



## STRATHBOGIE SHIRE COUNCIL

### MINUTES OF A SPECIAL MEETING OF THE STRATHBOGIE SHIRE COUNCIL HELD ON TUESDAY 9 FEBRUARY 2016 AT THE EUROA COMMUNITY CONFERENCE CENTRE COMMENCING AT 5.01 P.M.

<b>Councillors:</b>	Colleen Furlanetto (Chair)	(Seven Creeks Ward)
	Malcolm Little	(Hughes Creek Ward)
	Alister Purbrick	(Lake Nagambie Ward)
	Patrick Storer	(Honeysuckle Creek Ward)
	Debra Swan	(Lake Nagambie Ward)
	Robin Weatherald	(Mount Wombat Ward)
	Graeme (Mick) Williams	(Seven Creeks Ward)

<b>Officers:</b>	Steve Crawcour - Chief Executive Officer
	Phil Howard - Director, Sustainable Development
	Roy Hetherington - Director, Asset Services
	David Woodhams - Director, Corporate and Community

### BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners  
*'I acknowledge the Traditional Owners of the land on which we are meeting.  
I pay my respects to their Elders, past and present, and the more recent  
custodians of the land'*
3. Apologies  

Nil.
4. Disclosure of Interests  

Nil.
5. Reports of Council Officers
  - 5.1 Climate Change
  - 5.2 Infrastructure
  - 5.3 Private Enterprise
  - 5.4 Public Institutions
  - 5.5 Housing and Recreation
  - 5.6 Tourism
  - 5.7 Organisation
6. Urgent Business

✓

7. Closure of Meeting to the Public to consider matters listed for consideration in accordance with Section 89(2) of the Local Government Act 1989
8. Confirmation of 'Closed Portion' Decision/s

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting, as per Local Law No. 1 - Meeting Procedure (2014) or as updated from time to time through Council Resolution

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## 5. REPORTS

### 5.2 INFRASTRUCTURE

#### 5.2.1 Receiving / Hearing of Submissions - Rowe Street Drainage and Road Widening Project – Special Charge Scheme

##### **Author and Department**

Director Asset Services / Asset Services Directorate

##### **Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

##### **Summary**

Council at its Ordinary Meeting held on December 15, 2015 resolved to give public notice of its intention to declare a Special Charge for the construction of drainage and road widening of Rowe Street, Euroa.

The notice invited submissions under Section 163(A), 163(B) and 223 of the Local Government Act 1989 (The Act).

#### **RECOMMENDATION**

**That Council resolve to:**

- 1. Receive and note the submissions in response to the public notice of the intention to declare a Special Charge in Rowe Street.**
- 2. Formally consider all received submissions and determine the outcome of the intention to declare the Special Charge at a Special Council meeting to be held Tuesday February 23, 2016 commencing at 5.00pm at the Euroa Community Conference Centre.**

*07/16 CRS WILLIAMS/LITTLE : That the Recommendation be adopted.*

**CARRIED**

#### **Background**

Council directed that public notice of the intention to declare a Special Charge be given in the Euroa Gazette and the Age. The dates of publication were

Euroa Gazette	23/12/2015
Age	19/12/2015

Council also directed that separate letters enclosing a copy of the notice be sent to the owners of properties within the Special Charge area. An advance copy of the notice was forwarded on 16/12/2015 and follow up copies of the actual advertisement were sent on December 22, 2015.

5.2.1 Receiving / Hearing of Submissions  
- Rowe Street Drainage and Road Widening Project – Special Charge Scheme  
(cont.)

The advertisement advised that:

Any person may make a written submission to the Council under sections 163A and 223 of the Act.

In addition, any person who will be required to pay the Special Charge to be imposed by the proposed declaration has a right to object to the proposed declaration and may also make a written objection to the Council under section 163B of the Act.

**Submissions**

Two letters of objection have been received. Both letters make reference to Section 163B(1) of the Act but provide no information on the basis of the objections. Copies of the letters have been provided to Councillors. Both submitters have requested to be heard.

The submitters are not known to be landowners within the Special Charge area.

Only one submitter addressed the meeting in support of their written submission.

**Alternative Options**

The objections are being treated as section 223 submissions, as invited, and need to be received and heard at the meeting as advertised.

**Risk Management**

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation

**Strategic Links – policy implications and relevance to Council Plan**

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

**Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications**

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

**Financial / Budgetary Implications**

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

**Economic Implications**

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

**Environmental / Amenity Implications**

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

5.2.1 Receiving / Hearing of Submissions  
- Rowe Street Drainage and Road Widening Project – Special Charge Scheme  
(cont.)

**Community Implications**

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

**Victorian Charter of Human Rights and Responsibilities Act 2006**

A statement indicating that the report does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

**Legal / Statutory Implications**

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

**Consultation**

The consideration of submissions at the meeting is part of the statutory process to establish the Special Charge Scheme. The process is proceeding in accordance with the timeframes given to residents in the consultation and design phase of the project.

**Attachments**

Nil



6. URGENT BUSINESS
7. CLOSURE OF MEETING TO THE PUBLIC TO CONSIDER MATTERS LISTED FOR CONSIDERATION IN ACCORDANCE WITH SECTION 89(2) OF THE LOCAL GOVERNMENT ACT 1989
8. CONFIRMATION OF 'CLOSED PORTION' DECISION/S

***THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.08 P.M.***

Confirmed as being a true and accurate record of the Meeting

.....  
Chair

15 / 3 / 16  
.....  
Date

