



WELLINGTON

SHIRE COUNCIL

The Heart of Gippsland

Resolutions in Brief

To be read in conjunction with the Agenda 15 September 2015

PRESENT:

Councillor Carolyn Crossley, Mayor
Councillor Malcolm Hole
Councillor Bob Wenger
Councillor John Duncan
Councillor Peter Cleary
Councillor Scott Rossetti
Councillor Patrick McIvor
Councillor Darren McCubbin
Councillor Emilie Davine

IN ATTENDANCE:

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

ORDINARY MEETING OF COUNCIL –15 SEPTEMBER 2015

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

To adopt the minutes of the Ordinary Council Meeting of 1 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 1 September 2015 as tabled.

COUNCILLOR ROSSETTI / COUNCILLOR DUNCAN

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 1 September 2015 as tabled.

CARRIED

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

NIL

ITEM A6**ACCEPTANCE OF LATE ITEMS**

NIL

ITEM A7**NOTICE OF MOTION**

NIL

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

NIL

ITEM A8(1)**OUTSTANDING PETITIONS**

ITEM	FROM MEETING	COMMENTS	ACTION BY
Restoration of Merton Vale Road Bridge	18 August 2015	Report to Council 15 September 2015	Manager Built Environment

ITEM A8(2)**RESPONSE TO PETITION: RESTORATION OF MERTON VALE ROAD BRIDGE****OBJECTIVE**

To consider and respond to the petition received by Council at its meeting of 18 August 2015, requesting the restoration of Merton Vale Road Bridge, Willung.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

Maryanne Secker – Merton Vale Road, Resident

Addressed Council with a number of concerns raised by some residents of Willung.

Concerns raised:

- What provision is planned for continual access by the Country Fire Authority to the All Season Waterhole?
- Where and how will the new section of road be built to join the existing crossing given the budget allocation of \$20K?
- Blue metal is commonly used for maintenance however over time this material washes away effecting river flow and course of creek towards Taylors Road. What other alternative options are available to blue metal and asked that Council consider a more permanent surface for the low level crossing.

RECOMMENDATION

That the Chief Executive Officer writes to the head petitioner advising that Council will continue the implementation of a low level crossing, to replace Merton Vale Road Bridge and reinstate access, pursuant with current plans and statutory approvals.

COUNCILLOR WENGER / COUNCILLOR McIVOR

That the Chief Executive Officer writes to the head petitioner advising that Council will continue the implementation of a low level crossing, to replace Merton Vale Road Bridge and reinstate access, pursuant with current plans and statutory approvals.

CARRIED

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

Councillor Malcolm Hole presented the Gippsland Business Awards celebrating the final nominations from Local Businesses. Wellington Shire Council had 3 businesses finalists within their particular sections along with a local business (Briagolong Engineering) was awarded the Best Gippsland Business of the Year. The Mayor congratulated all finalists and encouraged other businesses to follow.

Mayor Crossley presented a book titled "A Town at War", published by Marcus Hill. This book explores the history of Sale from 1939 to 1945. Mayor Crossley encouraged everyone to have a read through the book.

ITEM A10 QUESTIONS ON NOTICE

NIL

ITEM A10(1) OUTSTANDING QUESTIONS ON NOTICE

NIL

ITEM A11 MAYORS REPORT

RECOMMENDATION

That the Mayor's report be noted.

COUNCILLOR ROSSETTI / COUNCILLOR CLEARY

That the Mayor's report be noted.

CARRIED

ITEM A12 YOUTH COUNCIL REPORT

NIL

ITEM B DELEGATES

NIL

ITEM C1.1 CHIEF EXECUTIVE OFFICER'S REPORT

RECOMMENDATION

That the Chief Executive Officer's Report be received.

COUNCILLOR McIVOR / COUNCILLOR CLEARY

That the Chief Executive Officer's Report be received.

CARRIED

ITEM C1.2 AUGUST 2015 PERFORMANCE REPORT

OBJECTIVE

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

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

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

COUNCILLOR CLEARY / COUNCILLOR WENGER

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

CARRIED

ITEM C1.3 GIPPSLAND REGIONAL PLAN

OBJECTIVE

That as a key regional stakeholder, Wellington Shire Council endorse the draft Gippsland Regional Plan 2015.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council endorse the Gippsland Regional Plan 2015, as attached to this report.

COUNCILLOR McCUBBIN / COUNCILLOR DUNCAN

That

1. *Council endorse the GRP*
2. *Council acknowledges that minor changes and alterations may be undertaken to the wording of the GRP with the objective of clarifying the Gippsland Regional Plans strategic intent.*
3. *Council will not accept or support any changes or amendments to the Gippsland Regional Plan that:*
 - a) seeks to change the overall strategic intent, and*
 - b) provides any direct reference to future specific projects.*

CARRIED

ITEM C2.1 ASSEMBLY OF COUNCILLORS

OBJECTIVE

To report on all assembly of Councillor records received during the period 26 August 2015 to 8 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 26 August 2015 to 8 September 2015.

COUNCILLOR DAVINE / COUNCILLOR ROSSETTI

That Council note and receive the attached Assembly of Councillors records received during the period 26 August 2015 to 8 September 2015.

CARRIED

ITEM C3.1

AMENDMENT C94 – FORMER SALE POLICE STATION REZONING

OBJECTIVE

1. Consider all submissions made to Planning Scheme Amendment C94 (Rezoning of the former Sale Police Station) to the Wellington Planning Scheme.
2. Resolve to adopt Planning Scheme Amendment C94 (with changes – refer to **Attachment 1**) pursuant to Section 29 of the *Planning and Environment Act 1987*.
3. Resolve to request the Minister for Planning to approve Planning Scheme Amendment C94 pursuant to Section 31 of the *Planning and Environment Act 1987*.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

John McLinden, Longford Resident

Provided Council with a suggestion on how the site might be used for Emergency Accommodation to assist families with expenses when visiting sick relatives at Central Gippsland Health Service.

RECOMMENDATION

That:

1. ***Council pursuant to Section 22 of the Planning and Environment Act 1987 consider all submissions made to Planning Scheme Amendment C94.***
2. ***Council having considered all submissions made, resolve to adopt Planning Scheme Amendment C94 (with changes - refer to Attachment 1) pursuant to Section 29 of the Planning and Environment Act 1987.***
3. ***Council resolve to request the Minister for Planning to approve Planning Scheme Amendment C94 pursuant to Section 31 of the Planning and Environment Act 1987.***

COUNCILLOR McIVOR / COUNCILLOR WENGER

That:

1. ***Council pursuant to Section 22 of the Planning and Environment Act 1987 consider all submissions made to Planning Scheme Amendment C94.***
2. ***Council having considered all submissions made, resolve to adopt Planning Scheme Amendment C94 (with changes - refer to Attachment 1) pursuant to Section 29 of the Planning and Environment Act 1987.***
3. ***Council resolve to request the Minister for Planning to approve Planning Scheme Amendment C94 pursuant to Section 31 of the Planning and Environment Act 1987.***

CARRIED

ITEM C3.2

AMENDMENT C95 – PORT ALBERT RURAL RESIDENTIAL LIFESTYLE LOTS REVIEW AND PLANNING CONTROLS REVIEW IMPLEMENTATION

OBJECTIVE

In accordance with Sections 22 and 23 of the *Planning and Environment Act 1987*, that Council:

1. Consider all submissions made to Planning Scheme Amendment C95 (Port Albert Rural Residential Lifestyle Lots Review and Planning Controls Review Implementation) to the Wellington Planning Scheme; and
2. Resolve to request the Minister for Planning to appoint a panel to consider all submissions made.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

Michael Hobson, Vice President Port Albert Progress Association
Spoke to Councils in regards to the continual common sense approach with Planning Decision Amendments issues. Raised concerns regarding the following

- Only one area earmarked for Low Density Residential Zoning and just one of the Rural Living Zone Schedules.(Spiire Report)

- Land subject to Inundation Overlay reflective of the advice of the WGCMA and that flooding issues are not being able to be mitigated or simply avoided through subdivisional design. (Spiire Report)
- Retaining or imposing the Farming Zone is clearly being used for the purposes and densities of the Rural Living Zone across the varied schedules and is considered an inappropriate application of the principles of the Victorian Planning Provisions.

Saul Stainer, President Port Albert Progress Association

Progress Association does not endorse Amendment C95 as it is critical of findings of the Rural Residential Lifestyle Lots review. The proposed rezoning within the report is not a true reflection of the land use with Port Albert's Hinter Land nor does it make provision for the demand of Rural Residential Land Use. The Port Albert Association also refutes the statement relating to the population growth and projected demand for living lots rationale used within the report. Spoke to Council decision of 2 December 2014 urging Council to deal with this amendment in a similar way and avoid another unnecessary panel hearing.

John Caygill, Port Albert resident

Confusion with zoning classifications on rate notice as they are unclear and that they do not mean anything.

Peter Coates, Port Foreshore Road resident

Questioned why this area is classified farm zone which is preventing subdivision opportunities due to this classification. The area at Port Foreshore Road with liberal and clever planning could be divided into larger rural residential blocks.

RECOMMENDATION

That:

- 1. Council pursuant to Section 22 of the Planning and Environment Act 1987 consider all submissions made to Planning Scheme Amendment C95.***
- 2. Council having considered all submissions made, resolve to request the Minister for Planning to appoint a panel pursuant to Section 23 of the Planning and Environment Act 1987.***

COUNCILLOR WENGER / COUNCILLOR CLEARY

That:

- 1. Council pursuant to Section 22 of the Planning and Environment Act 1987 consider all submissions made to Planning Scheme Amendment C95.***
- 2. Council having considered all submissions made, resolve to request the Minister for Planning to appoint a panel pursuant to Section 23 of the Planning and Environment Act 1987.***

CARRIED

ITEM C4.1

PEARSON STREET RECONSTRUCTION BETWEEN QUEEN STREET AND CHURCH STREET MAFFRA

OBJECTIVE

The purpose of this report is for Council to consider entering into a contract to reconstruct Pearson Street, Maffra between Queen Street and Church Street including the roundabout at Queen Street.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.1 of the Council Meeting Agenda for contract 2015-001 Pearson Street Reconstruction Work - Maffra; and*
- 2. The information contained in the confidential document Item F1.1 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 1 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.*

COUNCILLOR HOLE / COUNCILLOR DUNCAN

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.1 of the Council Meeting Agenda for contract 2015-001 Pearson Street Reconstruction Work - Maffra; and*
- 2. The information contained in the confidential document Item F1.1 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 1 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.*

CARRIED

The Mayor announced the successful tenderer as McInnes Earthmoving Pty Ltd

ITEM C4.2

BITUMINOUS RESEALING OF LOCAL ROADS

OBJECTIVE

The purpose of this report is for Council to consider entering into a contract for the Bituminous Resealing of Local Roads for a three year period.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.2 of the Council Meeting Agenda for contract 2014-017 Bituminous Resealing of Local Roads; and*
- 2. The information contained in the confidential document Item F1.2 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 1 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.*

COUNCILLOR WENGER / COUNCILLOR HOLE

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.2 of the Council Meeting Agenda for contract 2014-017 Bituminous Resealing of Local Roads; and*
- 2. The information contained in the confidential document Item F1.2 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 1 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.*

CARRIED

The Mayor announced the successful tenderer as Quality Roads Sealing Pty Ltd

OBJECTIVE

The purpose of this report is for Council to receive the minutes from the Place Names Committee meeting held on 25 August 2015 and to consider the recommendations from that meeting.

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

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 25 August 2015.***
- 2. Arising from the Place Names Committee meeting of 25 August 2015, Council adopt the following recommendations:***

That:

- a) The developer request to use the name "Burraginnin" from the Approved Road Name Register for a subdivision in Sale be approved; and***
- b) That a letter be sent to the property owners in Tip Road, Seaspray seeking their comments on changing the road name and that if no negative responses are received within 30 days of that letter, apply to the Registrar of Geographic Names to change the name to "McKenzie Road"; and***
- c) That the developer request to use the name "Rosella Court" from the Approved Road Name Register for a subdivision in Seaton be approved; and***
- d) That the developer request to use the following names for a subdivision in the north of Sale be approved:***

Bronzewing;

Dyer Drive;

Ferguson;

Gordijn;

Hoy;

Lazzaro;

Little;

Murray;

Papworth Drive;

Swan Lake Drive; and

Wynd;

With the proviso that council officers are provided with the road name types shown on a draft plan to ensure that the type suitably describes the road's characteristics prior to the plan being certified and the developer be notified that there is a Little Road in Stratford and that the Registrar of Geographic Names may decline that name due to proximity issues as discussed in the Guidelines for Geographic Names.

COUNCILLOR McCUBBIN / COUNCILLOR DAVINE

RECOMMENDATION

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 25 August 2015.***
- 2. Arising from the Place Names Committee meeting of 25 August 2015, Council adopt the following recommendations:***

That:

- a) The developer request to use the name "Burraginnin" from the Approved Road Name Register for a subdivision in Sale be approved; and***
- b) That a letter be written to the proponent of the name change of Tip Road, Seaspray explaining that Tip Road was named because it was locally known as the tip of the fertile flats of Merrimans Creek with the land to east considered unproductive. The road was not named after the transfer station and it is appropriate to recognize the history of this name and maintain the existing road name. However if the proponent can demonstrate unanimous support for change, then it will be revisited; and***
- c) That the developer request to use the name "Rosella Court" from the Approved Road Name Register for a subdivision in Seaton be approved; and***
- d) That the developer request to use the following names for a subdivision in the north of Sale be approved:***

Bronzewing;

Dyer Drive;

Ferguson;

Gordijn;

Hoy;

Lazzaro;

Little;

Murray;

Papworth Drive;

Swan Lake Drive; and

Wynd;

With the proviso that council officers are provided with the road name types shown on a draft plan to ensure that the type suitably describes the road's characteristics prior to the plan being certified and the developer be notified that there is a Little Road in Stratford and that the Registrar of Geographic Names may decline that name due to proximity issues as discussed in the Guidelines for Geographic Names.

CARRIED

ITEM C5.1**ESSO BHP BILLITON WELLINGTON ENTERTAINMENT CENTRE
ADVISORY GROUP MINUTES****OBJECTIVE**

To receive the minutes from the Esso BHP Billiton Wellington Entertainment Centre Advisory Group meeting held on 12 August 2015.

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

That Council receive the minutes of the Esso BHP Billiton Wellington Entertainment Centre Advisory Group meeting held on 12 August 2015.

Councillor McCubbin declared a direct conflict of interest due to producing and membership of Sale and District Arts Council.

Councillor McCubbin left the Council Chamber at 7:30pm
Councillor McCubbin returned to the Council Chamber at 7:33pm

COUNCILLOR DAVINE / COUNCILLOR ROSSETTI

That Council receive the minutes of the Esso BHP Billiton Wellington Entertainment Centre Advisory Group meeting held on 12 August 2015.

CARRIED**ITEM C5.2****GIPPSLAND ART GALLERY ADVISORY GROUP MINUTES****OBJECTIVE**

To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 13 July 2015.

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

That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 13 July 2015.

COUNCILLOR DAVINE / COUNCILLOR CLEARY

That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 13 July 2015.

CARRIED

ITEM C5.3**CAMERON SPORTING COMPLEX COMMITTEE OF
MANAGEMENT MEMBERSHIP****OBJECTIVE**

Council to appoint the nominated Maffra Junior Football Club representative to the Cameron Sporting Complex 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 F1.3 of the Council Meeting Agenda for Cameron Sporting Complex Committee of Management Membership; and***
- 2. The information contained in the attached document Item F1.3 Cameron Sporting Complex 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 31 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 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.***

COUNCILLOR HOLE / COUNCILLOR WENGER

That:

- 1. Council adopts the recommendation contained in the confidential report at Item F1.3 of the Council Meeting Agenda for Cameron Sporting Complex Committee of Management Membership; and***
- 2. The information contained in the attached document Item F1.3 Cameron Sporting Complex 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 31 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 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.***

CARRIED



D. URGENT BUSINESS

NIL



E. FURTHER GALLERY AND CHAT ROOM COMMENTS

CHAT ROOM – NIL

David Goodall – Robertsons Beach

Queried the property description on his rates notice and advised that has not been able to obtain a satisfactory response.

Meeting declared closed at 7:40pm



G. IN CLOSED SESSION

NIL