



# WELLINGTON

## SHIRE COUNCIL

*The Heart of Gippsland*

### Resolutions in Brief

To be read in conjunction with the Ordinary Council Meeting Agenda  
4 September 2018

#### **COUNCILLORS PRESENT**

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

#### **IN ATTENDANCE**

David Morcom - Chief Executive Officer  
Paul Johnson - Acting General Manager Development  
Chris Hastie - General Manager Built & Natural Environment  
Sharon Houlihan - General Manager Community & Culture  
Arthur Skipitaris - General Manager Corporate Services  
Trish Dean - Governance Officer

#### **OFFICER APOLOGY**

John Websdale, General Manager Development

# ORDINARY MEETING OF COUNCIL – 4 SEPTEMBER 2018

## 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 - NIL	
A4	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING	
A5	BUSINESS ARISING FROM PREVIOUS MEETING/S	
A6	ACCEPTANCE OF LATE ITEMS	
A7	NOTICES OF MOTION	
A8	RECEIVING OF PETITIONS OR JOINT LETTERS ITEM A8(1) OUTSTANDING PETITIONS	
A9	INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS	
A10	QUESTIONS ON NOTICE	
<b>B</b>	<b>REPORT OF DELEGATES</b>	
<b>C</b>	<b>OFFICERS' REPORT</b>	
	<b>C1 CHIEF EXECUTIVE OFFICER</b>	
	<b>C2 GENERAL MANAGER CORPORATE SERVICES</b> ITEM C2.1 ASSEMBLY OF COUNCILLORS ITEM C2.2 SALE OF PROPERTIES FOR UNPAID RATES AND CHARGES ITEM C2.3 S6 INSTRUMENT OF DELEGATION COUNCIL TO COUNCIL STAFF	
	<b>C3 GENERAL MANAGER DEVELOPMENT</b> ITEM C3.1 INCLUSION OF INFRASTRUCTURE DESIGN MANUAL IN PLANNING SCHEME	

	<b>C4 GENERAL MANAGER BUILT &amp; NATURAL ENVIRONMENT</b> ITEM C4.1 ROSEDALE LANDFILL CLOSURE ITEM C4.2 BITUMINOUS RESEALING OF LOCAL ROADS	
	<b>C5 GENERAL MANAGER COMMUNITY AND CULTURE</b>	
<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> ITEM F1.1 SALE OF PROPERTIES FOR UNPAID RATES AND CHARGES (Refer to Agenda Item C2.2) ITEM F1.2 BITUMINOUS RESEALING OF LOCAL ROADS (Refer to Agenda Item C4.2)	
<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 21 August 2018.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 21 August 2018.*

**COUNCILLOR BYE / COUNCILLOR STEPHENS**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 21 August 2018*

**CARRIED**

**ITEM A5**

**BUSINESS ARISING FROM PREVIOUS MEETINGS**

NIL

**ITEM A6**

**ACCEPTANCE OF LATE ITEMS**

NIL

**ITEM A7**

**NOTICE OF MOTION**

NIL

**ITEM A8**

**RECEIVING OF PETITIONS OR JOINT LETTERS**

NIL

**ITEM A8(1)**

**OUTSTANDING PETITIONS**

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

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

Councillor Bye acknowledged the finalists from the 2018 Federation Business Awards, in particular, Portside Food and Wine, who won the Hospitality Section for 2018.

Councillor Hole acknowledged Councils Economic Development Business Unit for their efforts in organising the "Farming for Success" conference, where the Agriculture Position Paper was launched.

Councillor Hole acknowledged the Heyfield Community Resource Centre volunteers and the exceptional programs that are offered to the Community. Councillor Hole congratulated the resource centre on winning the 2018 Learn Local Legends Award. The Mayor also acknowledged Aymee Schofield who was recently awarded the Victorian Learn Local Pre-Accredited Pathway Program Award.

Councillor Crossley acknowledged the Stratford Knob Reserve recent launch of Victoria's first joint Management Plan between Gunaikurnai Traditional Owners Land Management Board and the State Government.

Councillor Ripper acknowledged the organisers of the Gippsland and District International Winter Dog Show for a wonderful event, which was recently held at the Maffra Recreation Reserve.

**ITEM A10****QUESTIONS ON NOTICE**

NIL

**ITEM B****DELEGATES REPORT**

Councillor Hall provided a delegate report on his attendance at the Gippsland Local Government Network (GLGN). The agenda included:

Overview of the operation of the GLGN including priority projects and budget outcomes,  
Presentations from Gippsland Tech and Federation Training & Federation University

Councillor Hole provided a delegate report on his attendance at the recent Municipal Association of Victoria (MAV) Regional meeting. The agenda included:

Use of digital technology, Work Cover Insurance, Land fill levy contribution and the administration of that fund and Recycling.

**ITEM C2.1**

**ASSEMBLY OF COUNCILLORS**

**OBJECTIVE**

To report on all assembly of Councillor records received for the period 14 August 2018 to 28 August 2018.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council note and receive the attached Assembly of Councillor records for the period 14 August 2018 to 28 August 2018.*

**COUNCILLOR McCUBBIN / COUNCILLOR BYE**

*That Council note and receive the attached Assembly of Councillor records for the period 14 August 2018 to 28 August 2018.*

**CARRIED**

**OBJECTIVE**

For Council to enact Section 181 of the *Local Government Act 1989* and sell the rateable properties as listed in the attached confidential report to recover unpaid rates and charges.

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

1. ***That Council resolve to enact Section 181 of the Local Government Act 1989 and sell the rateable properties as listed in the attached confidential report to recover unpaid rates and charges.***
2. ***The information contained in the confidential document Item F1.1 Sale of Properties for Unpaid Rates and Charges of this Council Meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Corporate Services on 13 August 2018 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: b) the personal hardship of any resident or ratepayer be designated confidential information under Section 77 Clause (2) (b) of the Local Government Act 1989.***

**COUNCILLOR HALL / COUNCILLOR STEPHENS**

1. ***That Council resolve to enact Section 181 of the Local Government Act 1989 and sell the rateable properties as listed in the attached confidential report to recover unpaid rates and charges.***
2. ***The information contained in the confidential document Item F1.1 Sale of Properties for Unpaid Rates and Charges of this Council Meeting and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Corporate Services on 13 August 2018 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: b) the personal hardship of any resident or ratepayer be designated confidential information under Section 77 Clause (2) (b) of the Local Government Act 1989.***

**CARRIED**

**ITEM C2.3****INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL  
STAFF****OBJECTIVE**

For Council to adopt recent amendments to the Instrument of Delegation to Members of Council Staff who hold, act in, or perform the duties of the office or position relating to the *Heritage Act 1995, Heritage Act 2017, Local Government Act 1989* and *Planning & Environment Act 1987*, as attached.

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

*That Council adopt the updated Instrument of Delegation to Members of Council Staff, as attached.*

**COUNCILLOR ROSSETTI / COUNCILLOR MAHER**

*That Council adopt the updated Instrument of Delegation to Members of Council Staff, as attached.*

**CARRIED**

**ITEM C3.1****INCLUSION OF INFRASTRUCTURE DESIGN MANUAL IN  
PLANNING SCHEME****OBJECTIVE**

For Council to support a Group Council (GC) Planning Scheme Amendment undertaken in accordance with Section 20(4) of the *Planning and Environment Act (1987)* to formally implement the Infrastructure Design Manual (IDM) into the Wellington Planning Scheme through the insertion of a new Clause and Reference Document (**Attachment 1**).

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

*That Council resolve to support a Group Council (GC) Planning Scheme Amendment undertaken in accordance with Section 20(4) of the Planning and Environment Act (1987) to formally implement the Infrastructure Design Manual (IDM) into the Wellington Planning Scheme through the insertion of a new Clause and Reference document (Attachment 1).*

**COUNCILLOR MAHER / COUNCILLOR BYE**

*That Council resolve to support a Group Council (GC) Planning Scheme Amendment undertaken in accordance with Section 20(4) of the Planning and Environment Act (1987) to formally implement the Infrastructure Design Manual (IDM) into the Wellington Planning Scheme through the insertion of a new Clause and Reference document (Attachment 1).*

**CARRIED**

**ITEM C4.1**

**ROSEDALE LANDFILL CLOSURE**

**OBJECTIVE**

The objective of the report is for Council to consider the closure of the Rosedale Landfill on 30 October 2018.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That;*

- 1. Council resolve to close the Rosedale Landfill on 30 October 2018;*
- 2. The Chief Executive Officer take the necessary steps to inform the community of the impending closure on 30 October 2018;*
- 3. That the Chief Executive Officer take the necessary steps to adjust the existing Waste Services Contract 2008/155 to reflect the closure of the Rosedale Landfill on 30 October 2018.*

**COUNCILLOR HOLE / COUNCILLOR STEPHENS**

*That;*

- 1. Council resolve to close the Rosedale Landfill on 30 October 2018;*
- 2. The Chief Executive Officer take the necessary steps to inform the community of the impending closure on 30 October 2018;*
- 3. That the Chief Executive Officer take the necessary steps to adjust the existing Waste Services Contract 2008/155 to reflect the closure of the Rosedale Landfill on 30 October 2018.*

**CARRIED**

**ITEM C4.2**

**BITUMINOUS RESEALING OF LOCAL ROADS  
CONTRACT 2019- 001, 2018 - 2021**

**OBJECTIVE1.**

The objective of this report is for Council to consider entering into a contract for the bituminous resealing of local roads for a three year period from 2018 to 2021.

**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 Bituminous Resealing of Local Road Contract 2019-001, 2018/2019, 2019/2020, 2020/2021 of the Council Meeting Agenda; and***
- 2. The information contained in the confidential document Item F1.2 Bituminous Resealing of Local Road Contract 2019-001, 2018/2019, 2019/2020, 2020/2021 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 & Natural Environment on 6 August 2018 because it related 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 RIPPER / COUNCILLOR McCUBBIN**

***That:***

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.2 Bituminous Resealing of Local Road Contract 2019-001, 2018/2019, 2019/2020, 2020/2021 of the Council Meeting Agenda; and***
- 2. The information contained in the confidential document Item F1.2 Bituminous Resealing of Local Road Contract 2019-001, 2018/2019, 2019/2020, 2020/2021 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 & Natural Environment on 6 August 2018 because it related 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 Fulton Hogan Industries Pty Ltd



## 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 – Nil

Gallery Comments - Nil

Meeting declared closed at: 3:44pm

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



**G. IN CLOSED SESSION**

**G. IN CLOSED SESSION**

**COUNCILLOR STEPHENS / COUNCILLOR ROSSETTI**

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

- a) personnel matters*

**CARRIED**

---

**IN CLOSED SESSION**

---

**COUNCILLOR STEPHENS / COUNCILLOR RIPPER**

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

**CARRIED**