



WELLINGTON

SHIRE COUNCIL

The Heart of Gippsland

Resolutions in Brief

**To be read in conjunction with Ordinary Council Meeting
Agenda 6 September 2016**

PRESENT

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

IN ATTENDANCE

David Morcom – Chief Executive Officer
Glenys Butler – General Manager Community & Culture
Arthur Skipitaris – General Manager Corporate Services
Chris Hastie – General Manager Built and Natural Environment
John Websdale – General Manager Development
Emily Dunn – Governance Officer

APOLOGIES

Councillor – Scott Rossetti
Councillor – Patrick McIvor

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

To adopt the minutes of the Ordinary Council Meeting of 16 August 2016 as tabled.

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 16 August 2016 as tabled.

COUNCILLOR WENGER / COUNCILLOR HOLE

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 16 August 2016 as tabled.

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 – OBJECTION TO RE-OPENING
BRADY'S BRIDGE TO TRAFFIC****OBJECTIVE**

To present Council with a petition in relation to the objection to re-opening Brady's Bridge to traffic.

RECOMMENDATION

That Council receive the attached petition in relation to the objection to re-opening Brady's Bridge to traffic.

COUNCILLOR WENGER / COUNCILLOR CLEARY

That Council receive the attached petition in relation to the objection to re-opening Brady's Bridge to traffic.

CARRIED

ITEM 8A (3)

RESPONSE TO PETITION: REMOVAL OF HANDRAIL ON GANGWAY NEXT TO MCLOUGHLIN'S BEACH BOAT RAMP

OBJECTIVE

To consider and respond to the petition received by Council at its meeting of 16 August 2016.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

Mr John Maxwell, McLoughlin's Beach GRG

Spoke to Council regarding concerns with hand rail on gangway at McLoughlins Beach

- New foot bridge and floating pontoons are a great addition to McLoughlin's beach however the southern pontoon is not friendly for boaters
- Handrail creates a safety risk
- Asked shire to remove the handrail on north side of southern pontoon and install a new truss underneath the gangway to retain structural integrity and act as a buffer for boats going under the gangway
- Would not like bollards to be implemented– this would create a safety risk
- Submitted another 72 signatures to the petition
- Introduced video demonstrating difficulty launching and retrieving boats

Mr Robert Harzmeyer, McLoughlin's Beach

Spoke to Council to clarify parts of the video shown:

- Major problem with the handrail occurs when the tide is outgoing

RECOMMENDATION

That:

- 1. Council not agree to the request to remove and relocate the handrail on the gangway next to the McLoughlin's Beach Boat Ramp; and***
- 2. Council authorise the Chief Executive Officer to continue developing works to install bollards to provide a safe independent barrier that removes the risk of boats floating under the gangway; and***
- 3. The Chief Executive Officer write to the head petitioner advising that works will progress to install bollards as recommended by Gippsland Ports.***

COUNCILLOR CROSSLEY

That this item lay on the table until we have reviewed the information from the community responses and the video provided.

CARRIED

ITEM A9

INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

Councillor Hole presented a plaque to the Mayor from the Bendigo Bank Gippsland Business Awards (of which Wellington Shire Council is a sponsor), which recognised Turnbull Toyota as the winner of the 'Franchises' category and Blush Professional Beauty Touch as the winner of the 'Services – Personal and Other' category.

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 16 August 2016 to 30 August 2016.

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records received during the period 16 August 2016 to 30 August 2016.

COUNCILLOR DAVINE / COUNCILLOR WENGER

That Council note and receive the attached Assembly of Councillor records received during the period 16 August 2016 to 30 August 2016.

CARRIED

ITEM C2.2**APPROVAL IN PRINCIPLE OF DRAFT 2015/2016 FINANCIAL AND PERFORMANCE STATEMENTS****OBJECTIVE**

For Council to approve in principle the draft 2015/2016 Financial and Performance Statements as attached and authorise two Councillors to certify these statements upon completion of the Auditor-General's review.

RECOMMENDATION

That Council approve, in principle, the Draft 2015/2016 Financial and Performance Statements as attached and authorise Councillors Cleary and Duncan to certify the statements in their final form.

COUNCILLOR CLEARY / COUNCILLOR WENGER

That Council approve, in principle, the Draft 2015/2016 Financial and Performance Statements as attached and authorise Councillors Cleary and Duncan to certify the statements in their final form.

CARRIED

ITEM C2.3**RE-APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER****OBJECTIVE**

For Council to re-appoint David Morcom as Council's Chief Executive Officer for a period of 5 years from 30 January 2017 to 29 January 2022.

RECOMMENDATION

That:

- 1. Council re-appoint DAVID MORCOM as Council's Chief Executive Officer for a period of 5 years from 30 January 2017 to 29 January 2022; pursuant to section 94(4) of the Local Government Act 1989 and in accordance with the public notice published in the Gippsland Times on 23 August 2016, the Yarram Standard on 24 August 2016 and the Council's website on 23 August 2016.***
- 2. Council authorise the Mayor to finalise the contract of employment (draft contract attached as a Confidential document - item F1.1) with DAVID MORCOM, inclusive of annual Enterprise Agreement increases, before 9 September 2016.***
- 3. In accordance with section 94(6) of the Local Government Act 1989, details of DAVID MORCOM's total remuneration as Chief Executive Officer under the new contract of employment, be made available for public inspection within 14 days following approval of this recommendation.***

DAVID MORCOM DECLARED A CONFLICT OF INTEREST WITH THIS ITEM DUE TO A DIRECT INTEREST

DAVID MORCOM LEFT THE COUNCIL CHAMBER AT 1.24PM

COUNCILLOR WENGER / COUNCILLOR CLEARY

That:

- 1. Council re-appoint DAVID MORCOM as Council's Chief Executive Officer for a period of 5 years from 30 January 2017 to 29 January 2022; pursuant to section 94(4) of the Local Government Act 1989 and in accordance with the public notice published in the Gippsland Times on 23 August 2016, the Yarram Standard on 24 August 2016 and the Council's website on 23 August 2016.***
- 2. Council authorise the Mayor to finalise the contract of employment (draft contract attached as a Confidential document - item F1.1) with DAVID MORCOM, inclusive of annual Enterprise Agreement increases, before 9 September 2016.***
- 3. In accordance with section 94(6) of the Local Government Act 1989, details of DAVID MORCOM's total remuneration as Chief Executive Officer under the new contract of employment, be made available for public inspection within 14 days following approval of this recommendation.***

CARRIED

DAVID MORCOM RETURNED TO THE COUNCIL CHAMBER AT 1:27PM

ITEM C3.1

**WELLINGTON AND EAST GIPPSLAND SHIRE'S DOMESTIC
WASTEWATER MANAGEMENT PLAN (DWMP)**

OBJECTIVE

The purpose of this report is for Council to formally adopt the Wellington and East Gippsland Shire's Domestic Wastewater Management Plan (DWMP) 2016.

RECOMMENDATION

That Council adopt the Wellington and East Gippsland Shire's Domestic Wastewater Management Plan 2016 (provided at Attachment 1).

COUNCILLOR CROSSLEY / COUNCILLOR HOLE

That Council adopt the Wellington and East Gippsland Shire's Domestic Wastewater Management Plan 2016 (provided at Attachment 1).

CARRIED

OBJECTIVE

To consider a private Planning Scheme Amendment request to rezone land within the Wurruk Growth Area for residential use, and to request the Minister for Planning to Authorise Council, as the planning authority, to prepare Amendment C84 - Wurruk Growth Area, pursuant to Section 8A of the *Planning and Environment Act 1987*, and once Authorisation is granted, proceed to exhibition.

RECOMMENDATION***That***

- 1. Council, having considered the private request (refer to Attachment 1), resolve to advance the Planning Scheme Amendment process to facilitate the rezoning of land within the Wurruk growth area.***
- 2. Pursuant to Section 8A of the Planning and Environment Act 1987, Council resolve to request the Minister for Planning to Authorise Council, as the planning authority, to prepare Amendment C84 – Wurruk Growth Area (refer to Attachment 2).***
- 3. Council resolve to proceed with the public exhibition of Amendment C84 - Wurruk Growth Area once Authorisation is granted.***

COUNCILLOR CROSSLEY / COUNCILLOR DUNCAN***That***

- 1. Council, having considered the private request (refer to Attachment 1), resolve to advance the Planning Scheme Amendment process to facilitate the rezoning of land within the Wurruk growth area.***
- 2. Pursuant to Section 8A of the Planning and Environment Act 1987, Council resolve to request the Minister for Planning to Authorise Council, as the planning authority, to prepare Amendment C84 – Wurruk Growth Area (refer to Attachment 2).***
- 3. Council resolve to proceed with the public exhibition of Amendment C84 - Wurruk Growth Area once Authorisation is granted.***

CARRIED

OBJECTIVE

To renew and revise Wellington Shire Council's (Council) Memorandum of Understanding and Service Agreement (MOU) with Wellington Regional Tourism (WRT) and, in doing so, support the implementation of a revised Tourism Brand.

RECOMMENDATION

That:

- 1. Council renew Wellington Shire Council's Memorandum of Understanding and Service Agreement with Wellington Regional Tourism for period 1 October 2016 to 30 June 2019 as provided at Attachment 1.***
- 2. Council provide Wellington Regional Tourism with an annual contribution of \$90,000 plus CPI adjustments to implement the marketing programs outlined in Appendix 1 of Memorandum of Understanding and Service Agreement.***
- 3. Council endorse the implementation of a revised tourism brand that is strategically aligned to the "Inspired by Gippsland" brand and is generally in accordance with the presentation document provided at Attachment 2.***

COUNCILLOR CROSSLEY / COUNCILLOR CLEARY

That:

- 1. Council renew Wellington Shire Council's Memorandum of Understanding and Service Agreement with Wellington Regional Tourism for period 1 October 2016 to 30 June 2019 as provided at Attachment 1.***
- 2. Council provide Wellington Regional Tourism with an annual contribution of \$90,000 plus CPI adjustments to implement the marketing programs outlined in Appendix 1 of Memorandum of Understanding and Service Agreement.***
- 3. Council endorse the implementation of a revised tourism brand that is strategically aligned to the "Inspired by Gippsland" brand and is generally in accordance with the presentation document provided to Council on 6 September 2016 and now included as Attachment 2 in the minutes.***

CARRIED

ITEM C3.4**WELLINGTON SHIRE STAGE 2 HERITAGE STUDY (2016) -
IMPLEMENTATION****OBJECTIVE**

To adopt the *Wellington Shire Stage 2 Heritage Study (2016) - Volume 1: Key Findings and Recommendations, May 2016 and Volume 2: Citations, May 2016* prepared by Heritage Intelligence Pty Ltd.

To request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C92 to implement the recommendations of the *Wellington Shire Stage 2 Heritage Study (2016) Volume 1: Key Findings and Recommendations, May 2016 and Volume 2: Citations, May 2016* prepared by Heritage Intelligence Pty Ltd into the Wellington Planning Scheme.

RECOMMENDATION

That

- 1. Council resolve to adopt the Wellington Shire Stage 2 Heritage Study (2016) - Volume 1: Key Findings and Recommendations, May 2016 and Volume 2: Citations, May 2016 prepared by Heritage Intelligence Pty Ltd.***
- 2. Pursuant to Section 8A of the Planning and Environment Act 1987, Council resolve to request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C92 to implement the recommendations of the Wellington Shire Stage 2 Heritage Study (2016) - Volume 1: Key Findings and Recommendations, May 2016 and Volume 2: Citations, May 2016 prepared by Heritage Intelligence Pty Ltd into the Wellington Planning Scheme by applying the Heritage Overlay to the 67 places illustrated in the individual citations contained in Volume 2 of the Study.***

COUNCILLOR CLEARY / COUNCILLOR DUNCAN

That

- 1. Council resolve to adopt the Wellington Shire Stage 2 Heritage Study (2016) - Volume 1: Key Findings and Recommendations, May 2016 and Volume 2: Citations, May 2016 prepared by Heritage Intelligence Pty Ltd.***
- 2. Pursuant to Section 8A of the Planning and Environment Act 1987, Council resolve to request the Minister for Planning to Authorise Council as the planning authority to prepare Amendment C92 to implement the recommendations of the Wellington Shire Stage 2 Heritage Study (2016) - Volume 1: Key Findings and Recommendations, May 2016 and Volume 2: Citations, May 2016 prepared by Heritage Intelligence Pty Ltd into the Wellington Planning Scheme by applying the Heritage Overlay to the 67 places illustrated in the individual citations contained in Volume 2 of the Study.***

CARRIED

ITEM C3.5**POTENTIAL IMPACT OF A NEW GREAT FOREST NATIONAL PARK****OBJECTIVE**

To provide Council with details of the potential economic and social impact on Wellington Shire should the Great Forest National Park become a reality.

RECOMMENDATIONS

That

- 1. Council note the report into the potential economic and social impact of the Great Forest National Park; and***
- 2. Council write to the Premier of Victoria seeking a guarantee that the economic viability of the timber industry will not be jeopardised as a result of the State Government's review into the Victorian timber industry.***

COUNCILLOR HOLE / COUNCILLOR WENGER

That

- 1. Council note the report into the potential economic and social impact of the Great Forest National Park; and***
- 2. Council write to the Premier of Victoria seeking a guarantee that the economic viability of the timber industry will not be jeopardised as a result of the State Government's review into the Victorian timber industry.***

CARRIED

OBJECTIVE

The purpose of this report is for Council to receive the minutes from the Place Names Committee meeting held on 2 August 2016 and to consider the recommendations from that meeting.

RECOMMENDATION

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 2 August 2016;**
- 2. Arising from the Place Names Committee meeting of 2 August 2016, Council adopt the following recommendation;**

That:

- a) A letter be sent to all property owners abutting Tip Road that no further action will be taken regarding this matter until an alternate road name is nominated that has been agreed to by all abutting property owners that is acceptable to the Office of Geographic Names; and**
 - b) A letter be sent to all affected property owners that the unnamed road off the Bengworden Road be named Akoonah Lane and that if no negative response is received within 30 days then apply to the Registrar of Geographic Names to formalise the name; and**
 - c) The request to name the unnamed private road off the Seaspray Road, Wattlebird Close be approved and to apply to the Registrar of Geographic Names to formalise the name; and**
 - d) Following confirmation with the Maffra and District Historical Society that the intersection of Tinamba-Newry Road and Tinamba-Glenmaggie Road is known locally as GREENVALE CORNER that this name be registered with the Registrar of Geographic Names; and**
 - e) Following a request to name the York Street entrance to the IGA carpark in Sale that:**
 - (i) A response be sent to thanking people for their submissions; and**
 - (ii) The entrance to the carpark be named Sillett Lane; and**
 - (iii) That the name Grubb be added to the Council Approved Road Names Register for use in the Sale area.**
-
- 3. 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 06 September 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 DAVINE

That this item lay on the table.

CARRIED

OBJECTIVE

Council to consider entering into a contract for the construction of the Kilmany Landfill works.

RECOMMENDATION

That:

1. *Council adopts the recommendations contained in the attached confidential Tender Evaluation Report for contract 2016 - 012 Kilmany Landfill Works; and*
2. *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 16 August 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.

COUNCILLOR WENGER / COUNCILLOR CLEARY

That:

1. *Council adopts the recommendations contained in the attached confidential Tender Evaluation Report for contract 2016 - 012 Kilmany Landfill Works; and*
2. *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 16 August 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.

CARRIED

ITEM C5.1**MUNICIPAL ASSOCIATION OF VICTORIA AGE FRIENDLY
VICTORIA DECLARATION****OBJECTIVE**

The purpose of this report is for Council to formally demonstrate support for 'age-friendly communities' by signing the Victorian Government and Municipal Association of Victoria's Age Friendly Victoria Declaration.

RECOMMENDATION

That Council formally demonstrate support for 'age-friendly communities' by signing the Victorian Government and Municipal Association of Victoria's Age Friendly Victoria Declaration.

COUNCILLOR HOLE / COUNCILLOR DAVINE

That Council formally demonstrate support for 'age-friendly communities' by signing the Victorian Government and Municipal Association of Victoria's Age Friendly Victoria Declaration.

CARRIED

ITEM C5.2**BRIAGOLONG RECREATION RESERVE COMMITTEE OF
MANAGEMENT MINUTES****OBJECTIVE**

For Council to receive the minutes from the Briagolong Recreation Reserve Committee of Management's Ordinary Meeting held on 8 August 2016.

RECOMMENDATION

That Council receive the minutes from the Briagolong Recreation Reserve Committee of Management's Ordinary Meeting held on 8 August 2016.

COUNCILLOR CLEARY / COUNCILLOR DUNCAN

That Council receive the minutes from the Briagolong Recreation Reserve Committee of Management's Ordinary Meeting held on 8 August 2016.

CARRIED

ITEM C5.3

**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 9 June 2016.

RECOMMENDATION

That Council receive the minutes of the Esso BHP Billiton Wellington Entertainment Centre Advisory Group meeting held on 9 June 2016.

COUNCILLOR McCUBBIN DECLARED A CONFLICT OF INTEREST DUE TO A DIRECT INTEREST, GIVEN HIS ASSOCIATION WITH THE GIPPSLAND REGIONAL ARTS AND SALE THEATRE COMPANY.

COUNCILLOR McCUBBIN LEFT COUNCIL CHAMBERS AT 2.03PM

COUNCILLOR DAVINE / COUNCILLOR CLEARY

That Council receive the minutes of the Esso BHP Billiton Wellington Entertainment Centre Advisory Group meeting held on 9 June 2016.

CARRIED

COUNCILLOR McCUBBIN RETURNED TO COUNCIL CHAMBERS AT 2:04PM

ITEM C5.4

COMMUNITY ENGAGEMENT STRATEGY 2016-2020

OBJECTIVE

To seek Council adoption of the Community Engagement Strategy 2016-2020.

RECOMMENDATION

That Council adopt the Community Engagement Strategy 2016-2020 as attached.

COUNCILLOR CROSSLEY / COUNCILLOR CLEARY

That Council adopt the Community Engagement Strategy 2016-2020 as attached.

CARRIED



D. URGENT BUSINESS

NIL



E. FURTHER GALLERY AND CHAT ROOM COMMENTS

Mr Alan Heywood, Pearsondale

Spoke to Council about the disabled access at the Gippsland Regional Livestock Exchange

- Asked 'Is Wellington Shire Council happy with the disabled access at the Gippsland Regional Livestock Exchange?'
- One elderly man had to go home because he could not get in
- The disabled access is a laneway with wood chips on the ground

Council will get back to Alan with a response

Ms Judy Traill, Boisdale. Representing the Progress Association, owner of Boisdale bakery, chair of Maffra districts land care network

Spoke to Council about a land care community survey within the Wellington Shire Council:

- Asked for the distribution of pamphlets and posters for the project
- Received feedback from Council that the Shire would not partake

Council will get back to Judy with a response

MEETING DECLARED CLOSED 2.14pm