



**WELLINGTON**  
SHIRE COUNCIL  
*The Heart of Gippsland*

## Resolutions in Brief

*To be read in conjunction with the Agenda of 3 June 2014*

**PRESENT:**

Councillor Scott Rossetti (Mayor)  
Councillor Bob Wenger  
Councillor Patrick McIvor  
Councillor Malcolm Hole  
Councillor Carolyn Crossley  
Councillor Darren McCubbin  
Councillor John Duncan  
Councillor Peter Cleary  
Councillor Emilie Davine

**IN ATTENDANCE:**

David Morcom, Chief Executive Officer  
Glenys Butler, General Manager Liveability  
Liz Collins, General Manager Governance  
Chris Hastie, General Manager Built & Natural Environment  
John Websdale, General Manager Development  
Vanessa Ebsworth, Manager Organisation Development

# ORDINARY MEETING OF COUNCIL – 3 JUNE 2014

## AGENDA & TABLE OF CONTENTS

	ITEM	PAGE NUMBER
<b>A</b>	<b>PROCEDURAL</b>	
A1	STATEMENT OF ACKNOWLEDGEMENT AND PRAYER	
A2	APOLOGIES Nil	
A3	DECLARATION OF CONFLICT/S OF INTEREST Councillor Emilie Davine - Item C3.2 Residential Development Stevens Street, Sale Amendment C85 - Planning Permit 124/2013 and Amendment C88 - Planning Permit 373/2012 Councillor Peter Cleary Item - C 5.2 Community Assistance Grants – Events and Projects April 2014	
A4	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING	
A5	BUSINESS ARISING FROM PREVIOUS MEETING/S Nil	
A6	ACCEPTANCE OF LATE ITEMS Nil	
A7	NOTICES OF AMENDMENT OR RESCISSION Nil	
A8	NOTICES OF MOTION Nil	
A9	RECEIVING OF PETITIONS OR JOINT LETTERS Item A9(1) Outstanding Petitions Item A9(2) Response to Petition: Opposing Revegetation Work – Canal Reserve, Sale	
A10	INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS Mrs Helen Hoppner, Chair of the Gippsland Rail Trail Committee	
A11	GALLERY COMMENTS	
A12	QUESTIONS ON NOTICE Item 12(1) Outstanding Questions on Notice Item 12(2) Response to Question on Notice – Gippsland Water, Regional Outfall System	
A13	MAYOR'S REPORT	
A14	YOUTH COUNCIL REPORT	

	ITEM	PAGE NUMBER
<b>B</b>	<b>REPORT OF DELEGATES</b> ITEM B1 NATIONAL TIMBER COUNCILS ASSOCIATION	
<b>C</b>	<b>OFFICERS' REPORT</b>	
	<b>C1 CHIEF EXECUTIVE OFFICER</b> ITEM C1.1 RECEIPT AND CONSIDERATION OF SUBMISSIONS RELATING TO THE DRAFT REVISED COUNCIL PLAN 2013-17	
	<b>C2 GENERAL MANAGER GOVERNANCE</b> ITEM C2.1 MAV DEBT PROCUREMENT ITEM C2.2 ADOPTION OF THE 2014 PROPERTY REVALUATION ITEM C2.3 RECEIPT AND CONSIDERATION OF SUBMISSIONS RELATING TO 2014/15 DRAFT BUDGET	
	<b>C3 GENERAL MANAGER DEVELOPMENT</b> ITEM C3.1 PLANNING DECISIONS ITEM C3.2 RESIDENTIAL DEVELOPMENT STEVENS STREET, SALE AMENDMENT C85 - PLANNING PERMIT 124/2013 AND AMENDMENT C88 - PLANNING PERMIT 373/2012	
	<b>C4 GENERAL MANAGER BUILT &amp; NATURAL ENVIRONMENT</b> ITEM C4.1 ROAD DISCONTINUANCE AND ROAD EXCHANGE- PART OF UNUSED ROAD (WATERWORKS ROAD) AND PART CROWN ALLOTMENT 41A - PARISH OF SALE	
	<b>C5 GENERAL MANAGER LIVEABILITY</b> ITEM C5.1 MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES ITEM C5.2 COMMUNITY ASSISTANCE GRANTS – EVENTS AND PROJECTS APRIL 2014	
<b>D</b>	<b>URGENT BUSINESS</b>	
<b>E</b>	<b>FURTHER GALLERY AND CHAT ROOM COMMENTS</b>	
<b>F</b>	<b>CONFIDENTIAL ATTACHMENTS</b>	
<b>G</b>	<b>IN CLOSED SESSION</b>	

**ITEM A4**

**ADOPTION OF MINUTES OF PREVIOUS MEETING/S**

**OBJECTIVE**

To adopt the minutes of the Ordinary Council Meeting of 20 May 2014 as tabled.

**RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 20 May 2014 as tabled.*

**COUNCILLOR WENGER/COUNCILLOR CLEARY**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 20 May 2014 as tabled.*

**CARRIED**

**ITEM A5**

**BUSINESS ARISING FROM PREVIOUS MEETING/S**

NIL

**ITEM A6**

**ACCEPTANCE OF LATE ITEMS**

NIL

**ITEM A7**

**NOTICE/S OF AMENDMENT OR RESCISSION**

NIL

**ITEM A8**

**NOTICE/S OF MOTION**

NIL

**ITEM A9**

**RECEIVING OF PETITIONS OR JOINT LETTERS**

NIL

**ITEM A9(2)**

**RESPONSE TO PETITION: OPPOSING REVEGETATION WORK – CANAL RESERVE, SALE**

**OBJECTIVE**

To provide Council with a report regarding the request to not undertake revegetation works on the Canal Reserve in the vicinity of McArdles Gap and Cox's Bridge and to provide a response and recommendations for Council consideration.

## RECOMMENDATION

**That:**

- 1. Council not agree to the request for the Canal Reserve Revegetation project to cease;**
- 2. Council authorise the Chief Executive Officer to continue with the implementation of the project as planned and previously approved by the West Gippsland Catchment Management Authority; and**
- 3. Council advise the head petitioners of the decision of Council in relation to their petition regarding the revegetation works on the Canal Reserve**

### COUNCILLOR CROSSLEY/COUNCILLOR McIVOR

**That:**

- 1. Council note the advice and previous approval of the West Gippsland Catchment Management Authority, particularly related to ongoing maintenance; and**
- 2. Council authorise the Chief Executive Officer to continue with the implementation of the project as planned; and**
- 3. Council advise the head petitioners of the decision of Council in relation to their petition regarding the revegetation works on the Canal Reserve.**

**CARRIED**

### ITEM A10 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

1. Mrs Helen Hoppner, Chair of the Gippsland Rail Trail Committee  
Wishes to acknowledge both the Wellington Shire Council and officers support of the project.
2. Councillor McIvor presented a certificate – Awards Nomination of Wellington Shire Council in recognition of excellence in the field of Auslan. Councillor McIvor represented Council at the Awards night and commented that it was great to be nominated.
3. Councillor McCubbin attended the History of Greenfields, a town which is now known as Maffra. They celebrated their 150 years with a booklet on the town's history, Councillor McCubbin congratulated Linda Barraclough and others from the Maffra and District Historical Society.

### ITEM A11 GALLERY COMMENTS

1. Mr Brian Barry – President of McLoughlins Beach Resident and Ratepayers Association  
Spoke in support of the draft budget 2014/15 proposal for the replacement of the footbridge at McLoughlins Beach.
2. Ms Kathryn Bertacchini – Manager Sale Neighbourhood House  
Spoke to the budget submission seeking funding towards car parking at the Neighbourhood House. Kathryn handed out copies of photographs of current car park issues to Councillors.
3. Judy Trail – Representative of Boisdale Community  
Spoke regarding concerns of the proposed Effluent charge. Many residents are on fixed incomes and for a small community struggling to survive, asked that Council really consider not imposing this burden on those ratepayers. Thanked the Built Environment Department for their information and willingness to discuss issues.
4. Ms Meryl Edwards – Stephenson Street, Sale resident  
Spoke regarding Brady's Bridge on Maxfield's Road. Seeking the reconstruction of the bridge as a road bridge. Issues identified were safety standard, efficient and effective use of Council money.

**ITEM A12****QUESTIONS ON NOTICE**

NIL

**ITEM A12(1)****OUTSTANDING QUESTIONS ON NOTICE**

ITEM	FROM MEETING	COMMENTS	ACTION BY
Question on Notice: <b><i>That, in response to the Gippsland Water media releases presented in attachments 1 and 2 (10 February and 11 April, 2014) regarding their Regional Outfall System (ROS) industrial wastewater release, could the Chief Executive Officer write to Gippsland Water asking what contingencies they have in place for continued operation of the Water Factory in the case of extended power outages?</i></b>	20 May 2014	A response will be provided at the next Council Meeting Of 17 June 2014.	Chief Executive Officer

**ITEM B1****DELEGATE REPORT: NATIONAL TIMBER COUNCILS ASSOCIATION - MAY NEWSLETTER****RECOMMENDATION***That the delegates report be noted.***COUNCILLOR HOLE/COUNCILLOR WENGER***That the delegates report be noted.***CARRIED****ITEM C1.1****RECEIPT AND CONSIDERATION OF SUBMISSIONS RELATING TO THE DRAFT REVISED COUNCIL PLAN 2013-17****OBJECTIVE**

To receive and consider submissions relating to the draft revised Council Plan 2013-17.

**RECOMMENDATION***That Council note that no submissions were received in relation to the draft revised Council Plan 2013-17.***COUNCILLOR CLEARY/COUNCILLOR WENGER***That Council note that no submissions were received in relation to the draft revised Council Plan 2013-17.***CARRIED**

**ITEM C2.1****MAV DEBT PROCUREMENT****OBJECTIVE**

To seek agreement from Council to include the Local Government Funding Vehicle (LGFV) as an approved source of borrowings.

**RECOMMENDATION**

*That:*

1. *Council approve the LGFV as a new source of funding for future borrowing requirements;*
2. *Council participate in the interim facility with 2013/14 borrowings of \$6 million; and*
3. *Council refinance the interim facility borrowings of \$6 million through participation in the first LGFV bond issuance in July 2014.*

**COUNCILLOR HOLE/COUNCILLOR DUNCAN**

*That:*

1. *Council approve the LGFV as a new source of funding for future borrowing requirements;*
2. *Council participate in the interim facility with 2013/14 borrowings of \$6 million; and*
3. *Council refinance the interim facility borrowings of \$6 million through participation in the first LGFV bond issuance in July 2014.*

**CARRIED**

**ITEM C2.2****ADOPTION OF THE 2014 PROPERTY REVALUATION****OBJECTIVE**

To adopt the total valuation of all properties within the Shire as at the return date of 1 January 2014.

**RECOMMENDATION**

*That Council adopt the following valuation figures as at the return date of 1 January 2014.*

	<b>SITE VALUE</b>	<b>CAPITAL IMPROVED VALUE</b>	<b>NET ANNUAL VALUE</b>
<b>RATEABLE</b>	<b>\$4,581,168,800</b>	<b>\$8,986,748,200</b>	<b>\$497,455,834</b>
<b>NON RATEABLE</b>	<b>\$386,330,600</b>	<b>\$625,668,100</b>	<b>\$32,019,294</b>
<b>TOTAL VALUATION</b>	<b>\$4,967,499,400</b>	<b>\$9,612,416,300</b>	<b>\$529,475,128</b>

**COUNCILLOR McCUBBIN/COUNCILLOR McIVOR**

*That Council adopt the following valuation figures as at the return date of 1 January 2014.*

	<b>SITE VALUE</b>	<b>CAPITAL IMPROVED VALUE</b>	<b>NET ANNUAL VALUE</b>
<b>RATEABLE</b>	<b>\$4,581,168,800</b>	<b>\$8,986,748,200</b>	<b>\$497,455,834</b>
<b>NON RATEABLE</b>	<b>\$386,330,600</b>	<b>\$625,668,100</b>	<b>\$32,019,294</b>
<b>TOTAL VALUATION</b>	<b>\$4,967,499,400</b>	<b>\$9,612,416,300</b>	<b>\$529,475,128</b>

**CARRIED**

**ITEM C2.3****RECEIPT AND CONSIDERATION OF SUBMISSIONS RELATING TO THE 2014/15 DRAFT BUDGET****OBJECTIVE**

To receive and consider the attached submissions relating to the 2014/15 Draft Budget.

**RECOMMENDATION**

*That Council receive and consider the attached submissions relating to the 2014/15 Draft Budget.*

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

1. Mr Terry Clapham, Manager Southern Rural Water Spoke seeking Council's continued financial support towards the Wellington Community Salinity program. Currently funded 80% by customers and 20% Government/Council. Salinity impacts felt by all, economic impact. Video on the Website re: Salinity.
2. Karlia Hillbrich Only region in Victoria still playing hockey on grass. Players travel to other regions including Melbourne to play competition hockey as a result. Urged Council to complete Stage 2 of Gippsland Regional Sports Complex including Hockey Synthetic playing surface.
3. Ms Helen Hoppner – Gippsland Rail Trail Committee Seeking Council contribution to the maintenance of the Rail Trail.. They do not receive any maintenance from the State Government. The Trail will attract Interstate and International visitors as users. Seeking an annual contribution towards the maintenance; Latrobe City Council provided \$27K but don't provide the support or maintenance and offer what Wellington does.

**COUNCILLOR McIVOR/COUNCILLOR DUNCAN**

*That Council receive and consider the updated attached submissions including two late submissions in relation to the 2014/15 Draft Budget.*

**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 April 2014 for information.

**RECOMMENDATION**

*That Council note the report on recent planning permit trends and Planning Application Determinations between 1 April and 30 April 2014.*

**COUNCILLOR McIVOR/COUNCILLOR CLEARY**

*That Council note the report on recent planning permit trends and Planning Application Determinations between 1 April and 30 April 2014.*

**CARRIED**

**ITEM C3.2**

**RESIDENTIAL DEVELOPMENT STEVENS STREET, SALE  
AMENDMENT C85 - PLANNING PERMIT 124/2013 AND  
AMENDMENT C88 - PLANNING PERMIT 373/2012**

**OBJECTIVE**

- To consider two combined Planning Scheme Amendments and planning permit applications for residential rezoning and subdivision of land on the south side of Stevens Street, Sale.
- To request the Minister for Planning to authorise Council to prepare and exhibit Amendment C85 (Rezoning and 2 lot subdivision of land opposite 37-39 and 41 Stevens Street) concurrently with the proposed planning permit 124/2013, pursuant to Sections 8A, 96A, 96B and 96C of the *Planning and Environment Act 1987*.
- To request the Minister for Planning to authorise Council to prepare and exhibit Amendment C88 (Rezoning and 9 lot subdivision of land on 74 Stevens Street) concurrently with the proposed planning permit 373/2012, pursuant to Sections 8A, 96A, 96B and 96C of the *Planning and Environment Act 1987*.

**RECOMMENDATION**

***That Council request the Minister for Planning to authorise Council to prepare and exhibit Amendment C85 and Amendment C88 concurrently with the proposed planning permits 124/2013 and 373/2012 (respectively), pursuant to Sections 8A, 96A, 96B and 96C of the Planning and Environment Act 1987.***

Councillor Davine declared an Indirect Conflict of Interest due to close association.

Councillor Davine left the Council chamber at 4.07pm.

**COUNCILLOR McCUBBIN/COUNCILLOR McIVOR**

***That Council request the Minister for Planning to authorise Council to prepare and exhibit Amendment C85 and Amendment C88 concurrently with the proposed planning permits 124/2013 and 373/2012 (respectively), pursuant to Sections 8A, 96A, 96B and 96C of the Planning and Environment Act 1987.***

**CARRIED**

Councillor Davine returned to the Council Chamber at 4.09pm.

**ITEM C4.1**

**ROAD DISCONTINUANCE AND ROAD EXCHANGE- PART OF  
UNUSED ROAD (WATERWORKS ROAD) AND PART CROWN  
ALLOTMENT 41A - PARISH OF SALE**

**OBJECTIVE**

The objective of this report is for Council to consider the discontinuance of a section of unused road, through Crown Allotment 41A, Parish of Sale and to exchange this land for a section of property along the eastern boundary of Crown Allotment 41A, Parish of Sale.

**RECOMMENDATION**

***That:***

- 1. Pursuant to Section 206 including Clauses 2 & 3 of Schedule 10 of the Local Government Act 1989, Council resolves to discontinue a section of unused road shown hatched, adjacent to Crown Allotment 41A - Parish of Sale;***



Councillor Cleary declared an Indirect Conflict of Interest due to close association.

Councillor Cleary left the Council Chambers at 4.12pm.

**COUNCILLOR McCUBBIN/COUNCILLOR WENGER**

***That Council adopt the recommendations to allocate Community Assistance Grants – Events and Projects April 2014 funds as detailed in Attachment A.***

**CARRIED**

Councillor Cleary returned to the Council Chamber at 4.16pm.



## **D. URGENT BUSINESS**

NIL



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

Mr Alan Heywood – spoke via the Chat Room in relation to various issues raised at this meeting including:

There are many clarifications in the comments made in the records of this matter, one being, that this is not all about Wes Heywood's property. His property is under water, when the water is flowing under Cox's bridge...This is all about the large area up-stream of the bridge, which is inhabited by ratepayers of this shire. Included is the canal, and the rear of the Council chamber... This is about messing with the natural environment. Also, this is not rehabilitation. The area in question has no record of trees ever being there before, it is supposed to be clear.

To add to the records, I had no idea that more trees were to be planted now, (in this so-called final stage), otherwise I would have done all this ground-work, last year, when it should have been done. I think it would be good practise to hear in more detail, the views of the petitioners, as this action, of interfering with the flood flow, by the trees and the poor design of the South Gippsland Highway, could have some detrimental effects in the upstream areas such as Pearsondale and Cana. The extra height there may push water into areas that it would not have previously gone.

Mayor Rossetti response:

1. Council takes into account a range of views when considering any matter, this one is no different. The head petitioner raised a number of concerns about the planting of trees and their suitability for this area. These concerns were raised with the West Gippsland Management Authority. They have provided some professional advice which has been considered by individual councillors in their decision. This advice included ongoing maintenance matters that our staff will take on board.
2. Council takes very seriously the views of all residents throughout the municipality, on any matter. This is why we have spent the time to refer a number of their concerns to experts, in this case the West Gippsland catchment Management Authority, to provide their advice on those concerns.

**Meeting declared closed at 4.20pm.**