



MINUTES

SPECIAL MEETING OF COUNCIL

Wednesday, 13 March 2019

Held in the Town Hall, Chambers,
53 – 57 McCallum Street,
Swan Hill
Commencing at 6pm

COUNCIL:
Cr A Young – Mayor

Cr LT McPhee
Cr GW Norton
Cr C Jeffery
Cr L Johnson
Cr B Moar

Confirmed 19 March 2019

Chairperson.....

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SECTION A – PROCEDURAL MATTERS

- **Open**

Mayor, Councillor Ann Young assumed the chair and declared the meeting open at 6.03pm.

- **Acknowledgement of Country**

Mayor, Councillor Ann Young read the Acknowledgement of Country.

- **Prayer**

Cr Lea Johnson read the prayer.

- **Apologies**

Cr Les McPhee
Cr Bill Moar

19/19 Motion

MOVED Cr Jeffery

That the apologies be accepted.

SECONDED Cr Norton

The Motion was put and CARRIED

- **Declarations of Conflict of Interest**

Nil

SECTION B – REPORTS

B.19.14 RECEIVE AND HEAR SUBMISSIONS TO THE PROPOSED SPECIAL RATE

Responsible Officer: Director Development and Planning
File Number: S12-04-02
Attachments: 1 Confidential

Declarations of Interest:

Heather Green - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

The purpose of this report is to enable Council to receive and hear submissions in relation to the proposal to declare a Special Rate for marketing and business development purposes in the Swan Hill and Lake Boga districts.

At the close of submissions 192 submissions were received. Of these 169 are valid and these represent a total of 226 properties.

Discussion

At its Ordinary Meeting on Tuesday, 20 November 2018, Swan Hill Rural City Council at the request of Swan Hill Incorporated, resolved to give notice of its intention to declare a Special Rate to raise funds to pay for activities that encourage business and commercial development in the Swan Hill region. A Special Rate scheme has been in place since 2002, and the current scheme will cease on the 30 June 2019. At the December 2018 Ordinary Meeting, Council resolved to vary the geographic area impacted by the Special Rate to the townships and surrounding area of Swan Hill and Lake Boga .

It is proposed that the declared Special Rate scheme is applied for a period of seven years from the 1 July 2019, with \$359,187 raised in the first year. Then for each of the subsequent six years, the Special Rate will increase from the previous year's total, plus CPI*. The marketing and business development programs will involve activities to promote the Swan Hill region as a place to shop and visit.

In line with sub-sections 163 (1A), (1B) and (1C) of the Local Government Act 1989, a public notice of the intent to declare a Special Rate was published in The Guardian newspaper on Friday, 1 February 2019 providing details of how the Special Rate will be assessed and levied, and inviting submissions from property owners and/or occupiers responsible for payment of the Special Rate. In addition, details of the proposed declaration were mailed to each property owner and occupier of each of the 674 properties within the Special Rate geographic area with mail issued on Friday, 1 February 2019 and again the opportunity for submissions were outlined in

accompanying correspondence (see attachment 1). All submissions and supporting material were required to be received by the close of business on Friday, 1 March 2019 as per sections 163A and 163B of the Act. A reminder notice advising of the pending deadline was published in The Guardian newspaper on Friday, 22 February 2019. The public notice and correspondence detailed that anyone requesting to be heard in support of their submission can appear before a meeting of Council or be represented by a person acting on their behalf at a hearing at the Town Hall on Wednesday, 13 March 2019.

There was also correspondence issued to property owners/occupiers of the 64 removed properties advising that their business/ property will no longer be required to contribute to the Special Rate scheme from the 1 July 2019. However, there is an option to continue to pay the Special Rate in a voluntary capacity.

A total of 192 written submissions were received consisting of:

- 169 eligible submissions representing 226 property assessments
- 1 submission disqualified due to change of ownership/ occupier of the property
- 22 submissions considered as duplicates

Duplicates are multiple submissions received from a single property assessment. In this instance, only one submission per property assessment has been counted. There is one exception in which two submissions received from the same assessment and same ratepayer presented one submission in support and one submission objecting. In this case, both submissions were counted.

The translation of eligible submissions received to property assessments was undertaken due to the number of single submissions received from multiple property owners, both in support and objecting to the Special Rate. The majority of submissions received are forms issued by Swan Hill Incorporated in favour of the Special Rate that involved businesses completing contact details, signing and returning to Council. Similarly, there were also two pro-forma letters submitted by some objectors. Other submissions contained more detail providing comment to support their submission.

The submissions received can be summarised as follows accounting for property holdings:

Number of written submissions

Liable to pay	169	Properties represented	226
Submissions not eligible	1		
Duplicate	22		
Total	192	Total Properties represented	226

There are 674 properties liable to pay the Special Rate based on the proposed geographic area of the townships and surrounds of Swan Hill and Lake Boga. During the consultation period Council received submissions from 33 per cent of

those affected by the Special Rate, in addition to 19 ratepayers making contact for further information.

In summary the submissions details the following property summary:

No response	448	67%
Support	163	24%
Objections	63	9%
Total Rateable Properties	674	100%

Three submitters have requested to be heard and this meeting provides that opportunity.

Those wishing to be heard are:
Mr Geoff Williams, Mr Murray Ray and Mr Greg Roberts

Consultation

The submission process is part of the consultation process and is in accordance with the Local Government Act.

Financial Implications

Nil

Social Implications

Nil

Economic Implications

Nil

Environmental Implications

Nil

Risk Management Implications

Nil

Council Plan Strategy Addressed

Positive community engagement through appropriate and constructive consultation. - Positive community engagement and inclusiveness.

Options

Nil

Recommendations

That Council:

- 1. Note that is has completed the consultation process in compliance with Section 223 of the Local Government Act 1989.**
- 2. Suspend Standing Orders to enable the three submitters who have requested to be heard to be heard.**
- 3. Receive the written and verbal submissions in relation to the intent to declare a Special Rate.**
- 4. Consider all submissions at the Ordinary Council Meeting of March 2019.**

Moved Cr Chris Jeffery

As per recommendation.

Motion Lapsed for want of a seconder

20/19 Motion

MOVED Cr Johnson

That Council:

- 1. Note that is has completed the consultation process in compliance with Section 223 of the Local Government Act 1989.**
- 2. Suspend Standing Orders to enable the three submitters who have requested to be heard to be heard.**
- 3. Receive the written and verbal submissions in relation to the intent to declare a Special Rate.**
- 4. Consider all submissions at the Ordinary Council Meeting of April 2019.**
- 5. Form a committee to hear the submission of Mr Williams at a mutually convenient time.**

SECONDED Cr Norton

The Motion was put and CARRIED

Speakers for the submission were:

- Mr Murray Ray on behalf of Swan Hill Incorporated.
- Mr Greg Roberts – on behalf of Murray Downs Golf and Country Club, Swan Hill Club and Spoons.
- Mr Geoff Williams – is unable to be present this evening.

21/19 Recommendations

MOVED Cr Norton

That Standing Orders be resumed.

SECONDED Cr Johnson

The Motion was put and CARRIED

Attachment

- Confidential

There being no further business the Mayor, Councillor Ann closed the meeting at 6.22pm.