



WELLINGTON

SHIRE COUNCIL

The Heart of Gippsland

Resolutions in Brief

To be read in conjunction with the Ordinary Council Meeting Agenda
19 December 2017

COUNCILLORS PRESENT

Carolyn Crossley (Mayor)
Ian Bye (Deputy Mayor)
Malcolm Hole
Darren McCubbin
Gayle Maher
Carmel Ripper
Scott Rossetti
Garry Stephens

IN ATTENDANCE

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

APOLOGY

Alan Hall

ORDINARY MEETING OF COUNCIL – 19 DECEMBER 2017

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

To adopt the minutes of the Ordinary Council Meeting of 5 December 2017.

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

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 5 December 2017.

COUNCILLOR BYE / COUNCILLOR STEPHENS

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 5 December 2017.

CARRIED

ITEM A5**BUSINESS ARISING FROM PREVIOUS MINUTES**

NIL

ITEM A6**ACCEPTANCE OF LATE ITEMS**

NIL

ITEM A7**NOTICE OF MOTION/S**

NIL

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

NIL

ITEM A8(1)**OUTSTANDING PETITIONS**

NIL

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

Councillor Stephens presented a book to the Mayor from the Yarram and District Historical Society titled "The History of Albertyn, Second Edition".

Councillor Hole presented an award to the Mayor from the Heyfield Community which has been recognised as Australia's strongest and most resilient community. This is an inaugural award selected from approximately 60 nominations received across Australia.

ITEM A10

QUESTIONS ON NOTICE

NIL

ITEM A11(1)

MAYOR and COUNCILLOR ACTIVIITY REPORT

RECOMMENDATION

That the Mayor and Councillor Activity report be noted.

COUNCILLOR BYE / COUNCILLOR MAHER

That the Mayor and Councillor Activity report be noted.

CARRIED

ITEM: A12(1)

YOUTH COUNCIL REPORT

RECOMMENDATION

That Council receive the Youth Mayor's Quarterly Report.

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council receive the Youth Mayor's Quarterly Report.

CARRIED

DELEGATE REPORT B1

NATIONAL TIMBER COUNCILS ASSOCIATION

RECOMMENDATION

That the delegates report be noted.

COUNCILLOR HOLE / COUNCILLOR STEPHENS

That the delegates report be noted.

CARRIED

ITEM C1.1

CHIEF EXECUTIVE OFFICER'S REPORT

RECOMMENDATION

That the Chief Executive Officer's Report be received.

COUNCILLOR McCUBBIN / COUNCILLOR BYE

That the Chief Executive Officer's Report be received.

CARRIED

Councillor Hole left the chamber at 6:20pm

ITEM C1.2

NOVEMBER 2017 PERFORMANCE REPORT

OBJECTIVE

For Council to receive and note the November 2017 Council Performance Report.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive and note the November 2017 Council Performance Report as attached.

COUNCILLOR STEPHENS / COUNCILLOR ROSSETTI

That Council receive and note the November 2017 Council Performance Report as attached.

CARRIED

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

To report on all assembly of Councillor records received for the period 28 November 2017 to 12 December 2017.

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

That Council note and receive the attached Assembly of Councillor records for the period 28 November 2017 to 12 December 2017.

COUNCILLOR BYE / COUNCILLOR MAHER

That Council note and receive the attached Assembly of Councillor records for the period 28 November 2017 to 12 December 2017.

CARRIED

ITEM C3.1**PLANNING DECISIONS****OBJECTIVE**

To provide a report to Council on recent planning permit trends and planning decisions, made under delegation by Statutory Planners during the month of October 2017.

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

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 October and 31 October 2017.

COUNCILLOR McCUBBIN / COUNCILLOR BYE

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 October and 31 October 2017.

CARRIED

ITEM C3.2**QUARTERLY STRATEGIC LAND USE PLANNING UPDATE****OBJECTIVE**

To update Council on the strategic land use planning work program for the fourth quarter of 2017.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receives the 2017 fourth quarterly update on the strategic land use planning work program (included in Attachment 1 to the report).

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council receives the 2017 fourth quarterly update on the strategic land use planning work program (included in Attachment 1 to the report).

CARRIED

ITEM C3.3

NINETY MILE BEACH SUBDIVISIONS: COMPULSORY ACQUISITION OF COASTAL DUNE LAND

OBJECTIVE

For Council to commence the statutory process to compulsorily acquire land in the 'coastal dunes' in accordance with Notice of Declaration pursuant to Section 172(2) of the *Planning and Environment Act 1987*, and authorise the Chief Executive Officer to sign all relevant notices and documents.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That:

- 1. Council commence the statutory process to compulsorily acquire land in accordance with the Notice of Declaration pursuant to Section 172(2) of the Planning and Environment Act 1987 dated 8 September 2016 in the 'coastal dunes' of the Ninety Mile Beach subdivisions described as Restructure Plan Stages 25 to 32 and Lots 1588 to 1610 on Plan of Subdivision LP 82059 in the Wellington Planning Scheme, only where persons with an interest in specified land cannot be contacted after the conduct of diligent enquiries or are willing but unable to transfer land to Council. (Refer to Attachment 1 for the Notice of Declaration);**
- 2. Council authorise the Chief Executive Officer to sign all notices and documents in accordance with the Land Acquisition and Compensation Act 1986 and Transfer of Land Act 1958; and**
- 3. Council declare the information contained in the confidential document Item F1.1 Attachment 2 Valuation Advice and Certificates of Valuation 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 Development on 11 December 2017 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.**

COUNCILLOR McCUBBIN / COUNCILLOR MAHER

That:

- 1. Council commence the statutory process to compulsorily acquire land in accordance with the Notice of Declaration pursuant to Section 172(2) of the Planning and Environment Act 1987 dated 8 September 2016 in the 'coastal dunes' of the Ninety Mile Beach subdivisions described as Restructure Plan Stages 25 to 32 and Lots 1588 to 1610 on Plan of Subdivision LP 82059 in the Wellington Planning Scheme, only where persons with an interest in specified land cannot be contacted after the conduct of diligent enquiries or are willing but unable to transfer land to Council. (Refer to Attachment 1 for the Notice of Declaration);**
- 2. Council authorise the Chief Executive Officer to sign all notices and documents in accordance with the Land Acquisition and Compensation Act 1986 and Transfer of Land Act 1958; and**
- 3. Council declare the information contained in the confidential document Item F1.1 Attachment 2 Valuation Advice and Certificates of Valuation 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 Development on 11 December 2017 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.**

CARRIED

ITEM C4.1

ASPHALT RESHEETING URBAN STREETS

OBJECTIVE

For Council to consider entering into a contract for the annual program of asphalt resheeting of urban streets.

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 Contract 2018-037 Asphalt Resheeting Urban Streets; and***
- 2. The information contained in the confidential document Item F1.2 Contract 2018-037 Asphalt Resheeting Urban Streets 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 Built & Natural Environment on 30 November 2017 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 BYE

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.2 Contract 2018-037 Asphalt Resheeting Urban Streets; and***
- 2. The information contained in the confidential document Item F1.2 Contract 2018-037 Asphalt Resheeting Urban Streets 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 Built & Natural Environment on 30 November 2017 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 Cranes Asphalting & Bitumen Pty Ltd

ITEM C4.2**DUNDAS STREET RECONSTRUCTION WORKS****OBJECTIVE**

For Council to consider entering into a contract for the Dundas Street, Sale reconstruction works between Stawell Street and Cunninghame 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 F1.3 Contract 2018-036 Dundas Street Reconstruction Works; and*
2. *The information contained in the confidential document Item F1.3 Contract 2018-036 Dundas Street Reconstruction Works of the Council Meeting 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 11 December 2017 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 BYE

That:

1. *Council move the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.3 Contract 2018-036 Dundas Street Reconstruction Works; and*
2. *The information contained in the confidential document Item F1.3 Contract 2018-036 Dundas Street Reconstruction Works of the Council Meeting 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 11 December 2017 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 tender as JW & AG Volk Pty Ltd

ITEM C4.3**MARLEY STREET NORTH RECONSTRUCTION WORKS****OBJECTIVE**

For Council to consider entering into a contract for the reconstruction of a section of the north end of Marley Street, Sale between Macarthur Street and Raglan 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 F1.4 Contract 2018-034 Marley Street North Reconstruction Works; and***
- 2. The information contained in the confidential document Item F1.4 Contract 2018-034 Marley Street North Reconstruction Works of the Council Meeting 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 11 December 2017 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 RIPPER

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.4 Contract 2018-034 Marley Street North Reconstruction Works; and***
- 2. The information contained in the confidential document Item F1.4 Contract 2018-034 Marley Street North Reconstruction Works of the Council Meeting 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 11 December 2017 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 JW & AG Volk Pty Ltd

ITEM C4.4**SUPPLY OF ELECTRICITY TO LARGE BUILDING AND FACILITIES
AND UNMETERED STREET LIGHTING SITES
CONTRACT (MAV Number EC8310-2018)****OBJECTIVE**

For Council to authorise the Chief Executive Officer to enter into contracts for a 36-month supply of electricity to large building and facilities and unmetered street lighting sites.

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 Supply of electricity to large building, facilities and unmetered street lighting sites contract (MAV EC8310-2018); and***
- 2. The information contained in the confidential document Item F1.5 Supply of Electricity to large buildings, facilities and unmetered street lighting site contract (MAV Number EC8310-2018) 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 and Natural Environment on 11 December 2017 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 BYE / COUNCILLOR McCUBBIN

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.5 Supply of electricity to large building, facilities and unmetered street lighting sites contract (MAV EC8310-2018); and***
- 2. The information contained in the confidential document Item F1.5 Supply of Electricity to large buildings, facilities and unmetered street lighting site contract (MAV Number EC8310-2018) 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 and Natural Environment on 11 December 2017 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 ERM Power

ITEM C5.1

**THE WEDGE PERFORMING ARTS CENTRE ADVISORY GROUP
MINUTES**

OBJECTIVE

To receive the minutes from The Wedge Performing Arts Centre Advisory Group meeting held on 15 November 2017.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the minutes of The Wedge Performing Arts Centre Advisory Group meeting held on 15 November 2017.

Councillor McCubbin declared a direct conflict of Interest due to his performing arts business and left the Chamber at 6:40pm

COUNCILLOR BYE / COUNCILLOR RIPPER

That Council receive the minutes of The Wedge Performing Arts Centre Advisory Group meeting held on 15 November 2017.

CARRIED

Councillor McCubbin returned to the Chamber at 6:43pm

ITEM C5.2.

**BRIAGOLONG RECREATION RESERVE S86 COMMITTEE OF
MANAGEMENT AGM MINUTES, TERMS OF REFERENCE
AMENDMENT AND MEMBERSHIPS**

OBJECTIVE

For Council to:

- Receive the minutes from the Briagolong Recreation Reserve Committee of Management's Annual General Meeting held on 13 November 2017, including audited financial report, and resignation of the Tennis Club representative;
- Amend the current Briagolong Recreation Reserve Committee of Management Terms of Reference to reflect a membership of up to five community representatives; and
- Appoint the nominated Tennis Club representative and the nominated community representative, as detailed in the attached confidential report, to the Briagolong Recreation Reserve Section 86 Committee of Management for the remainder of the 3-year period, ending 18 December 2018.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council:

- 1. Receive the minutes from the Briagolong Recreation Reserve Committee of Management's Annual General Meeting held on 13 November 2017, including audited financial report, and resignation of the Tennis Club representative.***
- 2. Amend the current Briagolong Recreation Reserve Committee of Management Terms of Reference to reflect a membership of up to five community representatives.***
- 3. Appoint the nominated Tennis Club representative and the nominated community representative, as detailed in the attached confidential report, to the Briagolong Recreation Reserve Section 86 Committee of Management for the remainder of the 3-year period, ending 18 December 2018.***
- 4. The information contained in the confidential attachment Item F1.6 Briagolong Recreation Reserve Section 86 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 30 November 2017 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 RIPPER / COUNCILLOR BYE

That Council:

- 1. Receive the minutes from the Briagolong Recreation Reserve Committee of Management's Annual General Meeting held on 13 November 2017, including audited report, and resignation of the Tennis Club representative.**
- 2. Amend the current Briagolong Recreation Reserve Committee of Management Terms of Reference to reflect a membership of up to five community representatives.**
- 3. Appoint the nominated Tennis Club representative and the nominated community representative, as detailed in the attached confidential report, to the Briagolong Recreation Reserve Section 86 Committee of Management for the remainder of the 3-year period, ending 18 December 2018.**
- 4. The information contained in the confidential attachment Item F1.6 Briagolong Recreation Reserve Section 86 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 30 November 2017 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

ITEM C5.3

**CAMERON SPORTING COMPLEX COMMITTEE OF
MANAGEMENT MINUTES**

OBJECTIVE

For Council to receive the minutes from the Cameron Sporting Complex Committee of Management's General Meeting held on 28 September 2017 including financial statement.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the minutes from the Cameron Sporting Complex Committee of Management's General Meeting held on 28 September 2017 including financial statement.

COUNCILLOR RIPPER / COUNCILLOR MAHER

That Council receive the minutes from the Cameron Sporting Complex Committee of Management's General Meeting held on 28 September 2017 including financial statement.

CARRIED

ITEM C5.4**MAFFRA RECREATION RESERVE COMMITTEE OF
MANAGEMENT MINUTES AND MEMBERSHIP****OBJECTIVE**

For Council to receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meeting held on 6 November 2017.

For Council to appoint the nominated Rockhounds representative as detailed in the attached confidential report, to the Maffra Recreation Reserve Committee of Management for the remainder of the 3-year period, ending 18 December 2018.

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

- 1. Receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meeting held on 6 November 2017.***
- 2. Appoint the nominated Rockhounds representative as detailed in the attached confidential report, to the Maffra Recreation Reserve Committee of Management for the remainder of the 3-year period, ending 18 December 2018;***
- 3. The information contained in the confidential attachment Item F1.7 Maffra Recreation Reserve Section 86 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 30 November 2017 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 RIPPER / COUNCILLOR MAHER***That Council:***

- 1. Receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meeting held on 6 November 2017.***
- 2. Appoint the nominated Rockhounds representative as detailed in the attached confidential report, to the Maffra Recreation Reserve Committee of Management for the remainder of the 3-year period, ending 18 December 2018;***
- 3. The information contained in the confidential attachment Item F1.7 Maffra Recreation Reserve Section 86 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 30 November 2017 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

ITEM C5.5

**NEWRY RECREATION RESERVE COMMITTEE OF
MANAGEMENT MINUTES**

OBJECTIVE

For Council to receive the minutes from the Newry Recreation Reserve Committee of Management's General Meeting held on 20 November 2017.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the minutes from the Newry Recreation Reserve Committee of Management's General Meeting held on 20 November 2017.

COUNCILLOR RIPPER / COUNCILLOR STEPHENS

That Council receive the minutes from the Newry Recreation Reserve Committee of Management's General Meeting held on 20 November 2017.

CARRIED



D. URGENT BUSINESS

NIL



E. FURTHER GALLERY AND CHAT ROOM COMMENTS

CHAT ROOM COMMENT

Mr Alan Heywood, Pearsondale Resident

Recent newspapers are encouraging vehicles to use the existing narrow Grand Canal Drive however as previously requested can the bend in Grand Canal Drive be widened to allow two oncoming vehicles to meet and pass without stopping or giving way.

Meeting declared closed at 6:49pm



G. IN CLOSED SESSION

G. IN CLOSED SESSION

COUNCILLOR STEPHENS / COUNCILLOR McCUBBIN

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

f) legal advice

CARRIED

IN CLOSED SESSION

COUNCILLOR STEPHENS / COUNCILLOR McCUBBIN

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

CARRIED