bridge on Merton Vale Road, Willung.

ITEM A8(3)

RESPONSE TO PETITION - TOILET CONSTRUCTION SALE MALL

OBJECTIVE

To provide a response to Council on the petition received from the Sale Business and Tourism Association (SBTA) regarding a request for the construction of a public toilet in the Sale CBD

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That;

- 1. Council support the construction of a new fully automated 2 pan public toilet in the Sale Mall; and
- 2. Council authorise the Chief Executive Officer to work with the Sale Business & Tourism Association on finalising the design, exact location and operating parameters of the new facility; and
- 3. The Chief Executive Officer write to the head petitioner advising of Council's decision in relation to this matter.

COUNCILLOR McIVOR / COUNCILLOR McCUBBIN That :

- 1. Council support the construction of a new fully automated 2 pan public toilet in the Sale Mall; and
- 2. Council authorise the Chief Executive Officer to work with the Sale Business & Tourism Association on finalising the design, exact location and operating parameters of the new facility; and
- 3. The Chief Executive Officer write to the head petitioner advising of Council's decision in relation to this matter.

CARRIED

ITEM A9

INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

Councillor Cleary formally presented to Council on behalf of Briagolong Community Representative Group the Community Plan 2013-2018 acknowledging the various ideas and concepts that have been implemented within the Briagolong community.

Councillor McCubbin formally presented to Council on behalf of the Sale Scout Group the Annual Report acknowledging the various projects and the continued success of community and youth programs.

Councillor John Duncan acknowledged the anniversary of the Battle of Long Tan.

ITEM A10 QUESTIONS ON NOTICE

NIL

ITEM A10(1) OUTSTANDING QUESTIONS ON NOTICE

NIL

ITEM A11(1) MAYORS REPORT

RECOMMENDATION

That the Mayor's report be noted.

COUNCILLOR CLEARY / COUNCILLOR ROSSETTI That the Mayor's report be noted.

CARRIED

ITEM A12 YOUTH COUNCIL

NIL

ITEM B DELEGATES REPORT

Cr Wenger provided a verbal update regarding the Gippsland Waste Recovery Group Expo in Melbourne on Waste Reform.

ITEM C1.1 CHIEF EXECUTIVE OFFICER'S REPORT

RECOMMENDATION

That the Chief Executive Officer's Report be received.

COUNCILLOR ROSSETTI / COUNCILLOR DUNCAN That the Chief Executive Officer's Report be received.

CARRIED

ITEM C1.2 JULY 2015 PERFORMANCE REPORT

OBJECTIVE

For Council to receive and note the July 2015 Council Performance Report.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive and note the July 2015 Council Performance Report as attached.

COUNCILLOR CLEARY / COUNCILLOR ROSSETTI

That Council receive and note the July 2015 Council Performance Report as attached.

CARRIED

ITEM C2.1

ASSEMBLY OF COUNCILLORS

OBJECTIVE

To report on all assembly of Councillor records received during the period 29 July 2015 to 12 August 2015.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note and receive the attached Assembly of Councillors records received during the period 29 July 2015 to 12 August 2015.

COUNCILLOR ROSSETTI / COUNCILLOR WENGER

That Council note and receive the attached Assembly of Councillors records received during the period 29 July 2015 to 12 August 2015.

ITEM C4.1

PLACE NAMES COMMITTEE - MINUTES

OBJECTIVE

The purpose of this report is for Council to receive the minutes from the Place Names Committee meeting held on 21 July 2015.

RECOMMENDATION

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 21 July 2015; and
- 2. Arising from the Place Names Committee meeting held on 21 July 2015, Council adopt the following recommendations:
 - a) The livestock exchange in Sale be named the Gippsland Regional Livestock Exchange; and
 - b) That the developer request to use the name "Moon" from the Approved Road Name Register for a subdivision in Maffra be approved; and
 - c) That the developer request to use the name "Kestrel" from the Approved Road Name Register for a subdivision be approved; and
 - d) That the unnamed road off Beverleys Road, Stockdale be named Jalandook Lane and the road remains an unmaintained road on the Wellington Shire Council Register of Public Roads.

COUNCILLOR McCUBBIN / COUNCILLOR ROSSETTI

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 21 July 2015; and
- 2. Arising from the Place Names Committee meeting held on 21 July 2015, Council adopt the following recommendations:
 - a) The livestock exchange in Sale be named the Gippsland Regional Livestock Exchange; and
 - b) That the developer request to use the name "Moon" from the Approved Road Name Register for a subdivision in Maffra be approved; and
 - c) That the developer request to use the name "Kestrel" from the Approved Road Name Register for a subdivision be approved; and
 - d) That the unnamed road off Beverleys Road, Stockdale be named Jalandook Lane and the road remains an unmaintained road on the Wellington Shire Council

ITEM C4.2

CUNNINGHAME STREET SPECIAL CHARGE STREET CONSTRUCTION SCHEME –DECLARATION OF SCHEME

OBJECTIVE

To consider for declaration, the Cunninghame Street Special Charge Street Construction Scheme Number 1501 between Dundas Street and Lansdowne Street, Sale.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

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 Cunninghame Street 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 Cunninghame Street between Dundas Street and Lansdowne Street in Sale and the provision of any ancillary works including drainage.
- 2. The criteria which form the basis of the declaration of the Special Charge are the ownership of rateable land in the area of the Scheme which, based on scheme access benefit units and calculated by frontage as to 67.7% and abuttal as to 33.3%, has and enjoys an abuttal to or access from Cunninghame Street, and having regard to frontage of the lands 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 \$440,000 being the estimated cost of the works to be undertaken. Council funding is to be allocated from its 2015/2016 Commonwealth Roads to Recovery Program.

- 5. The total estimated amount to be levied under the Scheme as the Special Charge is \$81,233.
- 6. The Special Charge will commence on 18 August 2015 and remain in force for a period of ten 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 the length of the frontage (as to 67.7%) and the access benefit (as to 33.3%) 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 installment 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 20 quarterly instalments (5 years) including interest or
 - payment may be made over 40 quarterly instalments (10 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:
 - Improved road safety for properties and the community in the area defined by the scheme boundary.
 - Reduction in dust.
 - Improved access and egress from properties.
 - Improved parking with indented parking.
 - Improved road safety for motorists, cyclists and pedestrians.
- 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 18 August 2015 and the reasons for the decision.

COUNCILLOR McIVOR / COUNCILLOR ROSSETTI

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 Cunninghame Street 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 Cunninghame Street between Dundas Street and Lansdowne Street in Sale and the provision of any ancillary works including drainage.
- 2. The criteria which form the basis of the declaration of the Special Charge are the ownership of rateable land in the area of the Scheme which, based on scheme access benefit units and calculated by frontage as to 67.7% and abuttal as to 33.3%, has and enjoys an abuttal to or access from Cunninghame Street, and having regard to frontage of the lands 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 \$440,000 being the estimated cost of the works to be undertaken. Council funding is to be allocated from its 2015/2016 Commonwealth Roads to Recovery Program.
- 5. The total estimated amount to be levied under the Scheme as the Special Charge is \$81,233.
- 6. The Special Charge will commence on 18 August 2015 and remain in force for a period of ten 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 the length of the frontage (as to 67.7%) and the access benefit (as to 33.3%) 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 installment 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 20 quarterly instalments (5 years) including interest or
 - payment may be made over 40 quarterly instalments (10 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:
 - Improved road safety for properties and the community in the area defined by the scheme boundary.
 - · Reduction in dust.
 - Improved access and egress from properties.
 - · Improved parking with indented parking.
 - Improved road safety for motorists, cyclists and pedestrians.
- 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 18 August 2015 and the reasons for the decision

ITEM C5.1

GIPPSLAND REGIONAL SPORTS COMPLEX STAGE 2

OBJECTIVE

For Council to endorse the next stage in the development of the Gippsland Regional Sports Complex (GRSC) which involves preparing detailed designs and costings for a synthetic hockey field and pavilion and to identify potential funding opportunities.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

For Council to endorse the next step in the development of Gippsland Regional Sports Complex Stage 2 which involves preparing detailed designs and costings for building a synthetic hockey field and pavilion and to identify potential funding opportunities.

COUNCILLOR HOLE / COUNCILLOR DUNCAN

For Council to endorse the next step in the development of Gippsland Regional Sports Complex Stage 2 which involves preparing detailed designs and costings for building a synthetic hockey field and pavilion and to identify potential funding opportunities.

CARRIED



D. URGENT BUSINESS

NIL



E. FURTHER GALLERY AND CHAT ROOM COMMENTS

Alan Heywood – Pearsondale Resident

Expressed concerns with Foster Street Sale between York Street and Guthridge Parade being only one lane in each direction compared to MacArthur Street between York Street and Guthridge Parade Sale being two lanes in each direction.

Would like a response to the following:

Is there anything in the Shires' five year plan, to widen Foster Street, Sale?

Meeting closed 6:45pm