



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

Resolutions in Brief

**To be read in conjunction with the Council Meeting Agenda
4 February 2020**

COUNCILLORS PRESENT

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

IN ATTENDANCE

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

ORDINARY MEETING OF COUNCIL – 4 FEBRUARY 2020

RESOLUTIONS IN BRIEF

	ITEM	PAGE NUMBER
A	PROCEDURAL	
A1	STATEMENT OF ACKNOWLEDGEMENT AND PRAYER	
A2	APOLOGIES <i>NIL</i>	
A3	DECLARATION OF CONFLICT/S OF INTEREST <i>NIL</i>	
A4	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING	
A5	BUSINESS ARISING FROM PREVIOUS MEETING/S <i>NIL</i>	
A6	ACCEPTANCE OF LATE ITEMS	
A7	NOTICES OF MOTION ITEM A7(1a) NOTICE OF MOTION – PROVISION OF COACH FOR STUDENT TRAVEL <i>Item A7(1a) has replaced the Notice of Motion listed in Agenda Ordinary Council Meeting 4 February 2020 at Item A7(1).</i>	
A8	RECEIVING OF PETITIONS OR JOINT LETTERS ITEM A8(1) OUTSTANDING PETITIONS	
A9	INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS	
A10	QUESTIONS ON NOTICE	
B	REPORT OF DELEGATES ITEM B1 MEETING WITH THE HON ADEM SOMYUREK, MINISTER FOR LOCAL GOVERNMENT	
C	OFFICERS' REPORT	
	C1 CHIEF EXECUTIVE OFFICER ITEM C1.1 DECEMBER 2019 COUNCIL PERFORMANCE REPORT	
	C2 GENERAL MANAGER CORPORATE SERVICES ITEM C2.1 ASSEMBLY OF COUNCILLORS ITEM C2.2 AUDIT & RISK COMMITTEE MINUTES ITEM C2.3 ELECTION CARETAKER PERIOD POLICY REVIEW	

	ITEM	PAGE NUMBER
	C3 GENERAL MANAGER DEVELOPMENT	
	C4 GENERAL MANAGER BUILT & NATURAL ENVIRONMENT ITEM C4.1 ROAD CLOSURE - PARTS OF UNUSED GOVERNMENT ROAD EAST OF RIVERSDALE ROAD AT MAFFRA ITEM C4.2 APPLICATION FOR UNUSED ROAD LICENCE IN THE PARISH OF GIFFARD AT GIFFARD ITEM C4.3 MAFFRA STREETSCAPE RENEWAL WORKS (JOHNSON STREET NORTH) CONTRACT 2020-045	
	C5 GENERAL MANAGER COMMUNITY AND CULTURE ITEM C5.1 GIPPSLAND ART GALLERY ADVISORY GROUP MINUTES ITEM C5.2 BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIPS ITEM C5.3 BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES ITEM C5.4 CAMERON SPORTING COMPLEX COMMITTEE OF MANAGEMENT MINUTES ITEM C5.5 MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES	
D	URGENT BUSINESS	
E	FURTHER GALLERY AND CHAT ROOM COMMENTS	
F	CONFIDENTIAL ATTACHMENT/S ITEM F1.1 AUDIT & RISK COMMITTEE MINUTES (Refer to Agenda Item C2.2) ITEM F1.2 CONTRACT TENDER EVALUATION REPORT FOR MAFFRA STREETSCAPE RENEWAL WORKS (JOHNSON STREET NORTH) CONTRACT 2020-045 (Refer to Agenda Item C4.3) ITEM F1.3 BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIPS (Refer to Agenda Item C5.2)	
G	IN CLOSED SESSION	

ITEM A4

ADOPTION OF MINUTES OF PREVIOUS MEETING/S

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 17 December 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 17 December 2019.

COUNCILLOR BYE / COUNCILLOR MAHER

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 17 December 2019.

CARRIED

ITEM A5

BUSINESS ARISING FROM PREVIOUS MEETING/S

Nil

ITEM A6

ACCEPTANCE OF LATE ITEMS

That Item C2.4 Instrument of Appointment and Authorisation (Planning and Environment Act 1987) – General Manager Development be accepted as a late item.

COUNCILLOR STEPHENS / COUNCILLOR BYE

CARRIED

ITEM A7(1a)

NOTICE OF MOTION

That the Mayor write to the Minister for Public Transport, the Hon Melissa Horne MP, requesting her to actively support the importance of rural students having access to affordable travel to Melbourne to participate in activities in Victoria's capital city.

That the Mayor highlights in the letter to the Minister for Public Transport that a group of 60 students and teachers from Yarram Secondary College have recently been refused access to V/Line buses to travel to Melbourne and Council believes such actions are:

- *Discriminating against rural students, especially those from low socio-economic families living in drought declared areas*
- *Placing undue hardship on small rural schools to fund private buses where there is no access to public transport or that access is withdrawn*
- *Reinforcing the perceived inequality of transport service provision to rural communities, especially to young people*

That the Mayor requests the Minister for Public Transport to conduct a review into processes that allocate V/Line bus services to rural and remote schools in order to ensure that no school is disadvantaged or refused reasonable requests for group travel.

COUNCILLOR STEPHENS / COUNCILLOR CROSSLEY

ITEM C1.2

DECEMBER 2019 PERFORMANCE REPORT

OBJECTIVE

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

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

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

COUNCILLOR STEPHENS / COUNCILLOR HOLE

That Council receive and note the December 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 11 December 2019 to 25 December 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 11 December 2019 to 25 December 2019.

COUNCILLOR BYE / COUNCILLOR MAHER

That Council note and receive the attached Assembly of Councillor records for the period 11 December 2019 to 25 December 2019.

CARRIED

ITEM C2.2

AUDIT & RISK COMMITTEE MINUTES

OBJECTIVE

To receive and note the minutes of the Audit & Risk Committee meeting held on 16 December 2019.

RECOMMENDATION

That:

- 1. Council receive and note the minutes in brief (Attachment 1) and the confidential attachment at Item F1.1 Audit & Risk Committee Minutes of 16 December 2019;***
- 2. The information contained in the confidential attachment Item F1.1 Audit & Risk Committee Minutes of 16 December 2019 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 19 December 2019 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 STEPHENS / COUNCILLOR BYE

That:

- 1. Council receive and note the minutes in brief (Attachment 1) and the confidential attachment at Item F1.1 Audit & Risk Committee Minutes of 16 December 2019;***
- 2. The information contained in the confidential attachment Item F1.1 Audit & Risk Committee Minutes of 16 December 2019 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 19 December 2019 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

Councillor Stephens announced the elected Chairperson of the Audit & Risk Committee as Mr Chris Badger.

ITEM C2.3

ELECTION CARETAKER PERIOD POLICY REVIEW

OBJECTIVE

To approve the Election Caretaker Period policy in its current state as attached.

RECOMMENDATION

That Council approve the attached Election Caretaker Period policy.

COUNCILLOR HOLE / COUNCILLOR MCCUBBIN

That Council approve the attached Election Caretaker Period policy.

CARRIED

ITEM C4.1**ROAD CLOSURE – PARTS OF UNUSED GOVERNMENT ROAD
EAST OF RIVERSDALE ROAD AT MAFFRA****OBJECTIVE**

The objective of this report is for Council to consider a request by the Department of Environment, Land, Water and Planning (DELWP) for the discontinuance and sale of parts of an unused Government Road adjoining Lot 1 PS547886 and Lot 2 PS518813 in the Parish of Tinamba, east of Riversdale Road, Maffra.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. The property owners be advised in writing that they are required to enter into a Section 173 Agreement under the Planning and Environment Act 1987 on each of their abutting titles to the road to be closed. Entering into an agreement that within three months of the road sales process being completed, that they will consolidate the road titles into the abutting land, prior to consent being provided to close the roads, and once the Section 173 Agreements have been placed on titles Council agrees to the following;*
- 2. Pursuant to section 349 of the Land Act 1958, Council resolves to give its concurrence to the closing of sections of Government road adjoining Lot 1 PS547886 and Lot 2 PS518813 in the Parish of Tinamba and shown red on the attached plans;*
- 3. Pursuant to section 400 of the Land Act 1958, Council gives notice that the portions of Government road adjoining Lot 1 PS547886 and Lot 2 PS518813 in the Parish of Tinamba, are considered to not be required for public traffic and are therefore an unused road.*

COUNCILLOR RIPPER / COUNCILLOR MAHER

That:

- 1. The property owners be advised in writing that they are required to enter into a Section 173 Agreement under the Planning and Environment Act 1987 on each of their abutting titles to the road to be closed. Entering into an agreement that within three months of the road sales process being completed, that they will consolidate the road titles into the abutting land, prior to consent being provided to close the roads, and once the Section 173 Agreements have been placed on titles Council agrees to the following;*
- 2. Pursuant to section 349 of the Land Act 1958, Council resolves to give its concurrence to the closing of sections of Government road adjoining Lot 1 PS547886 and Lot 2 PS518813 in the Parish of Tinamba and shown red on the attached plans;*
- 3. Pursuant to section 400 of the Land Act 1958, Council gives notice that the portions of Government road adjoining Lot 1 PS547886 and Lot 2 PS518813 in the Parish of Tinamba, are considered to not be required for public traffic and are therefore an unused road.*

CARRIED

ITEM C4.2**APPLICATION FOR UNUSED ROAD LICENCE IN THE PARISH OF GIFFARD AT GIFFARD****OBJECTIVE**

The objective of this report is for Council to consider an application that the Government Road south of CA 3 Section B in the Parish of Giffard is not required for public traffic and is therefore an unused road.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That pursuant to section 400 of the Land Act 1958, Council give notice that Government Road south of CA 3 Section B, Parish of Giffard is not required for public traffic and is therefore an unused road.

COUNCILLOR MAHER / COUNCILLOR STEPHENS

That pursuant to section 400 of the Land Act 1958, Council give notice that Government Road south of CA 3 Section B, Parish of Giffard is not required for public traffic and is therefore an unused road.

CARRIED

ITEM C4.3**MAFFRA STREETSCAPE RENEWAL WORKS (JOHNSON STREET NORTH) CONTRACT 2020-045****OBJECTIVE**

The objective of this report is for Council to consider entering into a contract for the renewal of the Maffra CBD Streetscape on the northern service road of Johnson Street, Maffra.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.2 of the Council Meeting Agenda for Maffra Streetscape Renewal Works (Johnson Street North) Contract 2020-045; and*
- 2. The information contained in the confidential document Item F1.2 of the 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 21 January 2020 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 CROSSLEY / COUNCILLOR BYE

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report at Item F1.2 of the Council Meeting Agenda for Maffra Streetscape Renewal Works (Johnson Street North) Contract 2020-045; and**
- 2. The information contained in the confidential document Item F1.2 of the 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 21 January 2020 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 J.W. Volk Pty Ltd.

ITEM C5.1

GIPPSLAND ART GALLERY ADVISORY GROUP MINUTES

OBJECTIVE

To receive the minutes from the Gippsland Art Gallery Advisory Group meeting held on 2 December 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 2 December 2019.

COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY

That Council receive the minutes of the Gippsland Art Gallery Advisory Group meeting held on 2 December 2019.

CARRIED

ITEM C5.2

BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MEMBERSHIP

OBJECTIVE

For Council to appoint the nominated representatives to the vacant Committee positions as detailed in the attached confidential report, to the Briagolong Recreation Reserve Committee of Management for a three-year period.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council appoint the nominated representatives to the vacant Committee positions as detailed in the attached confidential report, to the Briagolong Recreation Reserve Committee of Management for a three-year period;**
- 2. The information contained in the attached document Item F1.3 Briagolong 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 20 January 2020 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 RIPPER / COUNCILLOR HOLE

That:

- 1. Council appoint the nominated representatives to the vacant Committee positions as detailed in the attached confidential report, to the Briagolong Recreation Reserve Committee of Management for a three-year period;**
- 2. The information contained in the attached document Item F1.3 Briagolong 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 20 January 2020 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

ITEM C5.3

BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES

OBJECTIVE

For Council:

1. To receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 25 November 2019 and minutes from the Annual General Meeting held on 3 December 2019; and
2. Approve the Briagolong Recreation Reserve Committee of Management's Rules for the Reserve (Attachment A) as adopted by the Committee at the Annual General Meeting held on 3 December 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

- 1. Receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 25 November 2019 and minutes from the Annual General Meeting held on 3 December 2019; and*
- 2. Approve the Briagolong Recreation Reserve Committee of Management's Rules for the Reserve (Attachment A) as adopted by the Committee at the Annual General Meeting held on 3 December 2019.*

COUNCILLOR RIPPER / COUNCILLOR CROSSLEY

That Council:

- 1. Receive the minutes from the Briagolong Recreation Reserve Committee of Management's General Meeting held on 25 November 2019 and minutes from the Annual General Meeting held on 3 December 2019; and*
- 2. Approve the Briagolong Recreation Reserve Committee of Management's Rules for the Reserve (Attachment A) as adopted by the Committee at the Annual General Meeting held on 3 December 2019.*

CARRIED

ITEM C5.4

CAMERON SPORTING COMPLEX COMMITTEE OF MANAGEMENT MINUTES

OBJECTIVE

For Council to receive the minutes from the Cameron Sporting Complex Committee of Management's General Meeting held on 17 October 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the minutes from the Cameron Sporting Complex Committee of Management's General Meeting held on 17 October 2019.

COUNCILLOR HOLE / COUNCILLOR RIPPER

That Council receive the minutes from the Cameron Sporting Complex Committee of Management's General Meeting held on 17 October 2019.

CARRIED

ITEM C5.5

**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 2 December 2019.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meeting held on 2 December 2019.

COUNCILLOR RIPPER / COUNCILLOR CROSSLEY

That Council receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meeting held on 2 December 2019.

CARRIED

ITEM D

URGENT BUSINESS

NIL

ITEM F

FURTHER GALLERY AND CHAT ROOM COMMENTS

CHATROOM -

NIL

FURTHER GALLERY COMMENTS –

JOHN MCLINDEN, LONGFORD:

- Spoke in relation to the recent bushfires and the need for fuel reduction

ROBERT STEWART, SALE:

- Spoke in relation to rundown shopfronts on Raymond Street, Sale and has requested that action be taken to bring them back to good repair

Meeting declared closed at: 3:48pm

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