



# WELLINGTON

## SHIRE COUNCIL

*The Heart of Gippsland*

### Council Meeting Minutes

**To be read in conjunction with Meeting Agenda of 2 August 2016**

#### **PRESENT**

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

#### **IN ATTENDANCE**

Arthur Skipitaris – General Manager Corporate Services  
Chris Hastie – General Manager Built & Natural Environment  
John Websdale – General Manager Development  
Paul Johnson – Acting General Manager Community & Culture  
Emily Dunn – Governance Officer

#### **APOLOGY**

Councillor – Patrick McIvor

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

To adopt the minutes of the Ordinary Council Meeting of 19 July 2016 and minutes of the Special Council Meeting of 7 June 2016 as tabled.

**RECOMMENDATION**

*That*

- 1. Council adopt the minutes and resolutions of the Ordinary Council Meeting of 19 July 2016; and*
- 2. Council adopt the minutes and resolutions of the Special Council Meeting held on the 7 June 2016 to adopt the revised Councillor Code of Conduct*

**COUNCILLOR WENGER / COUNCILLOR DUNCAN**

*That*

- 1. Council adopt the minutes and resolutions of the Ordinary Council Meeting of 19 July 2016; and*
- 2. Council adopt the minutes and resolutions of the Special Council Meeting held on the 7 June 2016 to adopt the revised Councillor Code of Conduct*

**CARRIED**

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

NIL

**ITEM A6****ACCEPTANCE OF LATE ITEMS**

NIL

**ITEM A7****NOTICE OF MOTION/S**

NIL

**ITEM A8(1)****OUTSTANDING PETITIONS**

NIL

**ITEM A8(2)****RECEIPT OF PETITION: APPROVAL OF A 24 HOUR  
TRUCK REFUELLING STATION (UNMANNED), DAVIS  
STREET HEYFIELD****OBJECTIVE**

To present Council with a petition in relation to the approval of a 24 hour truck refuelling station (Unmanned), Davis Street Heyfield.

**RECOMMENDATION**

*That Council receive the attached petition in relation to the approval of a 24 hour truck refuelling station (unmanned), Davis Street Heyfield*

**COUNCILLOR HOLE / COUNCILLOR ROSSETTI**

*That Council receive the attached petition in relation to the approval of a 24 hour truck refuelling station (unmanned), Davis Street Heyfield*

**CARRIED**

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

NIL

**ITEM A10****QUESTIONS ON NOTICE**

NIL

**ITEM B****DELEGATES**

NIL

**ITEM C2.1****ASSEMBLY OF COUNCILLORS****OBJECTIVE**

To report on all assembly of Councillor records received during the period 12 July 2016 to 26 July 2016.

**RECOMMENDATION**

*That Council note and receive the attached Assembly of Councillor records received during the period 12 July 2016 to 26 July 2016.*

**COUNCILLOR DAVINE / COUNCILLOR CLEARY**

*That Council note and receive the attached Assembly of Councillor records received during the period 12 July 2016 to 26 July 2016.*

**CARRIED**

**ITEM C2.2****INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL  
STAFF****OBJECTIVE**

For Council to adopt the amendments (highlighted sections) to the Instrument of Delegation to Members of Council Staff, as attached.

**RECOMMENDATION**

*That Council adopt the amendments (highlighted sections) to the Instrument of Delegation, as attached.*

**COUNCILLOR CLEARY / COUNCILLOR WENGER**

*That Council adopt the amendments (highlighted sections) to the Instrument of Delegation, as attached.*

**CARRIED**

**ITEM C2.3****ELECTION CARETAKER PERIOD POLICY****OBJECTIVE**

To adopt the amendment of the submission timeframe in Section 11.5 of the Election Caretaker Policy (as attached) from 60 to 40 days, so that it aligns with Section 62(1) of the *Local Government Act 1989*.

**RECOMMENDATION**

*That Council adopt the amendment of the submission timeframe in Section 11.5 of the Election Caretaker Policy (as attached) from 60 to 40 days, so it aligns with Section 62(1) of the Local Government Act 1989.*

**COUNCILLOR WENGER / COUNCILLOR HOLE**

*That Council adopt the amendment of the submission timeframe in Section 11.5 of the Election Caretaker Policy (as attached) from 60 to 40 days, so it aligns with Section 62(1) of the Local Government Act 1989.*

**CARRIED**

**ITEM C3.1****WELLINGTON AND EAST GIPPSLAND SHIRES' DRAFT  
DOMESTIC WASTEWATER MANAGEMENT PLAN****OBJECTIVE**

The purpose of this report is for Council to endorse the Wellington and East Gippsland Shires' Draft Domestic Wastewater Management Plan and release it to the community for comment.

**RECOMMENDATION**

*That Council endorse the Wellington and East Gippsland Shires' Draft Domestic Wastewater Management Plan (provided at attachment 1) and release it to the community for comment up until 12 noon, Friday 26 August 2016.*

**COUNCILLOR CROSSLEY / COUNCILLOR WENGER**

*That Council endorse the Wellington and East Gippsland Shires' Draft Domestic Wastewater Management Plan (provided at attachment 1) and release it to the community for comment up until 12 noon, Friday 26 August 2016.*

**CARRIED**

**OBJECTIVE**

The objective of this report is to request Council to enter into a contract for the construction of the Port of Sale Cultural Hub. This project will facilitate the integration of the following services Sale Public Library, Gippsland Art Gallery, Wellington Visitor Information Centre, Council Chambers and cafe.

**RECOMMENDATION**

***That:***

- 1. Council adopts the recommendations contained in the attached confidential Tender Evaluation Report for contract 2016 001 Port of Sale Cultural Hub Construction; and***
- 2. That the information contained in the confidential document item F1.1 2016-001 Port of Sale Cultural Hub Construction of this Council meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Manager Built and Natural Environment on 13 July 2016 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 ROSSETTI / COUNCILLOR CROSSLEY**

***That:***

- 1. Council adopts the recommendations contained in the attached confidential Tender Evaluation Report for contract 2016 001 Port of Sale Cultural Hub Construction; and***
- 2. That the information contained in the confidential document item F1.1 2016-001 Port of Sale Cultural Hub Construction of this Council meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Manager Built and Natural Environment on 13 July 2016 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**

**OBJECTIVE**

For Council to authorise the sale of part of Council land located at 14-16 Livingston Road, Yarram to Radial Timber Australia Pty Ltd.

**RECOMMENDATION**

*That:*

- 1. Council resolve that land described as part 14-16 Livingston Road, Yarram as shown on the plan within and more specifically referred to as part Lot 1 on Title Plan 243882R Volume 08073 Folio 659 is not required for Council purposes.**
- 2. Council advertise its intention to sell the land at or above the current market value by private treaty to Radial Timber Australia Pty Ltd, subject to the provisions of the Local Government Act 1989 section 189 and 223, including calling for submissions in relation to the proposed exchange.**
- 3. Subject to not receiving any submissions, Council authorise the Chief Executive Officer to offer for sale the land at or above the current market value including executing necessary documents.**
- 4. 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 General Manager Built and Natural Environment on 18 July 2016 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.**

**COUNCILLOR WENGER / COUNCILLOR CROSSLEY**

*That:*

- 1. Council resolve that land described as part 14-16 Livingston Road, Yarram as shown on the plan within and more specifically referred to as part Lot 1 on Title Plan 243882R Volume 08073 Folio 659 is not required for Council purposes.**
- 2. Council advertise its intention to sell the land at or above the current market value by private treaty to Radial Timber Australia Pty Ltd, subject to the provisions of the Local Government Act 1989 section 189 and 223, including calling for submissions in relation to the proposed exchange.**
- 3. Subject to not receiving any submissions, Council authorise the Chief Executive Officer to offer for sale the land at or above the current market value including executing necessary documents.**
- 4. 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 General Manager Built and Natural Environment on 18 July 2016 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.**

**CARRIED**



## **D. URGENT BUSINESS**

NIL



## **E. FURTHER GALLERY AND CHAT ROOM COMMENTS**

NIL

MEETING DECLARED CLOSED 1.24pm