



WELLINGTON

SHIRE COUNCIL

The Heart of Gippsland

Resolutions In Brief

**To be read in conjunction with the Ordinary Council Meeting Agenda
2 October 2018**

COUNCILLORS PRESENT

Carolyn Crossley (Mayor)
Ian Bye
Alan Hall
Malcolm Hole
Darren McCubbin
Gayle Maher
Carmel Ripper
Scott Rossetti

IN ATTENDANCE

David Morcom - Chief Executive Officer
John Websdale - General Manager Development
John Tatterson - Acting General Manager Built & Natural Environment
Karen McLennan - Acting General Manager Community & Culture
Arthur Skipitaris - General Manager Corporate Services
Trish Dean - Governance Officer

COUNCILLOR APOLOGY

Garry Stephens

OFFICER APOLOGY

Chris Hastie, General Manager Built & Natural Environment
Sharon Houlihan, General Manager Community & Culture

ORDINARY MEETING OF COUNCIL – 2 OCTOBER 2018

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

To adopt the minutes of the Ordinary Council Meeting of 18 September 2018.

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

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 18 September 2018.

COUNCILLOR BYE / COUNCILLOR ROSSETTI

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 18 September 2018.

CARRIED

ITEM A5**BUSINESS ARISING FROM PREVIOUS COUNCIL MEETING**

NIL

ITEM A6**ACCEPTANCE OF LATE ITEMS**

NIL

ITEM A7**NOTICE OF MOTIONS**

NIL

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

NIL

ITEM A8(1)**OUTSTANDING PETITIONS**

NIL

ITEM A8(2)

RECEIPT OF PETITION – CASTLES CARPARK (DESAILLY STREET) SALE

OBJECTIVE

To present Council with a petition in relation to the Desailly Street Carpark.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the attached petition in relation to the Desailly Street Carpark.

That Council receive the attached petition in relation to the Desailly Street Carpark and that a response to the petition is also obtained from the Sale Business and Tourism Association (SBTA).

COUNCILLOR ROSSETTI / COUNCILLOR BYE

That Council receive the attached petition in relation to the Desailly Street Carpark and that a response to the petition is also obtained from the Sale Business and Tourism Association (SBTA).

CARRIED

ITEM A9

INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

NIL

ITEM A10

QUESTIONS ON NOTICE

NIL

ITEM A11

MAYORAL AND COUNCILLOR ACTIVITY REPORT

NIL

ITEM A11(1)

MAYOR AND COUNCILLOR ACTIVITY REPORT

RECOMMENDATION

That the Mayor and Councillor Activity report be noted.

COUNCILLOR MAHER / COUNCILLOR HALL

That the Mayor and Councillor Activity report be noted.

CARRIED

ITEM B**DELEGATES REPORT**

NIL

ITEM C1.1**AUDIT & RISK COMMITTEE MEMBER APPOINTMENT****OBJECTIVE**

The purpose of this report is to provide information to Council to enable consideration of the appointment of two external independent members to Council's Audit & Risk Committee.

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

That:

- 1. Council appoint two independent members to Council's Audit & Risk Committee for a two year period commencing 29 October 2018 and expiring 28 October 2020 and a three year period commencing 29 October 2018 and expiring 28 October 2021 in accordance with the recommendation in the attached confidential evaluation report at Item F1.1 of this Council meeting agenda; and**
- 2. The information contained in the confidential document Item F1.1 Audit & Risk Committee Member Appointment and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 17 September 2018 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 applicants can be made public.**

That:

- 1. Council appoint two independent members to Council's Audit & Risk Committee – one for a two year period commencing 29 October 2018 and expiring 28 October 2020 and one for a three year period commencing 29 October 2018 and expiring 28 October 2021 in accordance with the recommendation in the attached confidential evaluation report at Item F1.1 of this Council meeting agenda; and**
- 2. The information contained in the confidential document Item F1.1 Audit & Risk Committee Member Appointment and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 17 September 2018 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 applicants can be made public.**

COUNCILLOR McCUBBIN / COUNCILLOR BYE

That:

- 1. Council appoint two independent members to Council's Audit & Risk Committee – one for a two year period commencing 29 October 2018 and expiring 28 October 2020 and one for a three year period commencing 29 October 2018 and expiring 28 October 2021 in accordance with the recommendation in the attached confidential evaluation report at Item F1.1 of this Council meeting agenda; and**
- 2. The information contained in the confidential document Item F1.1 Audit & Risk Committee Member Appointment and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 17 September 2018 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 applicants can be made public.**

CARRIED

ITEM C2.1

ASSEMBLY OF COUNCILLORS

OBJECTIVE

To report on all assembly of Councillor records received for the period 11 September 2018 to 25 September 2018.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 11 September 2018 to 25 September 2018.

COUNCILLOR BYE / COUNCILLOR MAHER

That Council note and receive the attached Assembly of Councillor records for the period 11 September 2018 to 25 September 2018.

CARRIED

OBJECTIVE

To receive and note the minutes of the Audit & Risk Committee meeting held on 30 August 2018.

RECOMMENDATION

That:

- 1. Council receive and note the minutes in brief (Attachment 1) and the confidential attachment at Item F1.2 Audit & Risk Committee Minutes of 30 August 2018; and***
- 2. The information contained in the confidential attachment Item F1.2 Audit & Risk Committee Minutes of 30 August 2018 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 Corporate Services on 4 September 2018 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: f) legal advice; and h) any other matter which the Council 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 HALL / COUNCILLOR McCUBBIN

That:

- 1. Council receive and note the minutes in brief (Attachment 1) and the confidential attachment at Item F1.2 Audit & Risk Committee Minutes of 30 August 2018; and***
- 2. The information contained in the confidential attachment Item F1.2 Audit & Risk Committee Minutes of 30 August 2018 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 Corporate Services on 4 September 2018 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: f) legal advice; and h) any other matter which the Council 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 C3.1**COUNCIL SUBMISSION – ALBERTON WIND ENERGY FACILITY****OBJECTIVE**

To endorse a submission to the Minister for Planning in relation to Planning Permit Application PA1700284 for the proposed Alberton wind energy facility.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

Neil Griffin – Blairgowrie resident

Spoke to Council regarding his objection to the proposed Alberton Wind Energy Facility for the following reasons:

- Lack of research undertaken by Synergy Wind regarding the placement of the turbines within the proximity to existing homes
- Effect of noise and light disturbances generated from the turbines on home owners
- Drop in property values
- Ongoing effect on the environment

Graham Jones – Gelliondale Hotel

Spoke to Council regarding his objection to the proposed Alberton Wind Energy Facility for the following reasons:

- Application non-compliant with the Victorian State Guidelines
- Lack of research undertaken by Synergy Wind
- Noise disturbances generated from the turbines and the ongoing effects this will have on the home owners
- Ongoing effect on the wildlife at the Albert and Jack Rivers

RECOMMENDATION

That Council

- 1. Council endorse the submission included in Attachment 1 to the Minister for Planning in relation to Planning Permit Application PA1700284 for the proposed Alberton wind energy facility.***
- 2. Council liaise with Synergy Wind to enter into a potential Memorandum of Understanding (MOU) to ensure that local community benefits arise from the development (should a planning permit be issued).***

That

- 1. Council approve the submission included in Attachment 1 to the Minister for Planning in relation to Planning Permit Application PA1700284 for the proposed Alberton wind energy facility;***
- 2. Council seek the Minister for Planning's assurance that in the absence of a formal Environmental Effects Statement being required by the State Government, all specific concerns raised in submissions by community members be thoroughly investigated and detailed responses provided; and***
- 3. Council liaise with Synergy Wind to seek a Memorandum of Understanding (MOU) to ensure that local community benefits arise from the development (should a planning permit be issued).***
- 4. given the application is being assessed by the State Minister for Planning, Council provide the Member for Gippsland South, Mr Danny O'Brien, with a copy of Wellington Shire's submission together with all submissions received from the community***

COUNCILLOR McCUBBIN / COUNCILLOR MAHER

That

- 1. Council approve the submission included in Attachment 1 to the Minister for Planning in relation to Planning Permit Application PA1700284 for the proposed Alberton wind energy facility;***
- 2. Council seek the Minister for Planning's assurance that in the absence of a formal Environmental Effects Statement being required by the State Government, all specific concerns raised in submissions by community members be thoroughly investigated and detailed responses provided; and***
- 3. Council liaise with Synergy Wind to seek a Memorandum of Understanding (MOU) to ensure that local community benefits arise from the development (should a planning permit be issued).***
- 4. given the application is being assessed by the State Minister for Planning, Council provide the Member for Gippsland South, Mr Danny O'Brien, with a copy of Wellington Shire's submission together with all submissions received from the community***

COUNCILLOR McCUBBIN CALLED FOR A DIVISION

FOR: Councillor Hole, Councillor Hall, Councillor Maher, Councillor Rossetti, Councillor Crossley, Councillor Bye, Councillor McCubbin, Councillor Ripper.

AGAINST: NIL

Councillor Stephens recorded as an apology (on leave)

CARRIED UNANIMOUSLY

ITEM C3.2**PLANNING SCHEME AMENDMENT C100 – YARRAM BUTTER
FACTORY – REVISED HERITAGE OVERLAY****OBJECTIVE**

To request the Minister for Planning to prepare and approve Amendment C100 to the Wellington Planning Scheme in accordance with Section 8(1) and Section 20(4) of the *Planning and Environment Act 1987*.

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

That Council request the Minister for Planning to prepare and approve Amendment C100 (refer to Attachment 1) to the Wellington Planning Scheme in accordance with Section 8(1) and Section 20(4) of the Planning and Environment Act 1987.

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council request the Minister for Planning to prepare and approve Amendment C100 (refer to Attachment 1) to the Wellington Planning Scheme in accordance with Section 8(1) and Section 20(4) of the Planning and Environment Act 1987.

CARRIED**ITEM C3.3****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 months of July and August 2018.

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

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 July and 31 August 2018.

COUNCILLOR HALL / COUNCILLOR MAHER

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 July and 31 August 2018.

CARRIED

ITEM C4.1**WEST SALE AIRPORT RUNWAY EXTENSION WORKS –
DELEGATED AUTHORITY CONTRACT 2018 - 025****OBJECTIVE**

The purpose of this report is to request Council to delegate to the Chief Executive Officer the authority to enter into a contract for the runway extension and associated construction works at the West Sale Airport.

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

That Council delegate authority to the Chief Executive Officer to enter into a contract within the existing approved budget for Contract 2018-025 Construction of the West Sale Airport Runway Extension.

COUNCILLOR ROSSETTI / COUNCILLOR BYE

That Council delegate authority to the Chief Executive Officer to enter into a contract within the existing approved budget for Contract 2018-025 Construction of the West Sale Airport Runway Extension.

CARRIED

ITEM C4.2

REVOCATION OF UNUSED ROAD LICENCE EAST OF LOT 2 PS613367 SUBMISSIONS COMMITTEE HEARING

OBJECTIVE.

The objective of this report is for Council to receive and consider the report of the Submissions Committee hearing for the revocation of the unused road licence east of Lot 2, PS613367 Coongulla.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

Mr Morris Bellamy, on behalf of Dr Ray Wootton

Provided Council with additional information regarding the history of the unused road east of Lot 2 PS613367.

RECOMMENDATION

That:

- 1. Council receive and consider the report from the Submissions Committee in relation to the revocation of the unused road licence east of PC377389, Coongulla; and***
- 2. Having regard to the written submissions both for and against the revocation of the unused road licence east of Lot 2, PS613367 and the Submission Committee finding that access is required from Ryans Road to PC377389 the Chief Executive Officer investigate further to ascertain if an agreed position between the two submitters can be reached to provide an improved and safer access point rather than the unused road.***

COUNCILLOR HOLE / COUNCILLOR RIPPER

That:

- 1. Council receive and consider the report from the Submissions Committee in relation to the revocation of the unused road licence east of PC377389, Coongulla; and***
- 2. Having regard to the written submissions both for and against the revocation of the unused road licence east of Lot 2, PS613367 and the Submission Committee finding that access is required from Ryans Road to PC377389 the Chief Executive Officer investigate further to ascertain if an agreed position between the two submitters can be reached to provide an improved and safer access point rather than the unused road.***

CARRIED

ITEM C4.3**SALE OF DISCONTINUED ROAD – PART OF FORMER ROAD AT THE REAR OF 85 FITZROY STREET, SALE****OBJECTIVE**

The objective of this report is for Council to consider the sale of a previously discontinued section of former road at the rear of properties between Fitzroy Street and Codrington Street, Sale.

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

That Pursuant to Section 189 of the Local Government Act, Council sells the section of discontinued road at the rear of 85 Fitzroy Street, Sale to the abutting owner by private treaty in accordance with Wellington Shire Council Policy 3.3.5 Sale, Exchange and Acquisition of Land.

COUNCILLOR BYE / COUNCILLOR McCUBBIN

That Pursuant to Section 189 of the Local Government Act, Council sells the section of discontinued road at the rear of 85 Fitzroy Street, Sale to the abutting owner by private treaty in accordance with Wellington Shire Council Policy 3.3.5 Sale, Exchange and Acquisition of Land.

CARRIED

ITEM C4.4

CANSICK STREET RECONSTRUCTION

OBJECTIVE

The objective of this report is for Council to consider entering into a contract for reconstruction of Cansick Street, Rosedale between Hood Street and Ireland Court.

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 2018-076b Cansick Street Rosedale Pavement Works; and***
- 2. The information contained in the confidential document Item F1.3 Contract 2018-076b Cansick Street Rosedale Pavement Works 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 4 September 2018 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 MAHER

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.3 Contract 2018-076b Cansick Street Rosedale Pavement Works; and***
- 2. The information contained in the confidential document Item F1.3 Contract 2018-076b Cansick Street Rosedale Pavement Works 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 4 September 2018 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 Clint Kelly Excavations Pty Ltd

OBJECTIVE

The purpose of this report is for Council to receive the minutes from the Place Names Committee meeting held on 14 August 2018 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 14 August 2018; and**
- 2. That letters be sent out to owners of properties abutting the unnamed road off Bengworden Road, Perry Bridge and that it be advertised that the road is proposed to be named after Charles Edward Marriott, who was lost and did not return to Perry Bridge after he served in the First World War. If no negative response is received, then apply to the Office of Geographic Names to gazette the name MARRIOTT LANE.**
- 3. That letters be sent out to owners of properties abutting the unnamed road off Glenmaggie Road Ext. and that it be advertised that the road is proposed to be named after the four brothers Alexander, David, Robert (who did not return) and Thomas Langlands who came from Glenmaggie and served in the First World War. If no negative response is received, then apply to the Office of Geographic Names to gazette the name LANGLANDS LANE.**
- 4. That letters be sent out to owners of properties abutting the rear of 300-310 Raymond Street, Sale and if there are no negative objections then apply to the Office of Geographic Names to gazette the common property entrance DOVE COURT.**
- 5. The name ELLIMAN CRESCENT be approved for use in the Cobains Estate in Sale.**
- 6. That a response be written to the Sale RSL supporting the name of the shared path along Aerodrome Road, from Somerton Park Road, Sale to the RAAF Base as the FULLER – ROOS path.**
- 7. The new subdivisional road off Shaws Lane in Rosedale be called SPINEBILL COURT.**

COUNCILLOR McCUBBIN / COUNCILLOR MAHER

That;

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 14 August 2018; and**
- 2. That letters be sent out to owners of properties abutting the unnamed road off Bengworden Road, Perry Bridge and that it be advertised that the road is proposed to be named after Charles Edward Marriott, who was lost and did not return to Perry Bridge after he served in the First World War. If no negative response is received, then apply to the Office of Geographic Names to gazette the name MARRIOTT LANE.**
- 3. That letters be sent out to owners of properties abutting the unnamed road off Glenmaggie Road Ext. and that it be advertised that the road is proposed to be named after the four brothers Alexander, David, Robert (who did not return) and Thomas Langlands who came from Glenmaggie and served in the First World War. If no negative response is received, then apply to the Office of Geographic Names to gazette the name LANGLANDS LANE.**
- 4. That letters be sent out to owners of properties abutting the rear of 300-310 Raymond Street, Sale and if there are no negative objections then apply to the Office of Geographic Names to gazette the common property entrance DOVE COURT.**
- 5. The name ELLIMAN CRESCENT be approved for use in the Cobains Estate in Sale.**
- 6. That a response be written to the Sale RSL supporting the name of the shared path along Aerodrome Road, from Somerton Park Road, Sale to the RAAF Base as the FULLER – ROOS path.**
- 7. The new subdivisional road off Shaws Lane in Rosedale be called SPINEBILL COURT.**

CARRIED

ITEM C5.1

**MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT
MINUTES**

OBJECTIVE

For Council to receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meeting held on 6 August 2018.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meeting held on 6 August 2018.

COUNCILLOR RIPPER / COUNCILLOR HALL

That Council receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meeting held on 6 August 2018.

CARRIED

ITEM C5.2

**CAMERON SPORTING COMPLEX COMMITTEE OF MANAGEMENT
MINUTES**

OBJECTIVE

For Council to receive the minutes from the Cameron Sporting Complex Committee of Management's Annual General Meeting held on 23 August 2018.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the minutes from the Cameron Sporting Complex Committee of Management's Annual General Meeting held on 23 August 2018.

COUNCILLOR HOLE / COUNCILLOR ROSSETTI

That Council receive the minutes from the Cameron Sporting Complex Committee of Management's Annual General Meeting held on 23 August 2018.

CARRIED



D. URGENT BUSINESS

NIL



E. FURTHER GALLERY AND CHAT ROOM COMMENTS

Gallery comments are an opportunity for members of the public to raise any particular matter they wish. This allows those in the gallery to speak directly to councillors but is not a forum designed for open discussion or debate. We will listen respectfully to what you have to say and make the commitment that the Mayor will respond to you in writing within one week if required, and a copy of that response will be circulated to all councillors.

This is not a forum for members of the public to lodge complaints against individuals, including councillors and staff, particularly as that individual gets no public right of reply to any matter raised. We take complaints seriously, and in line with the guidance from the Victorian Ombudsman and the local Government Inspectorate, we request that any specific complaint against an individual be put in writing. This way, your concern can be properly dealt with while ensuring fairness to all parties concerned.

If you wish to speak, we remind you that this part of the meeting is being recorded and broadcast on our website. Council's official Minutes will record that you have spoken to Council and the subject you spoke to Council about but will not record specific comments. We ask you to state your name in full, where you are from, and you have three minutes

CHAT ROOM COMMENTS - NIL

GALLERY COMMENTS - NIL

Meeting declared closed at: 4:13pm

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