



# WELLINGTON SHIRE COUNCIL

*The Heart of Gippsland*

## Resolutions In Brief

To be read in conjunction with the Ordinary Council Meeting Agenda  
21 May 2019

### **COUNCILLORS PRESENT**

Alan Hall (Mayor)  
Malcolm Hole (Deputy Mayor)  
Ian Bye  
Carmel Ripper  
Scott Rossetti  
Garry Stephens

### **IN ATTENDANCE**

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

### **COUNCILLOR APOLOGY**

Carolyn Crossley  
Gayle Maher  
Darren McCubbin

### **OFFICER APOLOGY**

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

# ORDINARY MEETING OF COUNCIL – 21 MAY 2019

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**ITEM A4**

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

**OBJECTIVE**

To adopt the minutes of the Ordinary Council Meeting of 7 May 2019.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 7 May 2019.*

**COUNCILLOR BYE / COUNCILLOR ROSSETTI**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 7 May 2019.*

**CARRIED**

**ITEM A5**

**BUSINESS ARISING FROM PREVIOUS MINUTES**

NIL

**ITEM A6**

**ACCEPTANCE OF LATE ITEMS**

NIL

**ITEM A7**

**NOTICES OF MOTION**

NIL

I, Councillor Garry Stephens, hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council on 21 May 2019.

***“That the Mayor write to the Hon Melissa Horne, Minister for Ports and Freight, requesting: -***

- 1. A review of the condition of the McLoughlin’s Beach Jetty;***
- 2. A commitment to funding a replacement of the McLoughlin’s Beach Jetty; and***
- 3. That the Minister ascertain the following:***
  - a) The number of boating incidents that have involved a need to use the Jetty over the past 20 years;***
  - b) The need to access the Jetty as part of the response to a marine oil spill east of Port Albert, and***
  - c) As a result of her findings regarding the matters listed above, confirm whether a higher priority can be given by the State Government to funding a replacement of the McLoughlin’s Beach Jetty.”***

**COUNCILLOR STEPHENS / COUNCILLOR BYE**

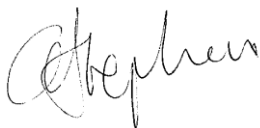
***“That the Mayor write to the Hon Melissa Horne, Minister for Ports and Freight, requesting: -***

- 1. A review of the condition of the McLoughlin’s Beach Jetty;***
- 2. A commitment to funding a replacement of the McLoughlin’s Beach Jetty; and***
- 3. That the Minister ascertain the following:***
  - a) The number of boating incidents that have involved a need to use the Jetty over the past 20 years;***
  - b) The need to access the Jetty as part of the response to a marine oil spill east of Port Albert, and***
  - c) As a result of her findings regarding the matters listed above, confirm whether a higher priority can be given by the State Government to funding a replacement of the McLoughlin’s Beach Jetty.”***

**CARRIED**

***Rationale***

Wellington Shire has been involved in discussions about the future of the McLoughlin’s Beach Jetty as far back as 2004. The Council also formed a working group to discuss the ways to fund a replacement of the Jetty. This Jetty is the responsibility of Gippsland Ports and the role of Council is to advocate on behalf of residents and the boating fraternity for the upgrade and maintenance of this jetty. There is anecdotal evidence to suggest that use of the jetty by emergency services has saved lives on several occasions. The jetty has been slowly deteriorating since a major refurbishment in 1985. Eventually it will reach the stage of being removed or replaced. It is remarkable to read the information from 2004 to 2006 and see that the jetty is still functioning today, 15 years later. If funding cannot be found to replace the jetty it is certain that emergency services will have to find an alternative to protect the safety of the boating fraternity.



.....  
**COUNCILLOR GARRY STEPHENS**

Dated: (13 May 2019)

**ITEM A8(1)****OUTSTANDING PETITIONS**

ACTION OFFICER

GOVERNANCE

DATE:

21 MAY 2019

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ITEM	FROM MEETING	COMMENTS	ACTION BY
Installation of street light Colville Street, Port Albert	5 March 2019	Item to lay on the table until further notice.	Manager Assets & Projects

**ITEM A8(2)**

**RESPONSE TO PETITION – STREET LIGHT FOR COLVILLE STREET PORT ALBERT**

**OBJECTIVE**

The purpose of this report is for Council to consider a petition presented at the Ordinary Council meeting of 5 February 2019.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY - NIL**

**RECOMMENDATION**

*That:*

- 1. The Chief Executive Officer write to the head petitioner, advising that a single street light will not be installed in Colville Street, Port Albert, as it will not conform with current standards; and*
- 2. Engagement be undertaken with the head petitioner to ascertain whether there is general support for upgrading the street lighting network to meet current standards along South Street and Colville Street, Port Albert, via a Special Charge Scheme.*

**COUNCILLOR STEPHENS / COUNCILLOR MAHER**

*The Item lay on the table, so Council can receive further information from council officers regarding our in-fill policy for street lighting throughout the municipality.*

**CARRIED**

**COUNCILLOR STEPHENS / COUNCILLOR RIPPER**

*That item A8(2) from the meeting of 5<sup>th</sup> March 2019 be lifted from the table*

**CARRIED**

**COUNCILLOR STEPHENS / COUNCILLOR HOLE**

*That*

- 1. Council authorise the installation of a street light in Colville St Port Albert provided that the street light can be installed on an existing pole; and*
- 2. The Chief Executive Officer write to the head petitioner, advising of the outcome of the petition.*

**CARRIED**



**ITEM C1.2**

**APRIL 2019 PERFORMANCE REPORT**

**OBJECTIVE**

For Council to receive and note the April 2019 Council Performance Report.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council receive and note the April 2019 Council Performance Report as attached.*

**COUNCILLOR STEPHENS / COUNCILLOR HOLE**

*That Council receive and note the April 2019 Council Performance Report as attached.*

**CARRIED**

**ITEM C2.1**

**ASSEMBLY OF COUNCILLORS**

**OBJECTIVE**

To report on all assembly of Councillor records received for the period 1 May 2019 to 15 May 2019.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council note and receive the attached Assembly of Councillor records for the period 1 May 2019 to 15 May 2019.*

**COUNCILLOR BYE / COUNCILLOR ROSSETTI**

*That Council note and receive the attached Assembly of Councillor records for the period 1 May 2019 to 15 May 2019.*

**CARRIED**

**ITEM C2.2****ADOPTION OF THE 2019 PROPERTY REVALUATION****OBJECTIVE**

To adopt the total valuation of all properties within the Shire as at the return date of 1 January 2019.

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

*That Council adopt the following valuation figures as at the return date of 1 January 2019.*

	<b>SITE VALUE</b>	<b>CAPITAL IMPROVED VALUE</b>	<b>NET ANNUAL VALUE</b>
RATEABLE	\$5,243,390,200	\$11,450,492,200	\$645,100,443
NON RATEABLE	\$ 443,450,700	\$ 701,175,700	\$ 37,438,927
TOTAL VALUATION	\$5,686,840,900	\$12,151,667,900	\$682,539,370

**COUNCILLOR HOLE / COUNCILLOR BYE**

*That Council adopt the following valuation figures, as provided by the Valuer General's Office, as at the return date of 1 January 2019.*

	<b>SITE VALUE</b>	<b>CAPITAL IMPROVED VALUE</b>	<b>NET ANNUAL VALUE</b>
RATEABLE	\$5,243,390,200	\$11,450,492,200	\$645,100,443
NON RATEABLE	\$ 443,450,700	\$ 701,175,700	\$ 37,438,927
TOTAL VALUATION	\$5,686,840,900	\$12,151,667,900	\$682,539,370

**CARRIED**

**ITEM C3.1**

**PLANNING PERMIT APPLICATION P47/2019**

**OBJECTIVE**

To determine planning permit application P47/2019 for a two-lot subdivision of land at 22 Evelyn Drive, Sale.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

Gary Howard, Evelyn Drive Resident  
Spoke to Council regarding Evelyn Drive Estate

- Interpretation regarding the application of Covenant over the entire Estate
- Increase in traffic volume which continues to tax the existing road infrastructure

Chris Curnow, Principle Town Planner Beveridge Williams  
Spoke to Council on behalf of the developers regarding Evelyn Drive Estate

- History regarding the lot development within the estate
- Reasons why Council should grant the approval of the planning permit
- Clarified the concerns surrounding the application of covenant over the entire Estate

**RECOMMENDATION**

***That Council, pursuant to Section 59, 60, 61, 62 and 64 of the Planning and Environment Act 1987, issue a Notice of Decision to Grant Planning Permit P47/2019 for a two lot subdivision of land at 22 Evelyn Drive, Sale subject to conditions included in Attachment 2.***

***COUNCILLOR STEPHENS / COUNCILLOR RIPPER***

***That Council, pursuant to Section 59, 60, 61, 62 and 64 of the Planning and Environment Act 1987, issue a Notice of Decision to Grant Planning Permit P47/2019 for a two lot subdivision of land at 22 Evelyn Drive, Sale subject to conditions included in Attachment 2.***

Councillor Rossetti called for a Division

Councillors For: Councillor Hole, Councillor Stephens, Councillor Ripper,  
Councillor Bye

Councillors Against: Councillor Hall, Councillor Rossetti

**CARRIED**

Councillors Absent: Councillor Crossley, Councillor McCubbin, Councillor Maher

**ITEM C5.1**

**COMMUNITY ASSISTANCE GRANTS – EVENTS AND PROJECTS  
MARCH 2019**

**OBJECTIVE**

That Council approve the recommendations to allocate Community Assistance Grants – Events and Projects March 2019 funds as detailed in Attachment A and that applicants be notified of the outcome of their applications.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council approve the recommendations to allocate Community Assistance Grants – Events and Projects March 2019 funds as detailed in Attachment A and that applicants be notified of the outcome of their applications.*

Councillor Stephens declared an indirect interest under section 78B due to a conflict of duty and left the chamber at 6:47pm

**COUNCILLOR RIPPER / COUNCILLOR BYE**

*That Council approve the recommendations to allocate Community Assistance Grants – Events and Projects March 2019 funds as detailed in Attachment A and that applicants be notified of the outcome of their applications.*

**CARRIED**

Councillor Stephens returned to the chamber at 6:48pm

**ITEM C5.2**

**NEWRY RECREATION RESERVE COMMITTEE OF MANAGEMENT  
MINUTES**

**OBJECTIVE**

For Council to receive the minutes from the Newry Recreation Reserve Committee of Management's General Meeting held on 25 February 2019.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*That Council receive the minutes from the Newry Recreation Reserve Committee of Management's General Meeting held on 25 February 2019.*

**COUNCILLOR HOLE / COUNCILLOR RIPPER**

*That Council receive the minutes from the Newry Recreation Reserve Committee of Management's General Meeting held on 25 February 2019.*

**CARRIED**

**ITEM C5.3**

**MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT  
MINUTES**

**OBJECTIVE**

For Council to receive the minutes from the Maffra Recreation Reserve Committee of Management General Meetings held on 4 March 2019 and 1 April 2019.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

**RECOMMENDATION**

*For Council to receive the minutes from the Maffra Recreation Reserve Committee of Management General Meetings held on 4 March 2019 and 1 April 2019.*

**COUNCILLOR RIPPER / COUNCILLOR HOLE**

*For Council to receive the minutes from the Maffra Recreation Reserve Committee of Management General Meetings held on 4 March 2019 and 1 April 2019.*

**CARRIED**

**ITEM C5.4****GORDON STREET RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIP****OBJECTIVE**

For Council to appoint the nominated Heyfield Junior Netball Club representative as detailed in the attached confidential report, to the Gordon Street Recreation Reserve Committee of Management for the remainder of the three-year period ending on 18 December 2021.

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

***That:***

- 1. Council appoint the nominated Heyfield Junior Netball Club representative as detailed in the attached confidential report, to the Gordon Street Recreation Reserve Committee of Management for the remainder of the three-year period ending on 18 December 2021 pursuant to the provisions of Section 86 of the Local Government Act 1989;***
- 2. The information contained in the confidential attachment Item F1.1 Gordon Street Recreation Reserve Committee Membership 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 Community and Culture on 8 May 2019 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 member can be made public.***

**COUNCILLOR HOLE / COUNCILLOR BYE**

***That:***

- 1. Council appoint the nominated Heyfield Junior Netball Club representative as detailed in the attached confidential report, to the Gordon Street Recreation Reserve Committee of Management for the remainder of the three-year period ending on 18 December 2021 pursuant to the provisions of Section 86 of the Local Government Act 1989;***
- 2. The information contained in the confidential attachment Item F1.1 Gordon Street Recreation Reserve Committee Membership 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 Community and Culture on 8 May 2019 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 member can be made public.***

**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 – NIL

GALLERY COMMENTS - NIL

Meeting declared closed at: 6:51pm

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