



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

RESOLUTIONS IN BRIEF ORDINARY MEETING

To be read in conjunction with the Council Meeting Agenda 2 March 2021

COUNCILLORS PRESENT

Cr Garry Stephens (Mayor)
Cr Scott Rossetti (Deputy Mayor)
Cr Ian Bye
Cr Carolyn Crossley
Cr Malcolm Hole
Cr Marcus McKenzie
Cr Gayle Maher
Cr John Tattersson
Cr Jill Wood

OFFICERS PRESENT

David Morcom, Chief Executive Officer
Arthur Skipitaris, General Manager Corporate Services
Brent McAlister, General Manager Development
Chris Hastie, General Manager Built and Natural Environment
Sharon Houlihan, General Manager Community and Culture
Denise Teo, Governance Officer
Wendy Reeves, Coordinator Communications and Media

**ORDINARY MEETING OF COUNCIL
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1. APOLOGIES

NIL

2. DECLARATION OF CONFLICT/S OF INTEREST

NIL

3. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

3.1. ADOPTION OF MINUTES OF PREVIOUS COUNCIL MEETING

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To adopt the minutes of the Ordinary Council Meeting of 16 February 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 16 February 2021.

COUNCILLOR ROSSETTI / COUNCILLOR MAHER

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 16 February 2021.

CARRIED

4. BUSINESS ARISING FROM PREVIOUS MEETINGS

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

5. ACCEPTANCE OF LATE AND URGENT ITEMS

NIL

6. NOTICE/S OF MOTION

NIL

7. RECEIVING OF PETITION OR JOINT LETTERS

7.1. OUTSTANDING PETITIONS

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

Councillor Hole made two presentations.

The Maffra Triathlon was held on 28 February 2021 at the Maffra pool. Events were held for adults and children throughout the day with approximately 400 attendees.

The MyTown Microgrid project was launched in Heyfield on 25 February 2021. This initiative provides the opportunity for the town to come together to join together to generate, use and share electricity.

9. QUESTION/S ON NOTICE

9.1. OUTSTANDING QUESTION/S ON NOTICE

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

10. DELEGATES REPORT

Councillor Hole provided a report from the Timber Towns Victoria (TTV) online state wide meeting held on 25 February 2021 relating to the future of the timber industry throughout Victoria.

Councillor Hole noted:

- the \$120M earmarked by the government three years ago to regenerate timber plantations is still to be spent on planting
- demand for hard and soft woods is nearly outweighing replanting of native timber resources
- Deb Kerr has been appointed as CEO of the Victorian Forest Products Association
- continued campaign to fight the logging ban and has produced a government logging strategy that aims to support the timber industry

- no response has been received to the first round of communication to State government about the timber industry shut down and TTV will be writing further letters to follow up.

11. GENERAL MANAGER CORPORATE SERVICES

11.1. ASSEMBLY OF COUNCILLORS

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

OBJECTIVE

To report on all assembly of Councillor records received for the period 8 February 2021 to 21 February 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 8 February 2021 to 21 February 2021.

COUNCILLOR WOOD / COUNCILLOR BYE

That Council note and receive the attached Assembly of Councillor records for the period 8 February 2021 to 21 February 2021.

CARRIED

12. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

12.1. ABELS ROAD AND BOYLE ROAD, LONGFORD SPECIAL CHARGE STREET CONSTRUCTION SCHEME - DECLARATION OF SCHEME

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to consider to formally proceed with the proposed 'Abels Road and Boyle Road Special Charge Street Construction Scheme Number 2004' by way of formal declaration as a Special Charge Scheme under section 163(1) of the *Local Government Act 1989* for the construction of Abels Road and Boyle Road in Longford.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

1. *Council, having considered that no submissions were received and taken account that no objections were lodged and having complied with the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (the Act), and otherwise according to law, and having, so far as can be ascertained from available records and can reasonably be concluded, ascertained that Abels Road and Boyle Road, Longford (Street) or any component of the Street has not previously been constructed by way of a special rate or charge, hereby proceeds to declare a Special Charge Scheme under section 163(1) of the Act (Scheme) in accordance with the Declaration of Special Charge (Declaration) attached to and forming a part of this Report, such Declaration being for the purposes of constructing the Street and providing all and any ancillary works, including surface drainage and vehicle crossings.*
2. *Council directs that, under cover of a letter, a written notice, enclosing a notice of levy, be sent to all owners of properties included in the Scheme, including those who have made a submission and/or lodged an objection in writing, of the decision of Council to make the Declaration, and the reasons for the decision.*
3. *For the purposes of resolution 2, the reasons of Council for making the Declaration are that –*
 - (a) *There is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Scheme from property owners;*
 - (b) *Council considers that it is acting in accordance with the functions, powers and objectives conferred on it under the Act, particularly in relation to the provision of proper, safe and suitable roads and property services in and for the Scheme area;*
 - (c) *All property owners who are liable or required to pay the Special Charge and the properties respectively owned and occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties;*

- (d) The basis of distribution of the Special Charge amongst the property owners who are liable or required to pay the Special Charge is considered to be fair and reasonable;*
 - (e) The works proposed by the Scheme are consistent with all and any policies and/or objectives set out in the planning scheme for the area; and*
 - (f) The works proposed for the construction and drainage of the Street are necessary, reasonable, not excessive, sufficient, suitable and not costly, having regard to the locality or environment and the probable use of the Street.*
- 4. The Chief Executive Officer (or any person for the time being acting in that position) be authorised to carry out any and all other administrative procedures necessary to enable Council to give effect to this resolution, including in relation to the levying of the Special Charge.**

COUNCILLOR BYE / COUNCILLOR MAHER

- 1. Council, having considered that no submissions were received and taken account that no objections were lodged and having complied with the requirements of sections 163A, 163B and 223 of the Local Government Act 1989 (the Act), and otherwise according to law, and having, so far as can be ascertained from available records and can reasonably be concluded, ascertained that Abels Road and Boyle Road, Longford (Street) or any component of the Street has not previously been constructed by way of a special rate or charge, hereby proceeds to declare a Special Charge Scheme under section 163(1) of the Act (Scheme) in accordance with the Declaration of Special Charge (Declaration) attached to and forming a part of this Report, such Declaration being for the purposes of constructing the Street and providing all and any ancillary works, including surface drainage and vehicle crossings.**
- 2. Council directs that, under cover of a letter, a written notice, enclosing a notice of levy, be sent to all owners of properties included in the Scheme, including those who have made a submission and/or lodged an objection in writing, of the decision of Council to make the Declaration, and the reasons for the decision.**
- 3. For the purposes of resolution 2, the reasons of Council for making the Declaration are that –**
 - (a) There is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Scheme from property owners;*
 - (b) Council considers that it is acting in accordance with the functions, powers and objectives conferred on it under the Act, particularly in relation to the provision of proper, safe and suitable roads and property services in and for the Scheme area;*
 - (c) All property owners who are liable or required to pay the Special Charge and the properties respectively owned and occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties;*
 - (d) The basis of distribution of the Special Charge amongst the property owners who are liable or required to pay the Special Charge is considered to be fair and reasonable;*
 - (e) The works proposed by the Scheme are consistent with all and any policies and/or objectives set out in the planning scheme for the area; and*

- (f) The works proposed for the construction and drainage of the Street are necessary, reasonable, not excessive, sufficient, suitable and not costly, having regard to the locality or environment and the probable use of the Street.***
- 4. The Chief Executive Officer (or any person for the time being acting in that position) be authorised to carry out any and all other administrative procedures necessary to enable Council to give effect to this resolution, including in relation to the levying of the Special Charge.***

CARRIED

12.2. TOONGABBIE-COWWARR AND WEIR ROAD RECONSTRUCTION AND WIDENING

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to consider entering into a contract for the reconstruction of approximately 3.7km of Toongabbie-Cowwarr and Weir Roads, Cowwarr.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2021-041 Toongabbie-Cowwarr and Weir Roads Reconstruction and Widening; and***
- 2. The information contained in the confidential attachment Contract 2021-041 Toongabbie-Cowwarr and Weir Roads Reconstruction and Widening and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on the 22 February 2021 because it relates to the following grounds: private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

COUNCILLOR CROSSLEY / COUNCILLOR BYE

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2021-041 Toongabbie-Cowwarr and Weir Roads Reconstruction and Widening; and***
- 2. The information contained in the confidential attachment Contract 2021-041 Toongabbie-Cowwarr and Weir Roads Reconstruction and Widening and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on the 22 February 2021 because it relates to the following grounds: private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020, 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 Whelans Investment Group Pty Ltd.

13. GENERAL MANAGER COMMUNITY AND CULTURE

13.1. COMMUNITY ENGAGEMENT STRATEGY 2021

ACTION OFFICER: MANAGER COMMUNITIES, FACILITIES AND EMERGENCIES

PURPOSE

For Council to approve the Community Engagement Strategy 2021 and Community Engagement Policy (as attached), as the key drivers of Council's engagement practices.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY NIL

RECOMMENDATION

For Council to approve the Community Engagement Strategy 2021 and Community Engagement Policy (as attached), as the key drivers of Council's engagement practices.

COUNCILLOR MCKENZIE / COUNCILLOR CROSSLEY

For Council to approve the Community Engagement Strategy 2021 and Community Engagement Policy (as attached), as the key drivers of Council's engagement practices.

CARRIED

14. FURTHER GALLERY AND ONLINE COMMENTS

ONLINE COMMENTS –

Shirley Mowat wrote to Council regarding the weeds in the Port of Sale canal and river which is making navigation through the area difficult.

The CEO noted that the email will be taken on notice and responded to by the relevant Business Unit.

GALLERY COMMENTS –

NIL

Meeting declared closed at: 3:28PM

The live streaming of this Council meeting will now come to a close.