



Council Meeting Agenda

Meeting to be held at

Port Of Sale Business Centre

Foster Street, Sale

Tuesday 6 October 2015, commencing at 1pm

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ORDINARY MEETING OF COUNCIL – 6 OCTOBER 2015

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Council Meeting Information

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Members of the public who are not in attendance at the Council meeting but who wish to communicate with the Council via the webcasting chat room should lodge their questions or comments early in the meeting to ensure that their submissions can be dealt with at the end of the meeting.

Please could gallery visitors and Councillors ensure that mobile phones and other electronic devices are turned off or in silent mode for the duration of the meeting.



A - PROCEDURAL



STATEMENT OF ACKNOWLEDGEMENT

***“We acknowledge the traditional custodians
of this land the Gunaikurnai people,
and pay respects to their elders past and present”***



PRAYER

***“Almighty God, we ask your blessing upon the Wellington
Shire Council, its Councillors, officers, staff and their families.
We pray for your guidance in our decisions so that the
true good of the Wellington Shire Council may result to
the benefit of all residents and community groups.”
Amen***



A - PROCEDURAL

A4 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

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

ACTION OFFICER:

GENERAL MANAGER CORPORATE SERVICES

DATE:

6 OCTOBER 2015

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 15 September 2015 as tabled.

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

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 15 September 2015 as tabled.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.



A - PROCEDURAL

A5 BUSINESS ARISING FROM PREVIOUS MEETING/S

ITEM A5**BUSINESS ARISING FROM PREVIOUS MEETING/S**

ACTION OFFICER

CHIEF EXECUTIVE OFFICER

DATE:

6 OCTOBER 2015

ITEM	FROM MEETING	COMMENTS	ACTION BY
Nil			



A - PROCEDURAL

A6 ACCEPTANCE OF LATE ITEMS



A - PROCEDURAL

A7 NOTICE/S OF MOTION



A - PROCEDURAL

A8 RECEIVING OF PETITIONS OR JOINT LETTERS

ITEM A8(1)**OUTSTANDING PETITIONS**

ACTION OFFICER

GOVERNANCE

DATE:

6 OCTOBER 2015

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			



A - PROCEDURAL

A9 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS



A - PROCEDURAL

A10 QUESTIONS ON NOTICE

ITEM A10(1)

ACTION OFFICER

DATE:

OUTSTANDING QUESTIONS ON NOTICE

CHIEF EXECUTIVE OFFICER

6 OCTOBER 2015

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			



A - PROCEDURAL

A11 MAYOR'S REPORT

A Mayor's Report is due to be presented on 20 October 2015.



A - PROCEDURAL

A12 YOUTH COUNCIL REPORT

Youth Council will present a report to Council 17 November 2015.



B –REPORT

DELEGATES



C1 - REPORT

CHIEF EXECUTIVE OFFICER

ITEM C1.1**AUDIT COMMITTEE MEMBER APPOINTMENT**

DIVISION: CHIEF EXECUTIVE OFFICE
ACTION OFFICER: CHIEF EXECUTIVE OFFICER
DATE: 6 OCTOBER 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
				✓					

OBJECTIVE

The purpose of this report is to provide information to Council to enable consideration of the appointment of one external independent member to Council's Audit Committee.

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

That:

- 1. Council appoint an independent member to Council's Audit Committee for a three year period commencing 29 October 2015 and expiring 28 October 2018 in accordance with the recommendation in the attached confidential evaluation report at Item F1.1 of this Council meeting agenda; and***
- 2. The information contained in the confidential document Item F1.1 Audit Committee Member Appointment and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 8 September 2015 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 the name of the successful applicant can be made public.***

BACKGROUND

Council maintains an Audit Committee in accordance with Section 139 of the *Local Government Act 1989*. The Audit Committee is a formally appointed committee of the Council and is responsible to Council.

The Audit Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by Council in relation to the discharge of its responsibilities.

The Audit Committee membership is comprised of two Councillors and three external independent persons with suitable knowledge and experience, all appointed by Council for periods varying to a maximum term of three years. The term of this current appointment is due to expire on 28 October 2015.

In order to ensure the vacant position is filled an Expression of Interest process has been undertaken to recruit a suitably qualified external member for Council's Audit Committee.

Advertising was undertaken in August 2015 and expressions of interest were received by the nominated closing date of 25 August 2015.

An interview process was held on 8 September 2015. The Evaluation Panel's assessment and a recommendation for appointment is included in the attached confidential report.

OPTIONS

Council has the following options:

1. Adopt the recommendation to appoint one independent member for a period commencing 29 October 2015 and expiring 28 October 2018 to Council's Audit Committee; or
2. Amend the recommendation in relation to the proposed appointment.

PROPOSAL

That Council appoint an independent member to Council's Audit Committee for a three year period commencing 29 October 2015 and expiring 28 October 2018 in accordance with the evaluation panel's confidential report attached.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this Report have declared a Conflict of Interest.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

"An organisation that is responsive, flexible, honest, accountable and consistent."

Strategy 2.3

"Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making."

This report supports the above Council Plan strategic objective and strategy.



C2 - REPORT

GENERAL MANAGER CORPORATE SERVICES

ITEM C2.1**AUDIT COMMITTEE MINUTES**

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 6 OCTOBER 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓		✓					✓

OBJECTIVE

To receive and note the minutes of the Audit Committee meeting held on 31 August 2015.

RECOMMENDATION***That:***

- 1. Council receive and note the minutes in brief (Attachment 1) and the confidential attachment at Item F1.2 Audit Committee Minutes of 31 August 2015; and***
- 2. The information contained in the confidential attachment Item F1.2 Audit Committee Minutes of 31 August 2015 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 Corporate Services on 24 August 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: e) proposed developments; f) legal advice; and h) any other matter which the Council considers would prejudice the Council or any person; be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989.***

BACKGROUND

Council maintains an Audit Committee in accordance with Section 139 of the *Local Government Act 1989*. The Audit Committee is an independent advisory Committee to Council and its primary objective is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development. Minutes of the Audit Committee are reported direct to Council. A copy of the minutes in brief from the Audit Committee meeting of 31 August 2015 can be found at Attachment 1 of this report and is provided for the information of Council and the public in general.

OPTIONS

Council has the following options:

- To receive and note the minutes from the Audit Committee Meeting of 31 August 2015; or
- To seek further information and consider the minutes at a future meeting.

PROPOSAL

To receive and note the minutes of the Audit Committee meeting held on 31 August 2015.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

The *Local Government Act 1989*, section 139(1) requires Council to establish an audit committee. Council's Audit Committee is an Advisory Committee to Council and operates within the Terms of Reference and Charter adopted by Council.

The Audit Committee Terms of Reference require the minutes of the Audit Committee to be forwarded to an ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes. The Audit Committee is also required to report annually to the Council summarising the activities of the Committee during the previous financial year.

This report complies with the legislative requirements and the Audit Committee Terms of Reference requirements.

COUNCIL PLAN IMPACT

The Council Plan 2013–2017 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

"An organisation that is responsive, flexible, honest, accountable and consistent."

Strategy 2.3

"Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making."

This report supports the above Council Plan strategic objective and strategy.

RISK MANAGEMENT IMPACT

The Audit Committee Charter identifies the management of risk as one of the primary objectives of the Audit Committee. The Audit Committee monitors the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems in place.

MINUTES IN BRIEF OF AUDIT COMMITTEE MEETING HELD ON MONDAY 31 AUGUST 2015 AT 1:30PM

Present: Mr Alan Hall (Acting Chair)
Mr Graeme Coull
Councillor John Duncan
Councillor Peter Cleary

In attendance: Mr David Morcom (Chief Executive Officer)
Mr Arthur Skipitaris (General Manager Corporate Services)
Mr Chris Hastie (General Manager Built & Natural Environment)
Mr Jon Wallace (Crowe Horwath)
Ms Mary Winter (Crowe Horwath) (via phone)
Mrs Sheryl Saynor (Executive Support Officer)

1. **Welcome**
2. **Apologies** - Peter Craighead
3. **Closure of Meeting to Public:-**

Graeme Coull/Councillor Duncan:

That the meeting be closed to the public under Section 89(2) of the Local Government Act 1989 to discuss proposed developments, legal advice and any other matter which the Council or special committee considers would prejudice the Council or any person.

CARRIED

4. **Declaration of Conflict(s) of Interest:-**
Nil

5. **Adoption of Minutes:-**

Graeme Coull/Councillor Cleary

That the Committee adopt the minutes of the previous meeting held on 1 June 2015.

CARRIED

6. **Action Items from Previous Minutes**

Councillor Cleary/Councillor Duncan

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

7. Information Services Update

Graeme Coull/Councillor Cleary

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

8. Audit Committee Membership

Councillor Cleary/Councillor Duncan

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

9. a) In Principle Agreement to Draft Financial and Performance Statements 2014/15

Graeme Coull/Councillor Cleary

That the Audit Committee, having considered the draft Financial and Performance Statements for the year ended 30 June 2015, recommend to Council that it give its in principle agreement to sign the Financial and Performance Statements subject to amendments as discussed.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 because it relates to the following grounds under Section 89(2) of the Act:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

10. Management Letter – Interim Financial Audit 2014-15

Graeme Coull/Councillor Duncan

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

11. Internal Audit Plan

Graeme Coull/Councillor Cleary

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

12. Internal Audit: Follow up on Actions Taken to Address Previous Audit Recommendations

Graeme Coull/Councillor Duncan

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

13. Status of Internal Audit Recommendations

Councillor Cleary/Graeme Coull

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

14. Chairman's Report for the period ending 30 June 2015

Graeme Coull/Councillor Cleary

That the Audit Committee recommend to Council that it receive the Report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 because it relates to the following grounds under Section 89(2) of the Act:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

15. Draft Annual Report 2014/15

Councillor Cleary/Councillor Duncan

That the Audit Committee recommend to Council that it receive the Report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

16. IBAC Report: Local Government – Review of Council Works Depots

Graeme Coull/Councillor Duncan

That the Audit Committee recommend to Council that it receive the Report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

17. Council Quarterly Performance Report

Councillor Duncan/Councillor Cleary

That the Audit Committee recommend to Council that it receive the Report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 because it relates to the following grounds under Section 89(2) of the Act:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

18. Fraud Report

Councillor Cleary/Graeme Coull

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

19. Excessive Staff Leave

Graeme Coull/Councillor Cleary

That the Audit Committee recommend to Council that it receive the Report.

That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 because it relates to the following grounds under Section 89(2) of the Act:

- (h) any other matter which the Council or special committee considers would prejudice the Council or any person*

be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED

20. Sale Livestock Exchange

Councillor Cleary/Graeme Coull

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

- (e) proposed development;*
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person.*

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

21. Road Management Act Processes – Annual Update

Graeme Coull/Councillor Duncan

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

22. Current Key Risk Matters

Councillor Cleary/Councillor Duncan

That the Audit Committee recommend to Council that it receive the report.

That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

- f) legal advice;*
- h) any other matter which the Council or special committee considers would prejudice the Council or any person;*

be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED

23. Risk Report

Graeme Coull/Councillor Duncan

That the Audit Committee recommend to Council that it receive the report.

That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 because it relates to the following grounds under Section 89(2) of the Act:

- h) any other matter which the Council or special committee considers would prejudice the Council or any person;***

be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED

24. Register of Commissioned Reports

Graeme Coull/Councillor Cleary

That the Audit Committee recommend to Council that it receive the report.

That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 24 August 2015 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 Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED

25. General Business

1. CEO Update

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 3.33PM.

ITEM C2.2**ASSEMBLY OF COUNCILLORS**

DIVISION: CORPORATE SERVICES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

DATE: 6 OCTOBER 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓		✓					

OBJECTIVE

To report on all assembly of Councillor records received during the period 9 September 2015 to 29 September 2015.

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

That Council note and receive the attached Assembly of Councillors records received during the period 9 September 2015 to 29 September 2015.

BACKGROUND

Section 80A of the *Local Government Act 1989* requires a written record to be kept of all assemblies of Councillors, stating the names of all Councillors and Council staff attending, the matters considered and any conflict of interest disclosures made by a Councillor. These records must be reported, as soon as practicable, at an ordinary meeting of the Council and recorded in the minutes.

Below is a summary of all assembly of Councillors records received during the period 9 September 2015 to 29 September 2015.

Assembly of Councillors summary of reports received during the period 9 September 2015 to 29 September 2015		
Date	Matters considered	Councillors and officers in attendance
15 Sept 2015	Pre Council Agenda Wellington Aquatic Strategy Update The Year That Was 2014/15 Longford Development Plan Monthly Planning Update Mosquito Monitoring Program Responding to the needs of Older People	Cr Crossley, Rossetti, Cleary, Davine, Duncan, McCubbin, McIvor, Wenger & Hole David Morcom, Chief Executive Officer Arthur Skipitaris, General Manager Corporate Services Chris Hastie, General Manager Built and Natural Environment Glenys Butler, General Manager Community & Culture John Websdale, General Manager Development

Assembly of Councillors summary of reports received during the period 9 September 2015 to 29 September 2015

Date	Matters considered	Councillors and officers in attendance
	Options for Outreach Library Services	Trish Dean, Governance Officer (Item 0) Daniel Miller, Acting Manager Healthy Lifestyles (Item 1) Marcus Stone, Acting Coordinator Lifestyle Facilities (Item 1) Barry Hearsey, Coordinator Strategic Planning (Item 3) Sabine Provily, Strategic Planner (Item 3) Joshua Clydesdale, Manager Land Use Planning (Item 4) John Traa, Coordinator Statutory Planning (Item 4) Vanessa Ebsworth, Manager Municipal Services (Item 5) Karen McLennan, Coordinator Social Planning and Policy (Item 6) Stephen Dempsey, Manager Arts & Culture Item 7)
15 Sept 2015	Councillor Diary Meeting	Councillor Crossley, Rossetti, Cleary, Davine, McCubbin, Mclvor, Wenger & Hole David Morcom, Chief Executive Officer Gail Hogben, Executive Assistant CEO Unit Sharon Willison, Mayoral & Councillor Support Officer

OPTIONS

Council has the following options:

1. Note and receive the attached assembly of Councillors records; or
2. Not receive the attached assembly of Councillors records and seek further information for consideration of a future Council meeting.

PROPOSAL

That Council note and receive the attached assembly of Councillors records received during the period 9 September 2015 to 29 September 2015.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

The reporting of written records of assemblies of Councillors to the Council in the prescribed format complies with Section 80A of the *Local Government Act 1989*.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

"An organisation that is responsive, flexible, honest, accountable and consistent."

Strategy 2.3

"Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making."

This report supports the above Council Plan strategic objective and strategy.

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

15 September 2015

ATTENDEES:

2. Councillors:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Crossley	✓		Cr McCubbin	✓	
Cr Rossetti	✓		Cr McIvor	✓	
Cr Cleary	✓		Cr Wenger	✓	
Cr Davine	✓		Cr Hole	✓	
Cr Duncan (items 3 to 7 only)	✓				

Officers in Attendance:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO	✓		G Butler GMCC	✓	
A Skipitaris, GMCS	✓		J Websdale, GMD	✓	
C Hastie, GMBNE	✓				

Others in attendance: (list names and item in attendance for)

Name	Item No.
	0
Daniel Miller, Marcus Stone, Karen Evans	1
CEO & GMs	2
Barry Hearsey, Sabine Provily	3
Joshua Clydesdale, John Traa	4
Vanessa Ebsworth	5
Karen McLennan	6
Stephen Dempsey	7

3. Matters / Items considered at the meeting (list):

0. Pre-Council Agenda
 1. Wellington Aquatic Strategy Update
 2. The Year That Was 2014/15
 3. Longford Development Plan
 4. Monthly Planning Update
 5. Mosquito Monitoring Program
 6. Responding to the needs of Older People
 7. Options for Outreach Library Service

4. Conflict of Interest disclosures made by Councillors:

Cr McCubbin declared a conflict of interest for Council Agenda Item C5.1 - Esso BHP Billiton Wellington Entertainment Centre Advisory Group meeting held on 12 August 2015.

ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

15 September 2015

2. ATTENDEES:

Councillors:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
Cr Crossley	✓		Cr McCubbin	✓	
Cr Rossetti	✓		Cr Mclvor	✓	
Cr Cleary	✓		Cr Wenger	✓	
Cr Davine	✓		Cr Hole	✓	
Cr Duncan		✓			

Officers In Attendance:

Name	In attendance (tick)		Name	In attendance (tick)	
	Yes	No		Yes	No
D Morcom, CEO	✓		G Butler, GML		✓
C Hastie, GMB&NE		✓	J Websdale , GMD		✓
A Skipitaris, GMCS		✓			

Others in attendance: (list names and item in attendance for)

Name	Item No.	Name	Item No.
Sharon Willison	1		
Gail Hogben	1		

3. Matters/Items considered at the meeting (list):

1. Councillors' Diary Meeting

4. Conflict of Interest disclosures made by Councillors:

ITEM C2.3**VEC PRELIMINARY RESPONSE SUBMISSION**

DIVISION: CORPORATE SERVICES
 ACTION OFFICER: MANAGER CORPORATE SERVICES
 DATE: 6 OCTOBER 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
	✓	✓		✓	✓	✓		✓	

OBJECTIVE

To provide Council with:

- an update on the Electoral Representation Review (ERR) of the Wellington Shire and in particular, the recommendations of the Preliminary Report (Attachment A) released by Victorian Electoral Commission (VEC) on Wednesday 16 September 2015 and
- options for the next steps following the release of the VEC's Preliminary Report

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

That

1. *Council make a Response Submission supporting VEC's Preferred Option A; that Wellington Shire Council consist of nine councillors elected from an unsubdivided structure and also nominate to speak at the public hearing to be held on 14 October 2015*

OR

2. *Council make a Response Submission supporting VEC's Alternative Option B; that Wellington Shire Council consist of nine councillors elected from three, three-councillor wards and also nominate to speak at the public hearing to be held on 14 October 2015*

OR

3. *Council do not make a response submission and await the outcome of VEC's Final Recommendation*

BACKGROUND

As part of the 2015 ERR of the Wellington Shire Council the VEC received 21 preliminary submissions. Submissions were made by a broad range of stakeholders including community organisations, the Council and members of the public, along with a submission from the Proportional Representation Society of Australia.

Seventeen submissions favoured subdivision of the municipality into separate wards, with a broad range of suggestions regarding the number of wards and where the ward boundaries should be. Most submissions favoured retaining the current number of nine councillors.

The VEC has advised in its Preliminary Report that it accepts the strong local interest in introducing a subdivided structure; however, there are constraints of introducing ward boundaries in a municipality with distinct natural environments and a population dispersed between the urban centre and rural and regional townships. An unsubdivided structure avoids the problems of ward boundaries dividing communities of interest.

The VEC is required by the Act to include a preferred option and may include one or more alternative options for the electoral structure in the preliminary report. The VEC considered that both of the following options outlined below, offer fair and equitable representation for voters in the municipality:

Option A (preferred option)

Wellington Shire Council consist of nine councillors elected from an unsubdivided structure.

Option B (alternative option)

Wellington Shire Council consist of nine councillors elected from three, three-councillor wards.

OPTIONS

That

1. *Council make a Response Submission supporting VEC's Preferred Option A; that Wellington Shire Council consist of nine councillors elected from an un-subdivided structure and also nominate to speak at the public hearing to be held on 14 October 2015*

OR

2. *Council make a Response Submission supporting VEC's Alternative Option B; that Wellington Shire Council consist of nine councillors elected from three, three-councillor wards and also nominate to speak at the public hearing to be held on 14 October 2015*

OR

3. *Council do not make a response submission and await the outcome of VEC's Final Recommendation*

PROPOSAL

That

1. *Council make a Response Submission supporting VEC's Preferred Option A; that Wellington Shire Council consist of nine councillors elected from an un-subdivided structure and also nominate to speak at the public hearing to be held on 14 October 2015*

OR

2. *Council make a Response Submission supporting VEC's Alternative Option B; that Wellington Shire Council consist of nine councillors elected from three, three-councillor wards and also nominate to speak at the public hearing to be held on 14 October 2015*

OR

3. *Council do not make a response submission and await the outcome of VEC's Final Recommendation*

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

COMMUNICATION IMPACT

The VEC informed the community via a public information program which comprised:

- A media release announcing the commencement of the review;
- Public notices printed in local and state-wide papers;
- Coverage through the Wellington Shires Council website and newsletter;
- A public information session which outlined the review and responding to questions from the community;
- A helpline and dedicated email address to answer public enquiries;
- Ongoing information updates and publications of submissions on the VEC website; and
- A *Guide for submissions* to explain the review process and provide background information on the scope of the review.

LEGISLATIVE IMPACT

The *Local Government Act 1989* (the Act) requires the Victorian Electoral Commission (VEC) to conduct an electoral representation review of each municipality in Victoria before every third council general election.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective

“An organisation that is responsive, flexible, honest, accountable and consistent.”

Strategy 2.3

“Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making.”

This report supports the above Council Plan strategic objective and strategy.

RESOURCES AND STAFF IMPACT

Resource implications of adopting Option B involves, re-mapping of 33,000 properties and the creation of associated rate allotments. Council would need to consider existing workloads for those staff directly affected.

COMMUNITY IMPACT

Communities of interest are not necessarily geographic, and ward boundaries can run the risk of artificially dividing communities. For example; combining the coastal ward with the south-western peninsula of the municipality arguably merges two different communities of interest.



Preliminary Report

2015 Wellington Shire Council Electoral Representation Review

Wednesday 16 September 2015

Victorian Electoral Commission **VEC**

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1 Executive summary

The *Local Government Act 1989* (the Act) requires the Victorian Electoral Commission (VEC) to conduct an electoral representation review of each municipality in Victoria before every third council general election.

The purpose of an electoral representation review is to recommend an electoral structure that provides fair and equitable representation for the persons who are entitled to vote at a general election of the council. The matters considered by a review are:

- the number of councillors
- the electoral structure of the council (whether the council should be unsubdivided or divided into wards and, if subdivided, the details of the wards).

The VEC conducts all reviews on the basis of three main principles:

1. ensuring the number of voters represented by each councillor is within 10 per cent of the average number of voters per councillor for that municipality
2. taking a consistent, State-wide approach to the total number of councillors and
3. ensuring communities of interest are as fairly represented as possible.

2015 electoral representation review

The current electoral representation review for Wellington Shire Council commenced on Wednesday 22 July 2015.

Current electoral structure

The last electoral representation review for Wellington Shire Council took place in 2004. The review recommended that the Shire retain an unsubdivided structure with nine councillors.

Preliminary submissions

The VEC received 21 preliminary submissions. Submissions were made by a broad range of stakeholders including community organisations, the Council, and members of the public. A submission was also made by the Proportional Representation Society of Australia.

The majority of submissions favoured subdivision of the municipality into separate wards, with a broad range of suggestions regarding the number of wards and where the ward boundaries should be. Most submissions favoured retaining the current number of nine councillors.

VEC options

The following options are being considered by the VEC:

- Option A (preferred option)
Wellington Shire Council consist of nine councillors elected from an unsubdivided structure.
- Option B (alternative option)
Wellington Shire Council consist of nine councillors elected from three three-councillor wards.

2 Background

2.1 Legislative basis

The Act requires the VEC to conduct an electoral representation review of each municipality in Victoria before every third general council election, or earlier if gazetted by the Minister for Local Government.

The Act specifies that the purpose of a representation review is to recommend the number of councillors and the electoral structure that provides 'fair and equitable representation for the persons who are entitled to vote at a general election of the Council.'¹

The Act requires the VEC to consider:

- the number of councillors in a municipality and
- whether a municipality should be unsubdivided or subdivided.

If a municipality should be subdivided, the VEC must ensure that the number of voters represented by each councillor is within 10 per cent of the average number of voters per councillor for that municipality.² On this basis, the review must consider the:

- number of wards
- ward boundaries (and ward names) and
- the number of councillors that should be elected for each ward.

2.2 The VEC's approach

Deciding on the number of councillors

The Act allows for a municipality to have between five and 12 councillors, but does not specify how to decide the appropriate number.³ In considering the number of councillors for a municipality, the VEC is guided by the Victorian Parliament's intention for fairness and equity in the local representation of voters under the Act.

The VEC considers that there are three major factors that should be taken into account:

- diversity of the population
- councillors' workloads and
- the situation in similar municipalities.

¹ Section 219D of the *Local Government Act 1989*.

² *ibid.*

³ Section 5B(1) of the *Local Government Act 1989*.

Generally, those municipalities that have a larger number of voters will have a higher number of councillors. Often large populations are more likely to be diverse, both in the nature and number of their communities of interest and the issues of representation.

However, the VEC considers the particular situation of each municipality in regards to: the nature and complexity of services provided by the Council; geographic size and topography; population growth or decline; and the social diversity of the municipality, including social disadvantage and cultural and age mix.

Deciding the electoral structure

The Act allows for a municipality ward structure to be:

- unsubdivided—with all councillors elected 'at-large' by all voters or
- subdivided into a number of wards.

If the municipality is subdivided into wards, there are a further three options available:

1. single-councillor wards
2. multi-councillor wards or
3. a combination of single-councillor and multi-councillor wards.

A subdivided municipality must have internal ward boundaries that provide for a fair and equitable division of the municipality, and ensure that the number of voters represented by each councillor remains within 10 per cent of the average number of voters per councillor for the municipality.

In considering which electoral structure is most appropriate, the VEC considers the following matters:

- communities of interest, consisting of people who share a range of common concerns, such as geographic, economic or cultural associations
- the longevity of the structure, with the aim of keeping voter numbers per councillor within the 10 per cent tolerance as long as possible
- geographic factors, such as size and topography
- the number of voters in potential wards, as wards with many voters often have a large number of candidates, which can lead to an increase in the number of informal (invalid) votes and
- clear ward boundaries.

2.3 The VEC's principles

Three main principles underlie all the VEC's work on representation reviews:

1. **Ensuring the number of voters represented by each councillor is within 10 per cent of the average number of voters per councillor for that municipality.**

Over time, population changes can lead to some wards in subdivided municipalities having larger or smaller numbers of voters. As part of the review, the VEC corrects any imbalances and also takes into account likely population changes to ensure ward boundaries provide equitable representation for as long as possible.

2. **Taking a consistent, State-wide approach to the total number of councillors.**

The VEC is guided by its comparisons of municipalities of a similar size and category to the council under review. The VEC also considers any special circumstances that may warrant the municipality having more or fewer councillors than similar municipalities.

3. **Ensuring communities of interest are as fairly represented as possible.**

Each municipality contains a number of communities of interest. Where practicable, the electoral structure should be designed to ensure they are fairly represented, and that geographic communities of interest are not split by ward boundaries. This allows elected councillors to be more effective representatives of the people and interests in their particular municipality or ward.

2.4 The electoral representation review process

Developing recommendations

The VEC bases its recommendations for particular electoral structures on the following information:

- internal research specifically relating to the municipality under review, including Australian Bureau of Statistics and .id (Informed Decisions) Pty Ltd data;⁴ voter statistics from the Victorian electoral roll; and other State and local government data sets
- small area forecasts provided by .id (Informed Decisions) Pty Ltd
- the VEC's experience conducting previous electoral representation reviews of local councils and similar reviews for State elections
- the VEC's expertise in mapping, demography and local government

⁴ .id is a company specialising in population and demographic analysis that builds suburb-level demographic information products in most jurisdictions in Australia and New Zealand.

- careful consideration of all input from the public in written and verbal submissions received during the review and
- advice from consultants with extensive experience in local government.

Public involvement

Public input is accepted by the VEC:

- in preliminary submissions at the start of the review
- in response submissions to the preliminary report and
- in a public hearing that provides an opportunity for people who have made a response submission to expand on this submission.

Public submissions are an important part of the process, but are not the only consideration during a review. The VEC ensures its recommendations are in compliance with the Act and are formed through careful consideration of public submissions, independent research, and analysis of all relevant factors, such as the need to give representation to communities of interest.

3 Wellington Shire Council representation review

3.1 Background

Profile of Wellington Shire Council

Wellington Shire is located in the Gippsland area of south-eastern Victoria. The Shire borders the South Gippsland, Latrobe, Baw Baw and Alpine local government areas and stretches from the High Country to southern beaches and Bass Strait. With a population of 42,220 people spread over approximately 10,817 square kilometres, Wellington is the third largest municipality in Victoria by area.⁵ The Shire hosts some of the State's most significant tourist destinations, and is home to the Royal Australian Air Force's East Sale air base, home of the Roulettes aerobatic display team.

Wellington's population is concentrated around the city of Sale and the surrounding towns of Maffra, Yarram, Heyfield, Rosedale and Stratford, with settlements along the coast including Port Albert, Golden Beach, Loch Sport and Seaspray.⁶ Agriculture, forestry, oil and gas are among the major economic drivers, with healthcare, accommodation and retail trade also contributing to the local economy.

There are approximately 42,533 voters in Wellington Shire, with 4,726 voters per councillor.⁷ Estimated voter numbers are larger than the estimated resident population as voters can be non-residents. The Shire has a median age of 41, almost matching the median age for rural and regional Victoria generally of 41.6. Around 27 per cent of the population is aged between 50–69 years, also in line with the general demographics of rural and regional Victoria. The Shire has a reasonably low percentage of residents who speak a language other than English at home, and approximately 11 per cent of residents who were born overseas.

Current population estimates in major towns

Sale	13,186
Maffra	5,112
Stratford	2,615
Yarram	2,168
Heyfield	1,937
Rosedale	1,600
Seaspray	316

⁵ Wellington Shire Council, *Council Plan 2013–17*.

⁶ Wellington Shire Council *Annual Report, 2007–08*.

⁷ Data derived by the VEC from State and Council voter rolls (as at January 2015).

In the five years between 2006 and 2011, just over 37 per cent of the population of the Wellington Shire changed address, demonstrating a similar level of population mobility in comparison to the general trend in rural and regional Victoria.

The Gunaikurnai people are recognised as the traditional inhabitants of much of the Wellington Shire.⁸ Just over 1 per cent of the Shire's population identify as Aboriginal and/or Torres Strait Islander.

The Shire contains sections of the Alpine National Park as well as the Gippsland Lakes Coastal Park and Grand Strzelecki Track. In addition to the natural environment attracting caravan tourists, bushwalkers and off-road cyclists, there are significant heritage sites in the Shire, including the historic Port of Sale and the Gippsland Regional Maritime and Armed Forces Museums, which document the military history of the area.

Current electoral structure

The last electoral representation review for Wellington Shire Council took place in 2004. Prior to the review, the Shire was represented by nine councillors elected from an unsubdivided municipality. Following the 2004 review, the VEC recommended retaining this electoral structure.

The VEC recommended an unsubdivided structure with nine councillors because it provided the opportunity for both broadly-dispersed communities of interest and higher-density towns and districts to be represented. The option was developed based on consideration of Australian Bureau of Statistics (ABS) population statistics and growth predictions.

In terms of councillor numbers, the population of Wellington Shire at that time was predicted to decline and was not considered to be unusually diverse, meaning an increase in the number of councillors would not be justified. It was also proposed that the unsubdivided structure remain in place for Wellington on the grounds that proportional representation would be more representative of voters' choices and enable a geographic spread of councillors for voters to choose from.

3.2 Public information program

The Wellington Shire Council representation review commenced on Wednesday 22 July. The VEC conducted a public information program to inform the community, including:

- public notices printed in local and state-wide papers
- a public information session to outline the review process and respond to questions from the community

⁸ Department of Premier and Cabinet, Victorian Government, *Registered Aboriginal Parties in Victoria*, 2014.

- a media release announcing the commencement of the review
- coverage through the municipality's media, e.g. Council website or newsletter
- a helpline and dedicated email address to answer public enquiries
- ongoing information updates and publication of submissions on the VEC website and
- a *Guide for Submissions* to explain the review process and provide background information on the scope of the review.

See Appendix 3 for full details of the public information program.

3.3 Public submissions (preliminary)

The VEC received 21 preliminary submissions by the deadline for submissions at 5.00 pm on Wednesday 19 August. The submissions are publicly available on the VEC website.

Submissions were received from a broad mix of stakeholders including community organisations, a current councillor and individuals. The matrix below provides an overview of preferences in the preliminary submissions. Detailed analysis of the submissions follows.

	Submitter wanted fewer wards	Submitter wanted ward number to remain unchanged	Submitter wanted more wards	Submitter did not comment on number of wards
Submitter wanted fewer councillors			1*	
Submitter wanted councillor number to remain unchanged		4*	10†	
Submitter wanted more councillors			1*	
Submitter did not comment on number of councillors			8	

* Submitter stated that the number of councillors should be between five and 10.

† Two of these submitters preferred either the current model or a subdivided model of three three-councillor wards.

‡ Submitters presented a range of subdivided models, discussed below.

Number of councillors

Most submissions to the representation review identified nine as the appropriate number of councillors for Wellington Shire Council. One submission stated that the number of councillors for Wellington should be somewhere between five and 10, while another recommended that the number of councillors be increased to 12. A high number of submissions (over one third) identified a preference for a subdivided municipality but did not state a preference for the number of councillors.

Electoral structure

The majority of submissions expressed a desire to introduce a subdivided electoral structure, and a wide range of proposals for ward representation were put forward. A number of submissions noted the number of voters with undevelopable properties in the Ninety Mile Beach area. Of those submissions, most suggested that the voter numbers in this area not be included in the calculation of voter numbers for the whole municipality. This matter is discussed in the VEC's findings later in this report.

Seven wards – Sale and surrounds

The most common subdivided model was a seven-ward municipality with a three-councillor ward for Sale and six single-councillor wards representing the other major population centres. Six of the submitters in favour of subdivision preferred that option, almost one third of total submissions. Of the submitters in favour of this option, several expressed a view that the outlying areas past Sale were not being sufficiently represented, including Yarram, Maffra, Heyfield, Stratford, Rosedale and Longford. Some of these submissions stated that the outlying areas would benefit from direct, local representation. It was suggested by one submitter that in an unsubdivided structure, all councillors cannot represent all parts of the geographically diverse shire. Two of these submitters stated that the non-resident ratepayers along the Gippsland coast should not be over-represented.

The Port Albert Progress Association argued that a subdivided model with three councillors in Sale and six single-councillor wards in the surrounding areas would encapsulate the communities of interest of the larger civic centre and smaller outlying townships as well as addressing concerns about a lack of direct and accountable representation for the towns outside Sale. The Association submitted that a subdivided model would be clearer for voters to understand, and minimise the risk of councillors all being elected from the larger towns.

Subdivision – details not stated

The next most common preference among submitters was for a subdivided municipality, with no specific recommendation on the number of councillors or a specific configuration of wards. This option was put forward by eight submitters, over one third of total submissions. The Seaspray

Ratepayers and Progress Association supported this option, stating that the 953 voters in Seaspray and the Honeysuckles feel left behind, and that the bigger towns of Sale, Heyfield, Maffra and Yarram receive more input from councillors.

Four submissions from the Port Albert area argued that separating the municipality into wards would discourage the 'favouritism' of Sale, and would also bring the Shire into line with other large, geographically diverse municipalities.

Retaining an unsubdivided structure

Four submissions expressed a preference for the status quo of nine councillors elected in an unsubdivided municipality, although two of these preferred either the status quo or a subdivided model of three wards with three councillors each.

The Proportional Representation Society of Australia (PRSA) argued for either retaining the current unsubdivided structure of nine councillors or introducing a subdivided structure with three wards of three councillors each. The PRSA argued that an unsubdivided structure would allow the best opportunity for the widest variety of community opinion to be represented on council. The PRSA also stated that communities of interest are not necessarily geographic, and that ward boundaries can run the risk of artificially dividing communities.

Wellington Shire Council's submission favoured retaining the status quo of nine councillors elected from an unsubdivided municipality. The Council argued that the current model allows for optimal representation and accessibility, and promotes a strategic and municipality-wide approach by councillors.

In discussing the limitations of the current unsubdivided electoral structure, one submission stated that it was a challenge for independent candidates to campaign throughout the whole municipality and, as a result, the submitter felt that the unsubdivided structure disadvantaged independent candidates and women.

Three wards of three councillors

Two submitters proposed a three three-councillor ward model for the Wellington Shire.⁹ These submitters argued that the model allows for the benefits of proportional representation, which better reflects voter sentiment with the quota system for election of candidates. It was also argued by one of the submitters that a multi-councillor model avoids the less positive aspects of single-councillor wards, such as restricting the choice of candidates for voters and increasing the probability of unopposed elections of incumbents. One submission in favour of the three ward model suggested that unlike separate wards based on population centres, the model allows for representation of non-geographic communities of interest.

⁹ Two of these submitters proposed either the current unsubdivided model of nine councillors or the subdivided three-councillor three-ward model.

4 The VEC's findings and options

4.1 Preliminary report findings

The submissions describe distinct features of the geographically diverse Shire, including the northern high country area, the eastern coast, the urban centre of Sale, and the remote and rural areas to the south and west. There is a strong view that an unsubdivided model is resulting in a lack of representation for the smaller towns outside Sale. While the majority of submissions favoured subdivision in some form, there were multiple proposals presented on how many councillors there should be and where ward boundaries should be located.

There was some support for the current structure of nine councillors elected in an unsubdivided municipality. The VEC has put forward two options for further consultation including the current structure (Option A, preferred option) as well as a subdivided model of three three-councillor wards (Option B). The VEC's reasoning for selecting these options is outlined below.

Number of councillors

Increasing the number of councillors

When determining the appropriate number of councillors for a municipality, the VEC assesses population data and other issues which may warrant an increase or decrease in the number of councillors, such as projected population growth or special circumstances relating to distinct communities of interest. Demographic data outlined in Table 2 indicates that the number of voters in the Shire has grown by 4,619 since the time of the last review, which is generally consistent with the growth in other Gippsland municipalities (e.g. Bass Coast and East Gippsland Shire Councils).

In some cases, particular communities of interest (such as refugee communities, people speaking a language other than English, or unusually high or low numbers of older or younger people) may warrant additional councillors to manage workload impacts. As acknowledged in the VEC's previous review of Wellington Shire Council, the Shire's voters' roll includes a disproportionately high number of non-resident property owners associated with undevelopable properties in the Ninety Mile Beach area. The anomalous non-resident voters in this area resulted from the sale of vacant land between Paradise Beach and The Honeysuckles in the 1950s and 60s,¹⁹ which was subsequently subject to planning and development controls. While the VEC acknowledges the anomaly that exists on the municipal voters' roll, it has no choice but to include these non-resident owners of undevelopable properties in the calculation of the total

¹⁹ Wellington Shire Council, *Ninety Mile Beach Plan*, wellington.vic.gov.au/Developing-Wellington/Planning-Projects/Ninety-Mile-Beach-Plan

voting population of Wellington Shire as they would be entitled to vote if an election was held today.¹¹

While the ongoing resolution of the planning issue is an important matter for the Council, the VEC's records indicate that the number of non-resident voters who own undevelopable properties has been steadily dwindling, from some 4,000 at the time of the VEC's 2004 review to about 1,500 at present.

Given this group's diminishing numbers, and the fact that they have minimal demands on Council, the VEC needs to ensure that the group is not over-represented with additional councillors.

The statistical profile of Wellington Shire is otherwise highly consistent with rural and regional Victoria in general, and no increase in the number of councillors is needed on the grounds of population growth.

Reducing the number of councillors

Population growth in Wellington Shire is projected to be 0.6 per cent to 2031, which is comparatively lower than the projection of 1.6 per cent expected in rural and regional Victoria generally. Similarly, as shown in Table 2, the neighbouring municipalities of East Gippsland and Baw Baw have nine councillors, demonstrating that the number of councillors in the Wellington Shire is consistent with other rural councils of a similar population. The neighbouring municipality of Latrobe is in the regional urban category, and also has nine councillors. Regional municipalities such as Colac Otway, Golden Plains and Alpine have seven councillors, but these municipalities have significantly lower populations than that of the Wellington Shire.

The demographic data and comparison with other regional municipalities suggests that a decrease in the number of councillors for Wellington Shire is not warranted. The VEC therefore recommends no change be made to the number of councillors and that it remains at nine.

¹¹ There are a number of different entitlements to vote in Victorian local government elections. The primary entitlement is being enrolled on the State register of electors at an address within that municipality. There are also other entitlements that are administered by each council and include an automatic entitlement for non-resident ratepayers (such as holiday home owners). The landowners of the undevelopable properties in the Ninety Mile Beach area are included in this category.

Table 2: comparable councils to Wellington Shire Council

Municipality	Population (2011 Census)	Number of voters at last review	Current estimate of voters [#]	Number of councillors	Number of voters per councillor
Latrobe [†]	72,396	53,817	55,234	9	6,137
Bass Coast*	29,614	38,488	42,595	7	6,085
Wellington*	41,440	37,914	42,533	9	4,726
East Gippsland	42,196	38,318	40,819	9	4,535
Baw Baw*	42,864	29,772	37,107	9	4,123
South Gippsland	27,208	27,654	28,249	9	3,139
Colac Otway	20,345	19,198	19,919	7	2,846
Golden Plains	18,770	14,228	17,231	7	2,462
Alpine*	11,881	11,198	11,569	7	1,653
Towong*	5,891	5,482	5,520	5	1,104
Mansfield	7,893	9,429	10,363	5	2,073

* The municipality is currently undergoing an electoral representation review by the VEC during 2015–16.

Voter estimate calculated after the January 2015 merge of the State electoral roll and Council-only electors as at the 2012 council elections.

† Latrobe is in the regional urban category of councils.

Electoral structure

Based on the demographic profile, the spread of voters, and diverse geography of the municipality ranging from dryland farming areas to coastal towns, it is well-suited to an unsubdivided structure. It is clear, however, that there is a strong desire to introduce a subdivided electoral structure in the Wellington municipality, with separate representation of Sale and the outlying towns. The VEC recognises that subdivided models were more popular in preliminary submissions than the unsubdivided structure, and so has considered a number of subdivided models in preparing this preliminary report. Analysis of the advantages and potential constraints of the models suggested in submissions to the review is outlined below.

Seven wards – Sale and surrounds

The most common option put forward by submitters who preferred subdivision was a model with seven wards, including a three-councillor ward for Sale surrounded by six single-councillor wards for the remainder of the Shire.

This model, illustrated in Diagram 1, is similar to a diagram included in the final report of the VEC's 2004 representation review of Wellington Shire Council. The wards include a three-councillor ward for Sale (also encompassing Stratford) and single-councillor wards in the northern High Country area including Heyfield, Maffra, the south-eastern area between Loch

Sport and Seaspray, the coastal section of Golden Beach, the western area including Rosedale, and the southern parts of the Shire including Yarram and Port Albert. The benefit of the model is that it responds to the desire expressed in submissions for directly accountable representation of the main centre of Sale as well as the towns around it.

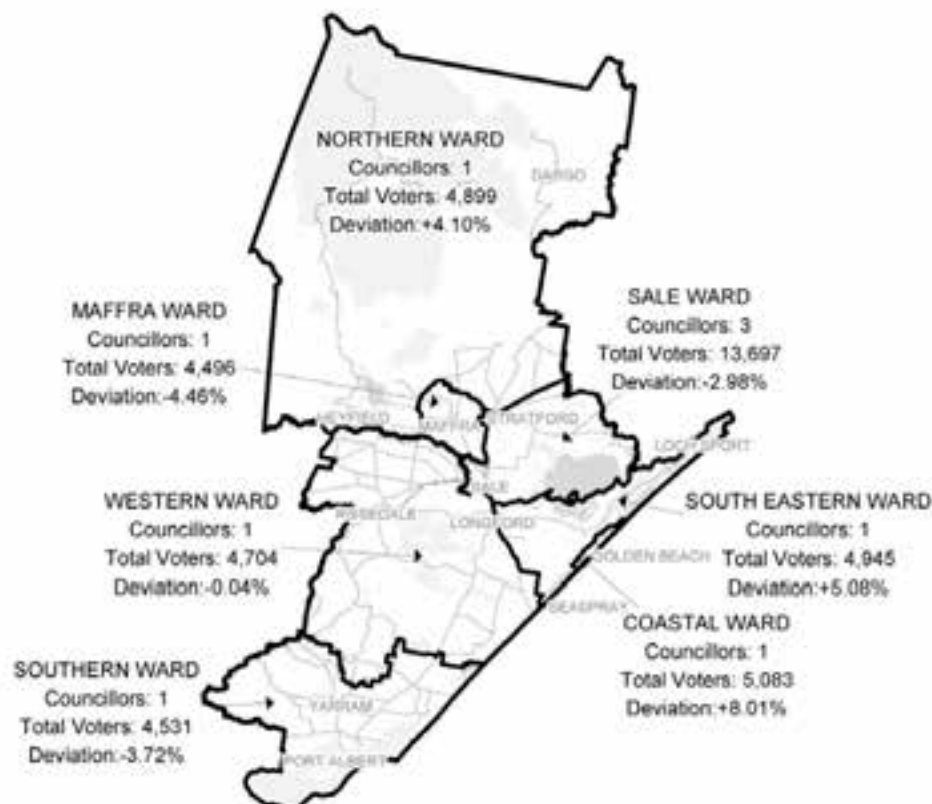


Diagram 1: subdivided model of one three-councillor ward (Sale) and six single-councillor wards (surrounds).

However, the model has several constraints. One of the concerns raised by this model is the separate representation of the 'Coastal Ward'. According to the VEC's data, Golden Beach has approximately 3,500 voters, including almost 3,300 non-residents. As discussed earlier in this report, this area of Wellington Shire includes a number of non-resident ratepayers with undevelopable properties who are entitled to vote in the municipality. With such a high proportion of non-resident voters, including property owners with undevelopable properties, it is arguable that this area would be over-represented with its own ward. Given its low level of resident voters, it is also highly likely that there would be insufficient population to gather a field of local candidates, which could lead to failed elections.

There are other constraints with the model which arise with placement of ward boundaries and the spread of the population throughout this geographically diverse Shire. The large 'Northern Ward' includes the towns of Dargo in the far north, as well as Heyfield in the central west, combining two very different townships which do not form a cohesive community of interest. The Western Ward stretches from one side of the Shire to the other, and includes a large section of the coast around Seaspray. The geography of the municipality makes it difficult to encapsulate communities of interest within ward boundaries. For these reasons, the VEC has concluded that the model is not suitable.

Three wards of three councillors

The VEC has concluded that a subdivided structure of three three-councillor wards is a viable option for further consultation, putting it forward as Option B. The model meets the desire expressed in many submissions to return to a subdivided municipality. The wards achieve good representation of the geographic areas of the high country and Maffra, Sale, the southern regional communities, and the eastern coast. The model groups the interconnected towns of Sale and Longford, and retains a strong sense of unification of the southern part of the Shire.

The three wards are equally allocated three councillors each, promoting a strong sense of equity in representation for all parts of the municipality, and bringing the benefits of the proportional representation counting method. Importantly, this model reduces the risk of a failed or uncontested election in the coastal area that exists with smaller electorates because the ward is larger, includes more voters and therefore increases the potential field of local candidates. The coastal area would be represented, but not under- or over-represented. The model uses the river around Sale as a clear and logical boundary, which is easy for voters to identify.

The less positive aspects of the model arise in applying boundaries to such a geographically diverse Shire, as they are unable to perfectly represent the distinct communities in the Shire. Combining the coastal ward with the south-western peninsula of the municipality arguably merges two different communities of interest. However, having three councillors in each ward facilitates greater opportunity for geographic spread of representation.

Retaining an unsubdivided structure

The VEC accepts the strong local interest in introducing a subdivided structure; however, as outlined above, there are constraints of introducing ward boundaries in Wellington. In a municipality with distinct natural environments and a population dispersed between the urban centre and rural and regional townships, an unsubdivided structure avoids the problems of ward boundaries dividing communities of interest.

The benefits of proportional representation throughout the whole municipality mean that voter intention should be better reflected by use of the quota system, allowing multiple candidates to be elected by voters, rather than resulting in 'wasted votes' in single-councillor ward contests. An unsubdivided structure should also promote a municipality-wide approach to issues, allowing all constituents to approach all councillors on issues of concern to them, regardless of a ward-based geographical location of either the councillor or constituent.

Ideally, an unsubdivided model also creates increased choice of candidates for voters. Many submissions raised concerns regarding lack of representation for areas outside Sale. The VEC's records, however, indicate that three current councillors have been elected from Sale, which is reasonably proportionate to its voting population, and other councillors are from Maffra, Cowwarr, Heyfield and Longford. While there is representation outside Sale, current council membership does have a gap in representation from the far south, west and north of the Shire, which reflects the sentiment expressed in submissions that some areas are unrepresented.

As some submissions stated, an unsubdivided structure is suited to a large municipality such as Wellington because it overcomes the need to artificially split communities of interest. It also does not prohibit voters being able to raise issues or vote on matters affecting them based on their location within the municipality. An unsubdivided model is appropriate for a municipality where it is difficult to neatly encapsulate geographic or other communities of interest. An unsubdivided model for Wellington also overcomes the challenge of the non-resident owners of undevelopable properties along the coast.

4.2 Options

The VEC is required by the Act to include a preferred option and may include one or more alternative options for the electoral structure in the preliminary report. The VEC considers that both the options outlined below offer fair and equitable representation for voters in the municipality. Please see Appendix 2 for detailed maps of these options.

Option A (preferred option)

Wellington Shire Council consist of nine councillors elected from an unsubdivided structure.

Option B (alternative option)

Wellington Shire Council consist of nine councillors elected from three three-councillor wards.

5 Next steps

5.1 Response submissions

Any person or group, including the Council, can make a submission to the VEC in response to the options contained in this report. Response submissions to the preliminary report should address the models proposed by the VEC within this report. Response submissions must be received by the VEC by 5.00 pm on Wednesday 14 October. Late submissions will not be accepted.

Submissions must include the full name, address and contact telephone number of the submitter. Submissions without this information cannot be accepted.

Submission methods

Submissions can be made via:

- the online submission form at vec.vic.gov.au
- email at wellington.review@vec.vic.gov.au
- post to: Victorian Electoral Commission
Level 11, 530 Collins Street
Melbourne VIC 3000
- fax to (03) 9629 8632

Public access to submissions

To ensure transparency in the electoral representation review process, all submissions will be available for public inspection at:

- the VEC website at vec.vic.gov.au and
- the VEC office at Level 11, 530 Collins Street, Melbourne.

The VEC will remove personal information such as address, phone number, and signature, if applicable, from all public copies. However, the full name and locality of submitters will be displayed.

5.2 Public hearing

There is an opportunity for people or organisations who have made a response submission to speak about their submission at the public hearing. The public hearing is scheduled to be held at 6.00 pm on Wednesday 21 October in the Wellington Shire Council Chamber, Port of Sale Business Centre, 64–66 Foster Street, Sale. If you wish to speak at the public hearing, you **must**

indicate this on your response submission. If there are no requests to speak at the hearing, it will not be held.

5.3 Final report

Following the public hearing, the VEC considers all the evidence it has gathered and publishes a final report for the Minister for Local Government containing a recommended electoral structure. The report is scheduled to be published on Wednesday 11 November. Any changes resulting from the final report will apply at the October 2016 general election.

The final report will be available from the VEC by visiting vec.vic.gov.au or calling 131 832 and also for inspection at the offices of Wellington Shire Council.

Appendix 1: List of preliminary submissions

Preliminary submissions were received from:

Lyle Allan
Christopher Cato
John Coghill
Michael Glebov
Christopher Goold
David and Lucy Gregory
Jane Hildebrandt
Michael Hobson
Diane Hogan
Fairlie Kermode
Brian Lee
Gayle Maher
Darren McCubbin
Gary Proud
Saul Stainer
Garry Stephens
John Street
Port Albert Progress Association
Proportional Representation Society (Victoria-Tasmania) Inc
Seaspray Ratepayers and Progress Association Inc
Wellington Shire Council

Appendix 2: Option maps

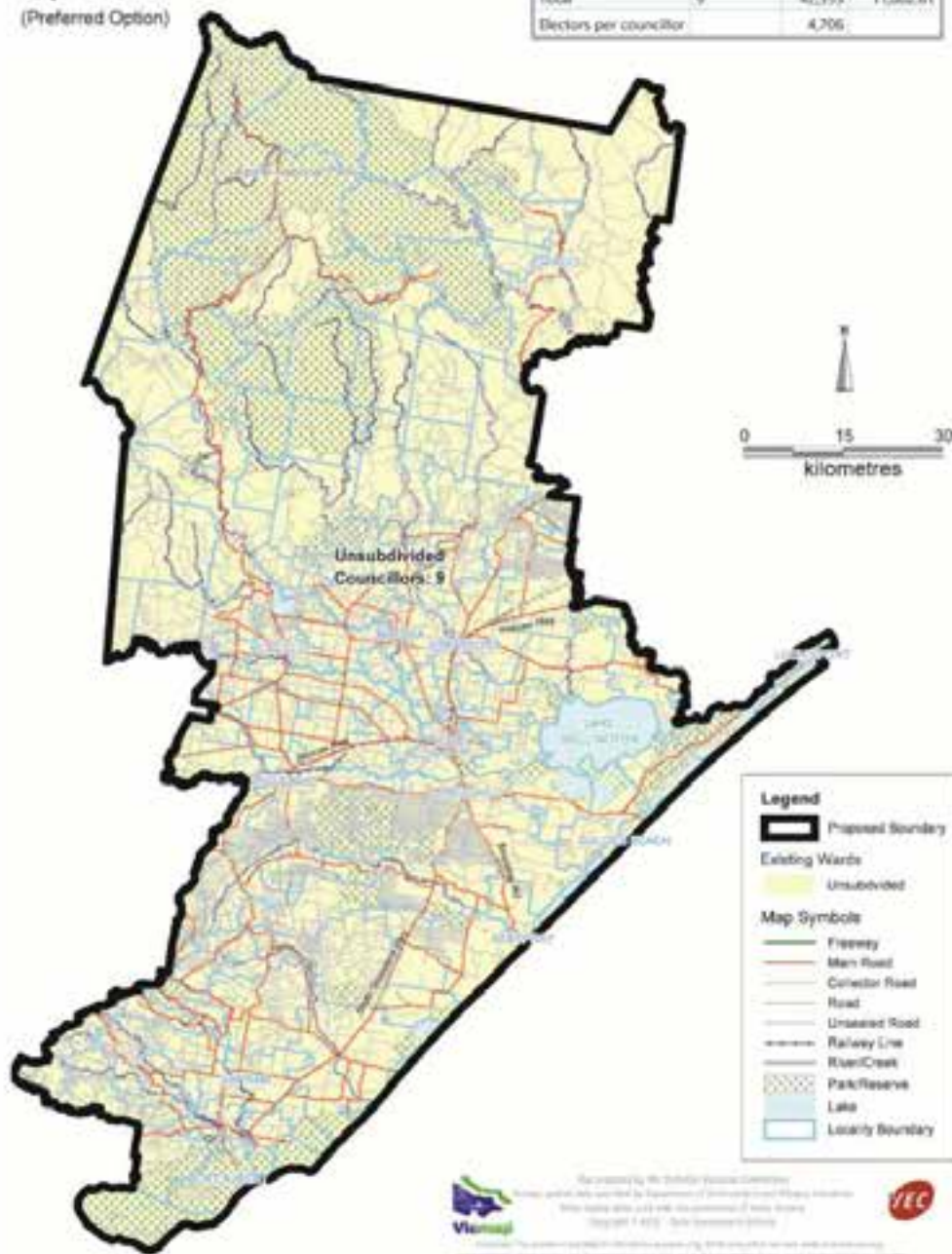
The following maps are included in this report:

<i>Map</i>	<i>Page</i>
Option A (preferred option)	25
Option B (alternative option)	26

Wellington Shire Council Option A

(Preferred Option)

Ward	Councillors	Electors	Area sq km
Unsubdivided	9	42,355	11,002.61
Total	9	42,355	11,002.61
Electors per councillor		4,706	



Prepared by the Electoral Review Committee
 Review and data supplied by Department of Environment and Planning
 Data supplied under the authority of the Electoral Review Committee
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Appendix 3: Public information program

Advertising

In accordance with the Act,¹² a public notice of review was placed in the following newspapers:

- *Herald Sun*, Wednesday 15 July
- *Yarram Standard News*, Wednesday 22 July
- *Latrobe Valley Express*, Thursday 23 July
- *Sale Gippsland Times*, Thursday 23 July

Media release

A media release was prepared and distributed to local media at the commencement of the review on Wednesday 22 July.

Public information session

A public information session for people interested in the review process was held on Tuesday 28 July in the Wellington Shire Council Chamber, Port of Sale Business Centre, 64–66 Foster Street, Sale.

Helpline and email address

A telephone helpline and dedicated email address were established to assist members of the public with enquiries about the review process.

VEC website

The VEC website delivered up-to-date information to provide transparency and facilitate public participation during the first stages of the review process. An online submission tool was made available and all public submissions were posted on the website.

Guide for Submissions

A *Guide for Submissions* was developed and distributed to those interested in making submissions. Copies of the *Guide* were available on the VEC website, in hardcopy on request and provided to Council.

Council website and newsletter

Information about the review was provided to Council for publication in council media, e.g. website and newsletter.

¹² Section 219F(4) of the *Local Government Act 1989*.

Victorian Electoral Commission
Level 11, 530 Collins Street
Melbourne VIC 3000

131 832
wellington.review@vec.vic.gov.au



C3 - REPORT

GENERAL MANAGER DEVELOPMENT

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

DIVISION:

DEVELOPMENT

ACTION OFFICER:

MANAGER LAND USE PLANNING

DATE:

6 OCTOBER 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓		✓					

OBJECTIVE

To update Council on the strategic land use planning work program for the third quarter of 2015.

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

That Council receives the 2015 third quarterly update on the strategic land use planning work program (included in Attachment 1 to the report).

BACKGROUND

The strategic land use planning work program is regularly reviewed by Council's Strategic Land Use Planning Projects Review Group (Review Group), which was appointed by Council at the Special Council meeting of 6 November 2013. The Review Group considered it beneficial to provide the full Council and the community with a quarterly update of the strategic land use planning work program, which comprises various prioritised projects and planning scheme amendments as outlined in Attachment 1.

OPTIONS

1. That Council receive the 2015 third quarterly update on the strategic land use planning work program.
2. That Council does not receive the 2015 third quarterly update on the strategic land use planning work program and seeks further information for consideration at a future Council meeting.

PROPOSAL

To receive the 2015 third quarterly update on the strategic land use planning work program.

CONFLICT OF INTEREST

On the basis of a land ownership issue, the Manager Land Use Planning declares an interest in the item relating to the preparation of the Longford Outline Development Plan and therefore has no involvement in this project.

LEGISLATIVE IMPACT

All strategic land use planning matters are considered in accordance with the *Planning and Environment Act 1987* and/or any relevant legislation.

COUNCIL PLAN IMPACT

The Council Plan 2013–2017 Theme 5 Land Use Planning states the following strategic objective and related strategy:

Strategic Objective

“Appropriate and forward looking land use planning that incorporates sustainable growth and development.”

Strategy 5.1

“Ensure Land Use Policies and Plans utilise an integrated approach to guide appropriate land use and development.”

This report supports the above Council Plan strategic objective and strategy.

ATTACHMENT 1: STRATEGIC LAND USE PLANNING PROJECT AND AMENDMENT LIST – 3rd QUARTER 2015



Current Project	Status/Details	Current Priority	Anticipated Completion
North Sale Development Plan & Developer Contributions Plan	<p>Work has commenced on the preparation of the North Sale Development Plan (DP) and associated Developer Contributions Plan.</p> <p>An inception meeting with Mesh planning consultants and internal officers was held in February 2015 and a series of external stakeholder workshops were subsequently held in March 2015. The workshops provided information used to inform the preparation of an 'Analysis Plan'.</p> <p>A draft 'Design Response' plan, which responds to the issues raised in the background analysis work will commence upon the completion of a further, more detailed drainage study which is expected to be completed early in the new year (2016).</p>	H	Early 15/16
South Wurruk Development Plan	<p>A project brief has been prepared to provide detailed guidance for the preparation of the South Wurruk Development Plan.</p> <p>A Draft 'Design Response' plan, which responds to the issues identified through the analysis and background stages is currently in preparation.</p>	M	TBC
Longford Development Plan	<p>With funding from the State Government's <i>Rural Regional Flying Squad</i>, Council is currently finalising the Development Plan for Longford. The Plan will provide the main framework and development principles to enable officers to give informed advice and guidance to landowners wanting to rezone land to a rural residential use within the Plan area.</p> <p>A final draft Development Plan was subject to a second public exhibition period, which took place between 10 August and 7 September 2015. Minor revisions in response to the submissions received will be made to the final draft plan before its formal presentation to Council for adoption, which is expected to take place in November 2015.</p>	L	Early 15/16

Current Project	Status/Details	Current Priority	Anticipated Completion
Heritage Strategy	<p>Officers are currently working with Council's Heritage Advisor to consider the feedback received from a recent targeted consultation period. Where appropriate, the comments received will be used to revise the draft Heritage Strategy, which will also include an implementation 'Action Plan'.</p> <p>Once finalised, the draft Heritage Strategy will be presented to Council at a future meeting to consider the need (or otherwise) for a broader consultation exercise.</p>	M/H	15/16
Heritage Study – Stage 2	Work continues on the targeted detailed assessment of a (limited) number of priority places of potential heritage significance as part of Stage 2 of the Wellington Heritage Study. Specialist (Heritage) consultants will be appointed in due course to undertake the study.	H	15/16

Current Amendment	Status/Details	Current Priority	Anticipated Completion
C86: Rosedale Structure plan Implementation	<p>The preparation of Planning Scheme Amendment C86 was authorised by the Minister for Planning on 29 July 2014 with the associated exhibition period undertaken 18 September – 3 November 2014. A total of 14 submissions were received (9 from statutory authorities and 5 from the community).</p> <p>All submissions were considered at a planning Panel Hearing on 10 April 2015 at the Rosedale Neighbourhood House and the subsequent Panel Report was received on 14 May 2015.</p> <p>Having considered the recommendations of the planning Panel Report, Council formally adopted Amendment C86 at its meeting of 7 July 2015 with the Amendment documents sent to the Minister for Planning for final approval on 21 July 2015.</p> <p>Council is currently awaiting the Minister for Planning's decision.</p>	M	15/16
C93: Technical Corrections Amendment	<p>Amendment C93 seeks to correct a number of 'policy-neutral' technical errors within the Wellington Planning Scheme - including grammatical and mapping errors.</p> <p>At the meeting of 7 July 2015 Council resolved to request the Minister for Planning to prepare and approve Amendment C93.</p> <p>The Amendment documents were submitted to the Minister for Planning for approval on 3 August 2015.</p> <p>Council is currently awaiting the Minister for Planning's decision.</p>	H	Early 15/16
C95: Port Albert Rural Residential Lifestyle Lots Review and Planning Controls Review Implementation	<p>Work on implementing the recommendations of the '<i>Port Albert Rural Residential Lifestyle Lots Review (2014)</i>' and '<i>Planning Controls Review (2014)</i>' is progressing.</p> <p>Amendment C95 was Authorised by the Minister for Planning on 6 May 2015 with the associated exhibition period taking place between 25 June and 27 July 2015. A total of 20 submissions were received, a number of which raised objections to the Amendment. At its meeting of 15 September 2015 Council resolved to request the Minister for Planning to appoint an independent expert planning Panel to consider the objections at a Hearing which is anticipated to take place in November 2015.</p>	H	15/16

External Amendment Requests	Status/Details	Priority	Anticipated Completion
<p>C85 (P124/2013) and C88 (P373/2012): Stevens Street, Sale</p>	<p>C85: Request for rezoning to the Neighbourhood Residential 1 Zone (NRZ1) and subdivision of land into 2 lots.</p> <p>C88: Request for rezoning to the Neighbourhood Residential 1 Zone (NRZ1) and subdivision into 9 lots.</p> <p>A planning Panel Hearing to consider objections to the Amendment took place 20 - 22 April 2015.</p> <p>The subsequent Panel Report was received on 4 June 2015 and became publically available on 2 July 2015.</p> <p>Having considered the recommendations of the Panel Report Council resolved to adopt both Amendments at its meeting of 21 July 2015.</p> <p>The Amendment documents were sent to the Minister for Planning for approval on 31 July 2015.</p> <p>Council is currently awaiting the Minister for Planning's decision.</p>	L	Early 15/16
<p>C94: Rezoning of the former Sale Police Station Site</p>	<p>A request has been received from the Department of Justice (DoJ) to rezone the site of the former Sale Police Station, which is now surplus to requirements.</p> <p>Council officers and the consultant appointed by the DoJ to facilitate the process have been working together to develop draft planning provisions to facilitate the development of the site in accordance with Council's strategic aspirations.</p> <p>Amendment C94 was publically exhibited between 9 July and 10 August 2015 and attracted a total of 7 submissions - including one objection, which was later withdrawn.</p> <p>At its meeting of 15 September 2015, Council resolved to adopt the Amendment and forward to the Minister for Planning for approval.</p>	H	15/16

ITEM C3.2**REVISED MOSQUITO MONITORING PROGRAM**

DIVISION: DEVELOPMENT

ACTION OFFICER: MANAGER MUNICIPAL SERVICES

DATE: 6 OCTOBER 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
	✓			✓	✓				

OBJECTIVE

For Council to consider the implementation of a revised Mosquito Monitoring Program for three seasons 2015, 2016 and 2017 while the Department of Health and Human Services (DHHS) conduct a state wide review of its Mosquito Management Framework and associated funding program.

The department supports in principle the continuation of the program during the review period and has agreed to provide financial support on a 'dollar for dollar' basis over that time.

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

- 1. Council enters into an agreement with the Department of Health and Human Services for the provision of mosquito monitoring and spraying for a period of three mosquito breeding seasons whilst they undertake a state wide review of their Mosquito Management Framework and associated funding program;***
- 2. The agreement limits Council's financial commitment to the program to \$25,000 p.a.***
- 3. The extent of mosquito monitoring and spraying be limited to those general areas as outlined in the maps provided at attachment 1; and***
- 4. Council continues to develop and implement education programs for the local communities affected.***

BACKGROUND

Council undertook a service review in early 2015 that identified DHHS had, for a number of years, funded councils throughout Victoria to implement mosquito management programs. This funding program was originally developed on the basis that Councils contribute 50% of the overall costs. However in 2012 DHHS introduced a salary cap to its funding program, which meant that councils had to bear increasing costs.

The draft 2015/16 budget was advertised on 21 April 2015 and public feedback was invited. Submissions were considered on 2 June 2015 where Council determined that in their opinion the function of mosquito monitoring and spraying was undertaken for disease control purposes and therefore the responsibility of state government.

The Budget was formally adopted on 16 June 2015, Council made the decision to defer the provision of the mosquito monitoring and spraying program during the DHHS review period.

Ongoing community concern has continued with community members approaching both Council and DHHS with their concerns over the impact of this decision.

DHHS approached Council in mid-August 2015 respectfully requesting Council reconsider their position. They also confirmed that they would be making amendments to their payment system moving from a reimbursement model to one that better supports Council in their mosquito management activities.

Following the DHHS approach, Council developed a program that reduces ratepayer contributions whilst delivering a monitoring and spraying program that focuses on the highest permanent and visitor population centers where disease carrying mosquitos breed.

On 19 August 2015, Council officers held a consultation meeting with DHHS at which the Department advised the revised program will commence in 2018. If Council were to continue carrying out a mosquito monitoring program until that date they would be guaranteed funding under the new program. However if Council does defer the funding of the program they may not be in a position to include Wellington Shire Council in the revised program model scheduled for 2018.

The option to carry out a revised program for the period 2015-2018 could be considered as an alternative to deferring funding altogether.

The revised program will include the spraying and monitoring (including trapping) of three key coastal locations, which encompass the peak permanent and tourist populated affected sites. The areas are Loch Sport, Golden and Paradise Beach and Seaspray. Council will also commit to the delivery of higher level community education program for these communities.

OPTIONS

Council has the following options:

1. Council enters into an agreement with the Department of Health and Human Services for the provision of mosquito monitoring and spraying as detailed in this report.
2. Defer the program in 2015/16 and await the DHHS review outcome in 2018.

PROPOSAL

That Council enters into an agreement with the Department of Health and Human Services for the provision of mosquito monitoring and spraying for a period of three mosquito breeding seasons, whilst they undertake a state wide review of their Mosquito Management Framework and associated funding program. This agreement would limit Council's financial commitment to the program to \$25,000 p.a.

It is proposed that the extent of mosquito monitoring and spraying be limited to those general areas as outlined in the maps provided at attachment 1 and that Council continues to develop and implement education programs for the local communities affected.

CONFLICT OF INTEREST

No Staff and/or Contractors involved in the compilation of this Report have declared a Conflict of Interest.

COMMUNICATION IMPACT

Council Officers will develop and rollout an appropriate education program for the local communities affected.

COUNCIL PLAN IMPACT

The Council Plan 2013-2017 Theme 7 Community Wellbeing states the following strategic objective and related strategy.

Strategic Objective

Enhance health and wellbeing for the whole community

Strategy 7.7

Work in partnerships to provide leadership and strategic direction on issues or risks relating to community safety.

FINANCIAL IMPACT

The proposed program will see ratepayer contributions reduced from \$50,000.00 in 2014/15 to \$25,000.00 in 2015/16 should the recommendation be adopted

RESOURCES AND STAFF IMPACT

The implementation of the newly revised program supporting the recommendation to this report can be undertaken within existing allocated resources.

REVISED MOSQUITO MONITORING PROGRAM

Updated Spraying and Monitoring Sites (NB: General areas of spraying)

GOLDEN BEACH



GOLDEN BEACH



SEASPRAY



LOCH SPORT



LOCH SPORT cont.





C4 - REPORT

GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

ITEM C4.1**INCREASE TO ROADS TO RECOVERY FUNDING**

DIVISION: BUILT AND NATURAL ENVIRONMENT

ACTION OFFICER: GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

DATE: 6 OCTOBER 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓		✓		✓	✓				✓

OBJECTIVE

To consider the increased allocation of funds received through the Federal Government Roads to Recovery program, for expenditure within the 2015-16 financial year.

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

1. Council approve the inclusion of the following new projects and associated budgets within the 2015-16 capital works program, to be funded from the revised 2015-16 allocation of funding received from the Federal Government Roads to Recovery program:

- a. Valencia Creek Briagolong Road Widening - 2.5km: \$400,000
- b. Toongabbie Cowwarr Road Widening – 1.9km: \$350,000
- c. Victoria Street, Briagolong Widening - 1.5km: \$350,000
- d. Glebe Woondella Shared Path Construction, Sale - Year 1: \$250,000
- e. Cobains Road Reconstruction, Sale - 0.5km: \$300,000

2. Council approve the following budget changes for existing Roads to Recovery funded projects currently included within the 2015-16 capital works program, to be funded from the revised 2015-16 allocation of funding received from the Federal Government Roads to Recovery program:

- a. Brewers Hill Road Reconstruction Maffra – 4.5km increase by: \$150,000
- b. Heart Hall Road Sale Reconstruction - 2.7km increase by: \$350,000
- c. Macalister Street & Wellsford Street Roundabout, Stratford, increase by: \$175,000

3. Council approve the following budget change in relation to the Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction:

- a. \$445,000 of Roads to Recovery Funding be allocated to Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction, to be funded from the revised 2015-16 allocation of funding received from the Federal Government Roads to Recovery program
- b. \$300,000 of the total \$400,000 of rates funding included in the 2015-16 Budget for Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction, be allocated to Commercial Road Yarram Streetscape
- c. \$100,000 of the total \$400,000 of rates funding included in the 2015-16 Budget for Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction, be allocated to Prince Street Rosedale Streetscape.

BACKGROUND

In July 2015, the Federal Government announced an increase in Roads to Recovery (R2R) funding. Previous to this announcement, the 2015-16 annual allocation of R2R funding had already been doubled, from \$2.22M to \$4.44M. The amended allocation of R2R funding as a result of the July increase for Wellington Shire Council is as follows:

Year	Previous Amount	New Amount	Change
2015-16	\$4,445,340	\$6,350,156	\$1,904,816
2016-17	\$2,222,670	\$7,333,935	\$5,111,265
2017-18	\$2,222,670	\$2,222,670	0
2018-19	\$2,222,670	\$2,222,670	0
		Total Change:	\$7,016,081

As a result of this increase, an additional \$1.905M has been allocated for 2015-16 period. The introduction of a number of additional projects not currently included within the 2015-16 Budget, or a change in budget currently allocated to projects included within the 2015-16 Budget, or a combination of both, will be required to expand the total revised allocation of R2R funding for the 2015-16 period. Unexpended annual allocation of R2R funding will be carried forward and available in the final year of the program, 2018-19.

OPTIONS

1. Introduce additional projects not currently included within the 2015-16 Budget, or a change in budget currently allocated to projects included within the 2015-16 Budget, or a combination of both, to expand the revised annual allocation of funding received from the Federal Government Roads to Recovery program within the 2015-16 period.
2. Choose to not make budget changes, in which case unexpended annual allocation of Federal Government Roads to Recovery program be carried forward and available in the final year of the program, 2018-19.

PROPOSAL

1. That Council approve the inclusion of the following new projects and associated budgets within the 2015-16 capital works program, to be funded from the revised 2015-16 allocation of funding received from the Federal Government Roads to Recovery program:
 - a. Valencia Creek Briagolong Road Widening - 2.5km: \$400,000
 - b. Toongabbie Cowwarr Road Widening – 1.9km: \$350,000
 - c. Victoria Street, Briagolong Widening - 1.5km: \$350,000
 - d. Glebe Woondella Shared Path Construction, Sale - Year 1: \$250,000
 - e. Cobains Road Reconstruction, Sale - 0.5km: \$300,000
2. That Council approve the following budget changes for existing Roads to Recovery funded projects currently included within the 2015-16 capital works program, to be funded from the revised 2015-16 allocation of funding received from the Federal Government Roads to Recovery program:
 - a. Brewers Hill Road Reconstruction Maffra – 4.5km increase by: \$150,000
 - b. Heart Hall Road Sale Reconstruction - 2.7km increase by: \$350,000
 - c. Macalister Street & Wellsford Street Roundabout, Stratford, increase by: \$175,000

3. That Council approve the following budget change in relation to the Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction:

- a. \$445,000 of Roads to Recovery Funding be allocated to Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction, to be funded from the revised 2015-16 allocation of funding received from the Federal Government Roads to Recovery program
- b. \$300,000 of the total \$400,000 of rates funding included in the 2015-16 Budget for Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction, be allocated to Commercial Road Yarram Streetscape
- c. \$100,000 of the total \$400,000 of rates funding included in the 2015-16 Budget for Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction, be allocated to Prince Street Rosedale Streetscape

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

It is proposed that the following projects and associated budgets be included within the 2015-16 capital works program, to be funded from the revised 2015-16 allocation of funding received from the Federal Government R2R program:

- | | |
|---|-----------|
| a) Valencia Creek Briagolong Road Widening - 2.5km: | \$400,000 |
| b) Toongabbie Cowwarr Road Widening – 1.9km: | \$350,000 |
| c) Victoria Street, Briagolong Widening - 1.5km: | \$350,000 |
| d) Glebe Woondella Shared Path Construction, Sale - Year 1: | \$250,000 |
| e) Cobains Road Reconstruction, Sale - 0.5km: | \$300,000 |

Further to the above additional projects, it is proposed that the following existing R2R funded projects currently included within the 2015-16 budget, receive funding increases, supported by the increased funds in the Federal Government R2R program:

- a) Brewers Hill Road Reconstruction Maffra – 4.5km increase from \$800,000 to \$950,000
- b) Heart Hall Road Sale Reconstruction - 2.7km increase from \$200,000 to \$550,000

The increase in funding for Brewers Hill Road allows a second stage of the project currently planned for 2016-17 to be delivered as a single project, in 2015-16. The increase in funding for Heart Hall Road allows a greater scope of work and more sustainable outcome in line with current service levels.

It is also proposed to increase the adopted 2015-16 budget for the Macalister Street & Wellsford Street Roundabout project, to increase the existing budget amount of \$125,000 funded from rates, to \$300,000 total, with \$175,000 to be funded from the revised 2015-16 allocation of funding received from the Federal Government Roads to Recovery program.

This increase allows for further work associated with the Stratford Recreation reserve entry and urban improvements to Wellsford Street and Macalister Street, Stratford, in addition to the roundabout renewal.

The Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction currently has a budget of \$400,000 from rates sources. It is proposed to adjust the structure of this projects' funding, and increase funding for the Yarram Streetscape project and Rosedale Streetscape project from the rates source, where by:

- a) \$445,000 funding will be allocated to Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction, to be funded from the revised 2015-16 allocation of funding received from the Federal Government R2R program
- b) \$300,000 of the total \$400,000 of rates funding included in the 2015-16 Budget for Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction, will be allocated to Commercial Road Yarram Streetscape, a revised total budget of \$1,700,000
- c) \$100,000 of the total \$400,000 of rates funding included in the 2015-16 Budget for Yarram Morwell Road and Jack River Valley Road Intersection Reconstruction, will be allocated to Prince Street Rosedale Streetscape, a revised total budget of \$400,000

The impact and net result of these changes are summarised in ATTACHMENT A – SUMMARY OF PROPOSED BUDGET ADDITIONS AND CHANGES

COUNCIL PLAN IMPACT

The Council Plan 2013-2017 Theme 4 Infrastructure states the following strategic objective and related strategies:

Strategic Objective

"Assets and infrastructure that meet current and future community needs."

Strategy 4.1

"Undertake service delivery planning to provide community assets in response to identified needs."

Strategy 4.2

"Ensure assets are managed, maintained and renewed to meet service needs."

RESOURCES AND STAFF IMPACT

The recommendation can be undertaken within existing allocated resources, or specific project planning and delivery resources made available through the increase in Roads to Recovery Funding, as project overheads.

ATTACHMENT A - SUMMARY OF PROPOSED BUDGET ADDITIONS AND CHANGES

Project	Adopted 2015-16 Budget			Proposed 2015-16 Budget		
	Roads to Recovery	Rates	Total	Roads to Recovery	Rates	Total
Sale Toongabbie Road Reconstruction 0.3km	60,000		60,000	60,000		60,000
Albert River Road Reconstruction - Yarram	75,000		75,000	75,000		75,000
Sellings Lane Reconstruction - Maffra 0.6km	100,000		100,000	100,000		100,000
Residential Road and Street Construction Plan Implementation	700,000		700,000	700,000		700,000
Urban Road & Street Reconstruction - Irwin Street Wurruk	265,000		265,000	265,000		265,000
Urban Road & Street Reconstruction - Guthridge Parade Sale	200,000		200,000	200,000		200,000
Four Mile Creek Bridge Renewal - Giffard	200,000		200,000	200,000		200,000
Lower Dargo Bridge Renewal - Dargo	550,000		550,000	550,000		550,000
Park Street Bridge Renewal - Sale	250,000		250,000	250,000		250,000
Major Culvert & Floodway Renewal - Stoney Creek Cowwarr	50,000		50,000	50,000		50,000
Brewers Hill Road Reconstruction - Maffra 4.5km	800,000		800,000	950,000		950,000
Heart Hall Road - Sale 2.7km	200,000		200,000	550,000		550,000
Valencia Creek Briagolong Road - 2.5km				400,000		400,000
Toongabbie Cowwarr Road - Cowwarr				350,000		350,000
Victoria Street - Briagolong 1.5km				350,000		350,000
Glebe / Woondella Shared Path - Sale (YEAR 1)				300,000		300,000
Cobains Road Improvement - Sale 0.5km				250,000		250,000
Wellsford Street / Macalister Street Roundabout and Urban Improvements - Stratford		125,000	125,000	175,000	125,000	300,000
Albert River Road / Yarram Morwell Road Intersection Improvements		400,000	400,000	445,000		445,000
Commercial Road Yarram Streetscape Improvements		1,400,000	1,400,000		1,700,000	1,700,000
Prince Street Rosedale Streetscape Improvements		300,000	300,000		400,000	400,000
	3,450,000	2,225,000	5,675,000	6,220,000	2,225,000	8,445,000

ITEM C4.2**GORDON STREET RECREATIONAL RESERVE CLUBROOMS
REDEVELOPMENT - HEYFIELD**

DIVISION: BUILT & NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS & PROJECTS

DATE: 6 OCTOBER 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

OBJECTIVE

The purpose of this report is for Council to consider entering into a contract to redevelop the Gordon Street Recreational Reserve Clubrooms, Heyfield.

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

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.3 of the Council Meeting Agenda for contract 2014-019 Gordon Street Recreational Reserve Clubrooms Redevelopment - Heyfield; and***
- 2. The information contained in the confidential document Item F1.3 Contract 2014-019 Gordon Street Recreation Reserve Clubrooms Redevelopment – Heyfield of this Council Meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built & Natural Environment on 17 September 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: d) Contractual matters: be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

Tenders were called for the redevelopment of the Gordon Street Recreational Reserve Clubrooms following completion of detailed designs.

OPTIONS

Council have the following options available:

- Adopt the recommendations contained in the attached confidential Tender Evaluation Report for contract 2014-019 Gordon Street Recreational Reserve Clubrooms Redevelopment - Heyfield; or
- Not enter into a contract and not proceed with these works at this time.

PROPOSAL

That Council adopt the recommendations contained in the attached confidential Tender Evaluation Report for contract 2014-019 Gordon Street Recreational Reserve Clubrooms Redevelopment - Heyfield.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest in this section.

FINANCIAL IMPACT

The proposed construction of Gordon Street Recreational Reserve Clubrooms Redevelopment - Heyfield is budgeted for in the 2015/16 Capital Works Program.

LEGISLATIVE IMPACT

Wellington Shire Council is committed to ensuring the Contract tendering process complies with the *Victorian Local Government Act 1989* and the Victorian Local Government Code of Tendering.

RESOURCES AND STAFF IMPACT

This project will be undertaken with the resources of the Assets & Projects unit.

COMMUNITY IMPACT

The improved and upgraded clubrooms will have a positive community impact.

CONSULTATION IMPACT

The Gordon Street Recreational Reserve Committee has been consulted throughout the design process and are satisfied with the final design.

RISK MANAGEMENT IMPACT

It is considered that the proposed contract works will not expose Wellington Shire Council to any significant risks. All OH&S risks will be discussed with the contractor and allocated to the party in the best position to manage each risk

ITEM C4.3**YARRAM STREETScape RENEWAL**

DIVISION: BUILT & NATURAL ENVIRONMENT
ACTION OFFICER: MANAGER ASSETS & PROJECTS
DATE: 6 OCTOBER 2015

IMPACTS								
Financial	Legislative	Council Policy	Planning Policy	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓	✓	✓		✓	✓	✓	✓	✓

OBJECTIVE

The purpose of this report is for Council to consider entering into a contract to reconstruct the footpaths, kerb and channel and parking lanes in Commercial Road, Yarram.

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

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.4 of the Council Meeting Agenda for contract 2015-002 Yarram Streetscape Renewal; and .***
- 2. The information contained in the confidential document Item F1.4 Contract 2015-012 Yarram Streetscape Renewal of this Council Meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built & Natural Environment on 17 September 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: d) Contractual matters: be designated confidential information under Section 77 Clause (2) of the Local Government Act 1989, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

The footpaths, kerb & channel and parking lanes in Commercial Road in Yarram were identified for reconstruction between James Street and King Street in Yarram. VicRoads are intending to reconstruct the pavement on the through traffic lanes and South Gippsland Water are intending to renew a failing water main on the west side of Commercial Road. These two projects have complicated the timing of the renewal works to be undertaken under this contract, however being able to work collaboratively with both agencies will result in a better outcome and less long term impact on Commercial Road businesses and visitors alike.

Designs have been undertaken and the local community have had input into the proposed works which have been tendered with a contract being prepared and presented for Council's consideration.

OPTIONS

Council have the following options available:

- Adopt the recommendations contained in the attached confidential Tender Evaluation Report for contract 2015-002 Yarram Streetscape Renewal; or
- Not enter into a contract and not proceed with these works at this time.

PROPOSAL

That Council adopt the recommendations contained in the attached confidential Tender Evaluation Report for contract 2015-002 Yarram Streetscape Renewal.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest in this section.

FINANCIAL IMPACT

The proposed reconstruction and streetscape works were budgeted for in the 2014/15 Capital Works Program.

LEGISLATIVE IMPACT

Wellington Shire Council is committed to ensuring the Contract tendering process complies with the *Victorian Local Government Act 1989* and the Victorian Local Government Code of Tendering.

RESOURCES AND STAFF IMPACT

This project will be undertaken with the resources of the Assets & Projects unit.

COMMUNITY IMPACT

The improved and upgraded streetscape will have a positive community impact.

ENVIRONMENTAL IMPACT

The proposed works will have minimal environmental impact, with the contractors complying with Council's Guidelines on Environmental Management for Roadwork Projects.

CONSULTATION IMPACT

Council's standard consultation practices will be implemented on this project.

RISK MANAGEMENT IMPACT

It is considered that the proposed contract works will not expose Wellington Shire Council to any significant risks. All OH&S risks will be discussed with the contractor and allocated to the party in the best position to manage each risk.

ITEM C4.4**MAFFRA - BREWERS HILL ROAD RECONSTRUCTION**

DIVISION: BUILT & NATURAL ENVIRONMENT

ACTION OFFICER: MANAGER ASSETS & PROJECTS

DATE: 6 OCTOBER 2015

IMPACTS								
Financial	Legislative	Council Policy	Planning Policy	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓	✓	✓		✓	✓	✓	✓	✓

OBJECTIVE

The purpose of this report is for Council to consider entering into a contract to reconstruct Brewers Hill Road, Maffra.

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

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.5 of the Council Meeting Agenda for contract 2015-012 Maffra - Brewers Hill Road Reconstruction; and***
- 2. The information contained in the confidential document Item F1.5 Contract 2015-012 Maffra – Brewers Hill Road Reconstruction of this Council Meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built & Natural Environment on 17 September 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: d) Contractual matters; be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

Brewers Hill Road is a local access road connecting Maffra- Briagolong Road to Beet Road. It is approximately 4.6km long and is currently in a deteriorated condition and is impacted by heavy agricultural use.

The road was identified for full reconstruction and a survey and design has been completed.

Initially it was intended to complete the reconstruction in two stages and fund the project over the 2015/2016 & 2016/2017 Capital Works Programs. However due to the increased Federal Governments Roads to Recovery grants in this financial year the project was tendered as two separable portions to give Council the option of completing work in this financial year or alternatively complete the project as originally intended.

OPTIONS

Council have the following options available:

- Adopt the recommendations contained in the attached confidential Tender Evaluation Report for contract 2015-012 Brewers Hill Road Reconstruction Maffra and award a contract for the entire construction project; or
- Award a contract for the original scope of the project for the 2015/2016 financial year and proceed with the second stage of construction next financial year; or
- Not enter into a contract and not proceed with these works at this time.

PROPOSAL

That Council adopt the recommendations contained in the attached confidential Tender Evaluation Report for contract 2015-012 Maffra - Brewers Hill Road Reconstruction.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest in this section.

FINANCIAL IMPACT

The proposed reconstruction of the first stage of Brewers Hill Road, Maffra was budgeted for in the 2015/16 Capital Works Program with the second and final stage scheduled for completion in 2016/17. However due to the increased grants available from the Federal Governments Road to Recovery Program construction of the entire project this financial year is possible.

LEGISLATIVE IMPACT

Wellington Shire Council is committed to ensuring the Contract tendering process complies with the *Victorian Local Government Act 1989* and the Victorian Local Government Code of Tendering.

RESOURCES AND STAFF IMPACT

This project will be undertaken with the resources of the Assets & Projects unit.

COMMUNITY IMPACT

The improved and upgraded will have a positive community impact.

ENVIRONMENTAL IMPACT

The proposed works will have minimal environmental impact, with the contractors complying with Council's Guidelines on Environmental Management for Roadwork Projects.

ITEM C4.5**YARRAM-MORWELL ROAD JACK RIVER VALLEY ROAD
AND ALBERT RIVER ROAD INTERSECTION IMPROVEMENT
AT JACK RIVER**

DIVISION: BUILT AND NATURAL ENVIRONMENT
 ACTION OFFICER: MANAGER ASSETS AND PROJECTS
 DATE: 6 OCTOBER 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓	✓	✓		✓	✓	✓	✓		✓

OBJECTIVE

The purpose of this report is for Council to consider entering into a contract for the intersection improvement works at Yarram-Morwell Road, Jack River Valley Road and Albert River Road, Jack River.

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

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.6 of the Council Meeting Agenda for contract 2015-007 Yarram-Morwell Road, Jack River Valley Road and Albert River Road Intersection Improvement, Jack River; and***
- 2. The information contained in the confidential document Item F1.6 Contract 2015-007 Yarram Morwell Road Jack River Valley Road and Albert River Road Intersection Improvement at Jack River of this Council Meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Built & Natural Environment on 17 September 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: d) Contractual matters; be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

Yarram-Morwell Road is predominantly used by heavy vehicles carting gravel from the quarry or timber from various plantations in the area. The layout and topography of the intersection with Jack River Valley Road and Albert River Road is challenging for road users and a realigned intersection was proposed. A survey and road design was completed as part of the 2014/15 Capital Works Program and land acquisition for the road construction has commenced and is scheduled to be completed prior to construction work commencing this financial year.

OPTIONS

Council have the following options available:

- Adopt the recommendations contained in the attached Confidential Tender Evaluation Report for contract 2015-007 Yarram-Morwell Road, Jack River Valley Road and Albert River Road Intersection Improvement; or
- Not enter into a contract and not proceed with these works at this time.

PROPOSAL

That Council adopt the recommendations of the Confidential Tender Evaluation Report for 2015-007 Yarram-Morwell Road, Jack River Valley Road and Albert River Road Intersection Improvements.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

The proposed construction of Yarram-Morwell Road, Jack River Valley Road and Albert River Road Intersection, Jack River was budgeted for in the 2015/2016 Capital Works Program.

LEGISLATIVE IMPACT

Wellington Shire Council is committed to ensuring the Contract tendering process complies with the *Victorian Local Government Act 1989* and the Victorian Local Government Code of Tendering.

COUNCIL PLAN IMPACT

The Council Plan 2013–2017 Theme 4 - Infrastructure states the following strategic objective and related strategy:

Strategic Objective

"Assets and infrastructure that meet current and future community needs"

Strategy 4.2

"Ensure assets are managed, maintained and renewed to meet service needs."

This report supports the above Council Plan strategic objective and strategy.

RESOURCES AND STAFF IMPACT

The Assets & Projects Unit will provide the staff and resources to manage this contract.

COMMUNITY IMPACT

There will be short term interruptions to local residents and road users during the construction works, however with improved road safety and conditions on completion of the works, there will be a positive long term impact for road users.

ENVIRONMENTAL IMPACT

The proposed construction works will have minimal environmental impact, with the contractors complying with Council's Guidelines on Environmental Management for Roadwork Projects.

RISK MANAGEMENT IMPACT

It is considered that the proposed contract works will not expose Council to any significant risks. All OH&S risks will be discussed with the contractor and allocated to the party in the best position to manage each risk.



C5 - REPORT

GENERAL MANAGER COMMUNITY AND CULTURE

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

DIVISION: COMMUNITY AND CULTURE
ACTION OFFICER: MANAGER ARTS AND CULTURE
DATE: 6 OCTOBER 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
			✓	✓		✓		✓	

OBJECTIVE

To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 7 September 2015.

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

That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 7 September 2015.

BACKGROUND

The Gippsland Art Gallery Advisory Group is a Committee of Council that meets every two months. The membership of the Advisory Group includes representation for professional artists, art educators, community members, Gallery Society members and a Councillor.

As provided under the Committee's Instrument of Delegation, the objectives of the Committee include providing advice to the Gippsland Art Gallery Director of the views, requirements and aspirations of the community in relation to visual arts. This includes: art in public places; cultural and artistic matters relating to the Gippsland Art Gallery; proposed acquisitions to the Gippsland Art Gallery collection; development of policies for the management and promotion of the Gippsland Art Gallery; and promotion of community interest in the Gippsland Art Gallery.

The committee's Instrument of Delegation reflects the desire to seek community input, advice and feedback on the operations of the Gippsland Art Gallery and to present this information to Council.

It is to be noted that these minutes have yet to be formally ratified by a future Advisory Group meeting and are provided as current information for the Council.

OPTIONS

Council has the following options:

1. Receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 7 September 2015; or
2. Request additional information and receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 7 September at a future meeting.

PROPOSAL

To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 7 September 2015.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.3.2 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 4 Infrastructure states the following strategic objective and related strategy:

Strategic Objectives

"Asset and infrastructure that meet current and future community needs."

Strategy 4.3

"Manage Council community facilities planning to ensure that outputs are based on identified community needs."

This report supports the above Council Plan strategic objective and strategy.

**GIPPSLAND ART GALLERY
ADVISORY GROUP MEETING
GALLERY LIBRARY
Monday 7 September
6.00pm, Art Gallery Library**

MINUTES

Opening of meeting, welcome of visitors and attendance

Present:

Claire Marston (Chair), Clive Murray-White, Robbie Aitken, Rob Ziffer, Bianca Taylor, Brian Cantwell

In attendance:

Anton Vardy, Stephen Dempsey, Simon Gregg, Sarah Atkinson (Minute Secretary).

Apologies: Cr Emile Davine, Brian Castles

Absent: no absentees,

Assembly of Councillors and Staff Conflict and Staff of Interest Declaration:

Completed by Anton Vardy

Minutes of the previous meeting Monday 5 May 2015

Moved: Clive Murray-White **Seconded:** Bianca Taylor

Business Arising

Clive Murray-White attended the Port of Sale Cultural Steering Group meeting in lieu of Brian Castles and outlined his concerns for proposed reception model for the new Gallery in light of the developments since the Tourist Information Centre had been brought into the project. The Director noted that all plans were still in the review stages.

Reports

Director's Report

The Director reported that the program for 2016 has now been confirmed and that the Staff Show had been cancelled due to the potential for perceived conflict of interest. The Gallery Guides' Show however will go ahead and the recent exhibition of Jason Foster has been met with very positive feedback.

The Director outlined the two incoming acquisitions of Cecelia Lewis Luxford's *Still Life with Flowers* and Robert Dowling's *Home Again* donated from the Estate of Mrs Pamela Barclay. He also noted that an advertising strategy had been discussed and suitable media chosen for this financial year.

Due to a family member of a Shire employee potentially wanting to enter the Print Award the current conditions of entry were discussed. The committee recommended that we maintain the current conditions of entry and potentially revise that the judges' immediate family to also be included under these conditions.

The Director confirmed that he has now sent the submission for the last round of Robert Salzer foundation funding for the proposed purchase of the Michelle Molineri work *Nature Morte* 2014 and will receive the outcome by the end of the month.

Gallery Society Report

Brian Cantwell reported on behalf of the Society Committee and expressed his concern that Committee Member numbers were now severely reduced. The committee discussed the possibility of bringing the Society in-house rather than operating as a separate incorporated body and launching a membership program in time for the new gallery opening. This will be proposed to the existing committee and society members.

Chair's Report

The Chair will begin a new position with Latrobe Regional Gallery as Gallery Assistant.

General Business

The Curator presented a document outlining John Leslie's private collection. This document was taken away by the committee members to consider which pieces would be suitable for acquisition. This will be discussed at the next meeting.

Next Meeting

Monday 2 November 2015 at 6:00pm (or earlier as per requirements of the redevelopment project).
Gippsland Art Gallery, Temporary Gallery Facility, Port of Sale Business Centre, 64-66 Foster Street, Sale or to be advised.

Meeting Closed: 7.10pm

ITEM C5.2**GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIP**

DIVISION: COMMUNITY AND CULTURE
ACTION OFFICER: MANAGER HEALTHY LIFESTYLES
DATE: 6 OCTOBER 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
		✓	✓	✓					

OBJECTIVE

For Council to appoint the nominated Heyfield Basketball Club representative to the Gordon Street Recreation Reserve Committee of Management, as detailed in the attached confidential report, for the remainder of the 3 year period, ending 18 December 2015.

RECOMMENDATION***That***

- 1. Council adopts the recommendation contained in the confidential report at Item F1.7 of the Council Meeting Agenda for Gordon Street Recreation Reserve Committee of Management Membership; and***
- 2. The information contained in the attached document Item F1.7 Gordon Street Recreation Reserve 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 3 September 2015 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 the name of the successful member can be made public.***

BACKGROUND

The Gordon Street Recreation Reserve Committee of Management is a Special Committee of Council under Section 86 of the *Local Government Act 1989* and operates within the provisions of a Council approved Instrument of Delegation.

The objectives of the Special Committee are:

- To manage, operate and maintain the Gordon Street Recreation Reserve for the community in an efficient, effective and practical manner.
- To undertake activities designed to protect, promote, utilise and develop the Gordon Street Recreation Reserve for the use and enjoyment of the local community.

The Committee operates under a Terms of Reference which provide for the Council appointment of a minimum of 5 members for a 3 year term from 17 December 2012 to 18 December 2015. Committee membership is as follows:

- a) One Councillor
- b) One Representative from the Heyfield Cricket Club
- c) One Representative from the Heyfield Football Netball Club
- d) One Representative from the Heyfield Junior Football Club
- e) One Representative from the Heyfield Basketball Club
- f) One Representative from the Heyfield Vintage Machinery Group
- g) One Representative from the Heyfield Pigeon Club
- h) One Representative from the Heyfield Tennis Club
- i) One Representative from the Heyfield Traders & Tourism Association
- j) Four representative of the Community of Heyfield. Expressions of interest shall be sought embracing an agreed range of skills and experience appropriate to the functioning of a public recreation reserve

OPTIONS

Council has the following options:

1. To appoint the nominated Heyfield Basketball Club representatives to the Gordon Street Recreation Reserve Committee of Management, as detailed in the attached confidential report, for the remainder of the 3 year period, ending 18 December 2015; or
2. Seek further information to be considered at a future Council meeting.

PROPOSAL

That Council appoint the nominated Heyfield Basketball Club representatives to the Gordon Street Recreation Reserve Committee of Management, as detailed in the attached confidential report, for the remainder of the 3 year period, ending 18 December 2015.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

This report is in accordance with Section 91(4) of the *Local Government Act 1989*.

COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.3.2 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 4 Infrastructure states the following strategic objective and related strategy:

Strategic Objectives

Asset and infrastructure that meet current and future community needs.

Strategy 4.2

Ensure assets are managed, maintained and renewed to meet service needs.

ITEM C5.3**ROSEDALE NEIGHBOURHOOD KIDS EARLY LEARNING CENTRE**

DIVISION: COMMUNITY AND CULTURE
 ACTION OFFICER: MANAGER COMMUNITY WELLBEING
 DATE: 6 October 2015

IMPACTS									
Financial	Communication	Legislative	Council Policy	Council Plan	Resources & Staff	Community	Environmental	Consultation	Risk Management
✓			✓	✓		✓			✓

OBJECTIVE

The Rosedale Neighbourhood House Inc is seeking a one off payment of \$18,000 from Council for the 2015-16 financial year. This will enable the Neighbourhood Kids Early Learning Centre (NKELC) to remain open while a sustainable business and governance model is developed for 2016 and beyond.

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

That Council provide \$18,000 to the Rosedale Neighbourhood House Inc in the 2015-16 financial year to enable the Neighbourhood Kids Early Learning Centre to remain open while a sustainable business and governance model is developed for 2016 and beyond.

BACKGROUND

Rosedale NKELC is managed through the Rosedale Neighbourhood House Community Committee of Management (the Committee). For the past five years the centre has been running at a loss. Surplus funding provided as part of the original set up of the service has been used to cover the loss and the Committee have introduced various changes to the service to try and address the ongoing shortfall. In recent months, a number of families have left the service, the centre has had difficulties attracting a Coordinator to manage the operations of the service and there is no longer any surplus funding to cover any losses.

In August 2015 the Committee approached Council staff to advise that these difficulties were impacting on the centre's ability to remain open and be sustainable into the future. Council staff have been supporting the Committee to look at options that will enable the centre to remain open while sustainable governance and business models are developed.

The Rosedale NKELC provides important early learning opportunities for children in Rosedale and surrounding areas so that they have the best possible outcomes in primary school. Further developing the potential of NKELC and other Early Learning opportunities in Rosedale will reduce the developmental vulnerability of children.

OPTIONS

Council has the following options:

1. Provide \$18,000 in funding to Rosedale Neighbourhood House Inc for the 2015–16 financial year with the provision that Council staff work with the committee to develop a sustainable business and governance model for NKELC for 2016 and beyond.
2. Not provide \$18,000 in funding to Rosedale Neighbourhood House Inc, which may result in the NKELC closing.

PROPOSAL

That Council Provide \$18,000 in funding to Rosedale Neighbourhood House Inc for the 2015–16 financial year with the provision that Council staff work with the committee to develop a sustainable business and governance model for NKELC for 2016 and beyond.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

At this stage the ongoing viability of a long day childcare and out of school hours care program for Rosedale is uncertain. Rosedale's current birth rate is around 25 births per year and it is not clear whether this birth rate can sustain a long day childcare service. The proposed funding allocation from Council is a one off payment for 2015-2016. Once community need is determined and further investigation is undertaken in relation to business and governance models, it will be possible to determine what type of service will be sustainable into the future.

COMMUNICATION IMPACT

The community is aware that Council is liaising with the Committee to identify ways in which support can be provided to enable the service to remain open and be viable into the future.

COUNCIL POLICY IMPACT

The current Wellington Municipal Early Years Plan (2012-15) is a strategic document aimed at improving outcomes for children aged 0-8 years of age and their families living in Wellington Shire Council. Actions have focussed on universal access for all children to high quality Early years services throughout the Shire. The plan is currently being reviewed and a new plan is being developed.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 vision for Community Wellbeing "Wellington is a vibrant community that values partnerships and collaboration in the planning and delivery of health and wellbeing programs, services and activities".

This proposal supports the above Council Plan vision.

RESOURCES AND STAFF IMPACT

The Coordinator of Social Planning and Policy and the Early Years Project Officer will provide support to the Committee in the further work that needs to be undertaken to strengthen the business and governance models.

COMMUNITY IMPACT

Without Council funding and other government support there is a potential that the service will close the long day childcare and out of school hours care. There are a significant number of families who utilise the centre for these services and who may not have other options. There would be a negative impact on the community if these services close.

Alternatively if the Committee decide that there needs to be a change in the range of services delivered from the centre to remain sustainable, this may impact on a smaller number of families.

The community has been proactive over the last month with the knowledge that the service may close if enrolment numbers do not increase. There have been small changes to enrolments, several community meetings and some community backlash about the lack of information in the community. It will be important that the community is kept informed on what is happening over the coming months.

There will be negative social and economic impacts if the centre significantly reduces services or closes altogether. The Rosedale Structure Plan and outline development plan is encouraging housing and other development in the area. An absence of facilities for families with young children could impact on the progress of such development.



D. URGENT BUSINESS



E. FURTHER GALLERY AND CHAT ROOM COMMENTS



F. CONFIDENTIAL ATTACHMENT/S

F. CONFIDENTIAL ATTACHMENT/S

ITEM F1.1

**AUDIT COMMITTEE MEMBER APPOINTMENT
(REFER TO ITEM C1.1 OF THIS AGENDA)**



**ORDINARY COUNCIL MEETING
6 OCTOBER 2015**

On this 8th day of September 2015, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, David Morcom declare that the information contained in the attached document **AUDIT COMMITTEE MEMBER – EXPRESSIONS OF INTEREST EVALUATION** is confidential 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.



.....
Chief Executive Officer



ORDINARY COUNCIL MEETING
6 OCTOBER 2015

On this 24th day of August 2015, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*; I, Arthur Skipitaris (Delegate) declare that the information contained in the attached document **AUDIT COMMITTEE MINUTES 31 AUGUST 2015** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

- e) proposed developments
- f) legal advice
- h) any other matter which the Council or special committee considers would prejudice the Council or any person.



.....
General Manager Corporate Services (Delegate)

ITEM F1.3

**2014-019 GORDON STREET RECREATION RESERVE CLUBROOMS
REDEVELOPMENT HEYFIELD
(REFER TO ITEM C4.2 OF THIS AGENDA)**



**ORDINARY COUNCIL MEETING
06 OCTOBER 2015**

On this day 17 September 2015, in accordance with Section 77 Clause (2) (c) of *the Local Government Act 1989*; I, Chris Hastie General Manager Built and Natural Environment declare that the information contained in the attached document **ITEM F1.3 2015 CONTRACT 2014-019 GORDON STREET RECREATIONAL RESERVE CLUBROOMS REDEVELOPMENT - HEYFIELD** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

d) contractual matters



.....
Chris Hastie General Manager Built and Natural Environment



**ORDINARY COUNCIL MEETING
06 OCTOBER 2015**

On this day 17 September 2015, in accordance with Section 77 Clause (2) (c) of *the Local Government Act 1989*; I, Chris Hastie General Manager Built and Natural Environment declare that the information contained in the attached document **ITEM F1.4 CONTRACT 2015 - 002 YARRAM STREETScape RENEWAL** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

d) contractual matters

.....
Chris Hastie General Manager Built and Natural Environment

ITEM F1.5

**2015-012 MAFFRA BREWERS HILL ROAD RECONSTRUCTION
(REFER TO ITEM C4.4. OF THIS AGENDA)**



**ORDINARY COUNCIL MEETING
06 OCTOBER 2015**

On this day 17 September 2015, in accordance with Section 77 Clause (2) (c) of *the Local Government Act 1989*; I, Chris Hastie General Manager Built and Natural Environment declare that the information contained in the attached document **ITEM F1.5 CONTRACT NUMBER 2015-012 BREWERS HILL ROAD RECONSTRUCTION** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

d) contractual matters



.....
Chris Hastie General Manager Built and Natural Environment

ITEM F1.6

**2015-007 YARRAM MORWELL ROAD JACK RIVER VALLEY ROAD AND
ALBERT RIVER ROAD INTERSECTION IMPROVEMENT AT JACK RIVER
(REFER TO ITEM C4.5. OF THIS AGENDA)**



**ORDINARY COUNCIL MEETING
06 OCTOBER 2015**

On this day 17 September 2015, in accordance with Section 77 Clause (2) (c) of *the Local Government Act 1989*; I, Chris Hastie General Manager Built and Natural Environment declare that the information contained in the attached document **ITEM F1.6 CONTRACT NUMBER 2015 – 007 INTERSECTION IMPROVEMENT – YARRAM MORWELL ROAD JACK RIVER VALLEY ROAD & ALBERT RIVER ROAD JACK RIVER** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

d) contractual matters



.....
Chris Hastie General Manager Built and Natural Environment

**ITEM F1.7 GORDON STREET RECREATION RESERVE COMMITTEE OF
MANAGEMENT MEMBERSHIP
(REFER TO ITEM C5.2 OF THIS AGENDA)**



**ORDINARY COUNCIL MEETING
6 October 2015**

On this 3 September 2015, in accordance with Section 77 Clause (2)(c) of the *Local Government Act 1989*, I, Glenys Butler (Delegate) declare that the information contained in the attached document **GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIP** is confidential 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


.....
General Manager Community and Culture

G. IN CLOSED SESSION

COUNCILLOR

That the meeting be closed to the public pursuant to Section 89(2) of the Local Government Act 1989 to consider:

- a) personnel matters*
- b) the personal hardship of any resident or ratepayer*
- c) industrial matters*
- d) contractual matters*
- e) proposed developments*
- f) legal advice*
- g) matters affecting the security of Council property*
- h) any other matter which the Council or special committee considers would prejudice the Council or any person*

IN CLOSED SESSION

COUNCILLOR

That:

COUNCILLOR

That:

That Council move into open session and ratify the decision made in closed session.



**ORDINARY COUNCIL MEETING
06 OCTOBER 2015**

On this day 17 September 2015, in accordance with Section 77 Clause (2) (c) of *the Local Government Act 1989*; I, Chris Hastie General Manager Built and Natural Environment declare that the information contained in the attached document **ITEM G1.1 FUNDING AGREEMENT COBAINS ROAD - PRINCES HIGHWAY ROUNDABOUT SALE** is confidential because it relates to the following grounds under Section 89(2) of the *Local Government Act 1989*:

d) contractual matters

.....
Chris Hastie General Manager Built and Natural Environment