Resolutions in Brief

To be read in conjunction with the Agenda of 15 May 2012

PRESENT:
Councillor Peter Cleary (Mayor)
Councillor Jeff Amos
Councillor Gregg Cook
Councillor Jane Hildebrant
Councillor Malcolm Hole
Councillor Darren McCubbin
Councillor Leo O’Brien
Councillor Beth Ripper
Councillor Scott Rossetti

IN ATTENDANCE:
David Morcom, Chief Executive Officer
Paul Holton, General Manager Development
Chris Hastie, General Manager Built and Natural Environment
Liz Collins, General Manager Governance
Glenys Butler, General Manager Liveability
Sara Rhodes-Ward, Executive Manager Community Consultation & Communication
Vanessa Ebsworth, Manager Organisation Development
A PROCEDURAL

A1 STATEMENT OF ACKNOWLEDGEMENT and PRAYER
A2 APOLOGIES
   Nil
A3 DECLARATION OF CONFLICT(S) OF INTERESTS
   Councillor Rossetti declared an indirect conflict of interest due to conflicting duty being a member of the Advance TAFE Board in relation to Item C1.3
A4 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING
   Ordinary Meeting of 1 May 2012
A5 BUSINESS ARISING FROM PREVIOUS MEETING/S
   Nil
A6 ACCEPTANCE OF LATE ITEMS
A7 NOTICES OF AMENDMENT OR RESCISSION
   Nil
A8 NOTICES OF MOTION
   Nil
A9 RECEIVING OF PETITIONS OR JOINT LETTERS
   Nil
A10 INVITED ADDRESSES OR PRESENTATIONS
   Caravan and Motorhomes Club of Australia
A11 GALLERY COMMENTS
A12 QUESTIONS ON NOTICE
   12(1) Response to Question on Notice – Special Charge Schemes
   12(2) Response to Question on Notice – Special Charge Scheme, Yarram Drainage
A13 MAYOR’S REPORT

B REPORT OF DELEGATES
C OFFICERS’ REPORTS

C1 CHIEF EXECUTIVE OFFICER
ITEM C1.1 CUSTOMER SERVICE CHARTER
ITEM C1.2 CHIEF EXECUTIVE OFFICER’S ACTIVITIES REPORT
ITEM C1.3 VICTORIAN STATE BUDGET 2012/2013

C2 GENERAL MANAGER GOVERNANCE
ITEM C2.1 ASSEMBLY OF COUNCILLORS
ITEM C2.2 BRIEFING COMMITTEE MINUTES

C3 GENERAL MANAGER DEVELOPMENT
ITEM C3.1 PLANNING DECISIONS
ITEM C3.2 BUILDING PERMITS REPORT

C4 GENERAL MANAGER BUILT & NATURAL ENVIRONMENT
ITEM C4.1 PROPOSED DECLARATION OF SECTIONS OF SEASPRAY - STRADBROKE ROAD EAST, SEASPRAY & STRADBROKE AS A PUBLIC HIGHWAY

C5 GENERAL MANAGER LIVEABILITY

D1 URGENT BUSINESS
D2 FURTHER GALLERY AND CHAT ROOM COMMENTS

E IN CLOSED SESSION
ITEM A4  ADOPTION OF MINUTES OF PREVIOUS MEETING/S

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 1 May 2012.

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 1 May 2012 as tabled.

COUNCILLOR O’BRIEN/COUNCILLOR HILDEBRANT
That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 1 May 2012 as tabled.

CARRIED

ITEM A5  BUSINESS ARISING FROM PREVIOUS MEETING/S

NIL

ITEM A6  ACCEPTANCE OF LATE ITEMS

COUNCILLOR MCCUBBIN/COUNCILLOR AMOS
That Council accept a late item to reschedule the Ordinary Council Meeting and Briefing Committee Meeting for 19 June 2012.

CARRIED

Mayor Cleary stated that the matter would be dealt with at this point.

COUNCILLOR MCCUBBIN/COUNCILLOR AMOS
That:
1. Council change the date of the scheduled 19 June 2012 Council and Briefing Committee meetings to 26 June 2012; and
2. Council provide public notice of the change of date for the scheduled 19 June 2012 Council and Briefing Committee meeting to 26 June 2012.

CARRIED

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 A10 INVITED ADDRESSES OR PRESENTATIONS

Paul Holton, General Manager Development presented to Council a framed aerial photograph of the site of the recent CMCA rally, held in Sale, on behalf of the Campervan and Motorhome Club of Australia to express their appreciation for Council’s support of the Easter 2012 rally.

ITEM A11 GALLERY COMMENTS

NIL

ITEM A12 QUESTIONS ON NOTICE

NIL

ITEM A12 (1) RESPONSE TO QUESTION ON NOTICE

At the 1 May 2012 Council Meeting, Councillor Amos asked the following Questions on Notice:

Could the Chief Executive Officer please advise:
1. By what authority Council is able to undertake a Special Charge Scheme and whether such a scheme would be legal; and

A response will be presented at the next Council Meeting to be held on 5 June 2012.

ITEM A12 (2) RESPONSE TO QUESTION ON NOTICE

At the 1 May 2012 Council Meeting, Councillor Hildebrant asked the following Questions on Notice:

Reference a letter to the Yarram Standard, Thursday 12 April, 2012, from the Secretary, Alberton ratepayers and Residents Association, which stated that the Yarram District Special Charge Scheme was stopped because it was illegal, according to advice from the Victorian Law Reform Group (VLRG) and that the VLRG had written to Council to that effect.

Could the Chief Executive Officer please advise:
1. What response did the Council give to the VLRG concerning the legality of a proposed Special Charge Scheme for Yarram Drainage?
2. Whether the Yarram Drainage Special Charge Scheme was stopped because it was illegal?
3. Under what circumstances has the Yarram Drainage Scheme now gone ahead?

A response will be presented at the next Council Meeting to be held on 5 June 2012.
ITEM A13  MAYOR’S REPORT

ANZAC Day
I have a very close affinity with the thoughts, principles and sentiments behind ANZAC Day. As a military professional it has a very special place in my affections. For me it is the day that we pause to reflect upon the courage, commitment and sacrifice of those brave men and women who served in Gallipoli and other conflicts across the world.

These thoughts and reflections were ever present on the faces of our community when we joined together in Sale to commemorate ANZAC Day. As hundreds of men, women and children gathered around the cenotaph we felt united in a spirit of reverence as we gave thanks to those who had honourably given their lives in service to this country.

The fight of our ANZAC heroes was one distinguished by incredible bravery, duty, honour and dignity. Putting their love of this great nation and the lives of those back home before any thought of self – their sacrifice a feat only possible by the bravest and purist of hearts.

Their courage is an inspiration to many in our community, creating a legend that embodies those quintessential traits that we have come to think of as uniquely Australian; traits of mateship, determination, ingenuity, and resilience.

Every year, as the last post rings out across the ANZAC Day service, I reflect upon what it is to be an Australian and I give thanks to those who laid down their lives so that I could live in a free and democratic society. In many ways, it is our responsibility to make sure that their great sacrifice is never forgotten and that the qualities that they died for are treasured nurtured and proudly embraced each and every day.

Lest we forget.

Citizenship Ceremony
On behalf of the Federal Government, Wellington Shire Council conducts regular Citizenship Ceremonies where we welcome and celebrate the process whereby citizens from other countries choose to become Australian citizens. Citizenship ceremonies are without a doubt one of the great privileges of being Mayor.

The honour of presenting someone with a Citizenship Certificate and officially declaring them an ‘Australian’ always fills me with an enormous sense of pride. Before the Citizenship Ceremony I like to take some time to talk to the candidates about their life experiences and reasons for becoming Australian citizens. As I do this, I’m often overwhelmed by their passion for this wonderful country of ours. Their excitement is infectious as they contemplate making a lifelong commitment to a country that treasures freedom, democracy, tolerance, diversity and respect.

For many candidates, becoming an Australian citizen is a big step. It is a symbol of an individual’s willingness to make an ongoing commitment to Australia – its people, culture and system of government.

ESSO Community Dinner
Each year I have the pleasure of attending the annual ESSO Longford Community Dinner in Sale. This annual function is an opportunity to connect with ESSO’s leadership group and to discuss issues and operational developments at the Longford facility. The Community Dinner is an important part of ESSO’s ongoing commitment to the Wellington Shire and demonstrates their corporate desire to remain connected and engaged with our community. ESSO has a strong relationship with this community, drawing a significant component of their Longford operations work force from the local area.
Unlike many large multi-national corporations, ESSO has a strong presence in our community funding and supporting many community events, activities and groups throughout the Shire. Their work as a responsible corporate citizen is to be commended and I thank them for hosting this wonderful annual event.

Opening of Grand Strzelecki Track
The Grand Strzelecki Track incorporates 100 kilometres of walking and hiking tracks in the Morwell National Park to Tarra Bulga National Park and Balook. The Track creates a beautiful link between contrasting landscapes – valleys, farmlands, old and regrowth forests, bushfire regenration and managed forests.

The Track captures some of the region’s most iconic scenery including views of Bass Strait, the fertile dairy plains of South Gippsland and the hidden natural wonders of the Latrobe Valley.

The Grand Strzelecki Track was officially opened by the Deputy Premier and Member for Gippsland South, Peter Ryan on Sunday 6 May 2012 at the Balook Visitor Information Centre and represents the culmination of months of work by community volunteers, local and state government as well as private sector partners including HPV Plantations and the Bendigo Bank.

The Project is a proud achievement for the many volunteers who have dedicated their expertise, enthusiasm and resources to this wonderful project and on behalf of the Wellington Shire Council, I extend to them our thanks and gratitude.

Each year some 225,000 people visit the Tarra-Bulga and Morwell National Parks and this new destination will showcase some of our region’s most breathtaking scenery, reinforcing our regions reputations as a destination of unlimited natural beauty.

COUNCILLOR PETER CLEARY
MAYOR

RECOMMENDATION

That the Mayor’s report be noted.

COUNCILLOR RIPPER/COUNCILLOR MCCUBBIN
That the Mayor’s report be noted.

CARRIED

ITEM C1.1 CUSTOMER SERVICE CHARTER

OBJECTIVE
For Council to adopt the attached Customer Service Charter.

RECOMMENDATION

That Council adopt the attached Customer Service Charter.

COUNCILLOR AMOS/COUNCILLOR HOLE
That Council adopt the attached Customer Service Charter.

CARRIED
ITEM C1.2  CHIEF EXECUTIVE OFFICER’S ACTIVITIES REPORT

19 April   Meeting with Regional Director, Department of Primary Industries
26 April   Meeting with Cr Hole and representatives from the Sale Greyhound Club
           Attended the Latrobe Valley Transition Committee Community Consultation
27 April   Meeting with the representatives from the Seaspray Surf Life Saving Club
1 May      Attended Esso Annual Longford Community Liaison Dinner
3 May      Meeting with Darren Chester MP and representatives from St Thomas’ Primary School
           Meeting with the Seaspray Reserves Committee of Management
           Attended the Leading Edge Forum - Adapting to New Environments
4 May      Meeting with representatives from the Yarram Standard
9 May      Meeting with the Regional Director and various officers from the Department of Planning & Community Development
10 May     Attended MAV Gippsland Delegates Mayors and CEO’s Meeting
11 May     Meeting and MID Tour with CEO, Southern Rural Water
14 May     Attended Latrobe Valley Transition Committee Meeting
           Guest speaker at Sale Rotary Club Meeting

RECOMMENDATION

That the Chief Executive Officer’s Activities Report be received.

COUNCILLOR HILDEBRANT/COUNCILLOR ROSSETTI
That the Chief Executive Officer’s Activities Report be received.

CARRIED

ITEM C1.3  VICTORIAN STATE BUDGET 2012/2013

OBJECTIVE

That Council formerly respond to the Victorian State Budget 2012/2013, and in particular, its impact on TAFE colleges.

RECOMMENDATION

That Council:
1) write a letter to its local state members, expressing our disappointment with the State Government 2012/13 budget, noting:
   • the lack of new significant projects and service enhancements to this region;
   • Council’s alarm and consternation at the budget cut to TAFE funding, and that this will lead to fewer courses, fewer campuses, fewer services, and fewer jobs for the Gippsland Region;
   • that the TAFE cuts are in direct contravention of the State Government’s strategic objectives under the Latrobe Valley Transition Committee Paper;
   • that we now seek a written commitment from the State Government that it remains fully committed to the Advance TAFE being an independently governed TAFE college based in Sale, and that it continues to receive the appropriate level of funding from the State Government in future years to support this aim.
2) copy the letter to Council’s Upper House representatives;
3) authorise the Mayor and CEO to seek a meeting with Council’s local members to verbally present Council’s views; and
4) authorise the CEO to liaise with neighbouring Councils to sound out the possibility of regional advocacy on the TAFE funding cuts, and to implement such advocacy on behalf of Council that is in accord with the intent of this report.

Councillor Rossetti declared an indirect conflict of interest due to conflicting duty being a member of the Advance TAFE Board.

6.19pm Councillor Rossetti left the Council chamber

COUNCILLOR O’BRIEN/COUNCILLOR HOLE

That Council:
1) write a letter to its local state members, expressing our disappointment with the State Government 2012/13 budget, noting:
   • the lack of new significant projects and service enhancements to this region;
   • Council’s alarm and consternation at the budget cut to TAFE funding, and that this will lead to fewer courses, fewer campuses, fewer services, and fewer jobs for the Gippsland Region;
   • that the TAFE cuts are in direct contravention of the State Government’s strategic objectives under the Latrobe Valley Transition Committee Paper;
   • that we now seek a written commitment from the State Government that it remains fully committed to the Advance TAFE being an independently governed TAFE college based in Sale, and that it continues to receive the appropriate level of funding from the State Government in future years to support this aim.
2) copy the letter to Council’s Upper House representatives;
3) authorise the Mayor and CEO to seek a meeting with Council’s local members to verbally present Council’s views; and
4) authorise the CEO to liaise with neighbouring Councils to sound out the possibility of regional advocacy on the TAFE funding cuts, and to implement such advocacy on behalf of Council that is in accord with the intent of this report.

CARRIED

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

Mr Peter Heilbuth, Chief Executive Officer, Advanced TAFE

Mr Heilbuth thanked Council, particularly the Chief Executive Officer during this challenging situation. The Victorian Government has introduced a range of funding cuts for all TAFE’s, which will have significant impact on the industry, a twenty per cent drop in funding which will effect courses and campus staff. The range of services will not be offered for over twenty per cent of courses and funding within the trades area. Twenty two per cent of Gippsland business is trade. I wish to thank Council for their interest and support.

Councillor Hildebrant called for a division

For: Councillors Hildebrant, Cook, Amos, Cleary, McCubbin, Ripper, O’Brien, Hole.

6.42pm Councillors Rossetti returned to the Council chamber
ITEM C2.1 ASSEMBLY OF COUNCILLORS

OBJECTIVE
To report on all assemblies of Councillors records received during the period 10 April 2012 to 24 April 2012.

RECOMMENDATION
That Council note and receive the attached assembly of Councillors records received during the period 10 April 2012 to 24 April 2012.

COUNCILLOR AMOS/COUNCILLOR HILDEBRANT
That Council note and receive the attached assembly of Councillors records received during the period 10 April 2012 to 24 April 2012.

CARRIED

ITEM C2.2 BRIEFING COMMITTEE MINUTES

OBJECTIVE
To receive and note the minutes of the 17 April 2012 Briefing Committee Meeting as per the attached report together with the approval/endorsement of the proposed action items identified in the Minutes.

RECOMMENDATION
That:
1. Council note and receive the minutes of the 17 April 2012 Briefing Committee Meeting; and
2. Council endorse the proposed action items identified in the 17 April 2012 Briefing Committee Meeting minutes.

COUNCILLOR MCCUBBIN/COUNCILLOR HILDEBRANT
That:
1. Council note and receive the minutes of the 17 April 2012 Briefing Committee Meeting; and
2. Council endorse the proposed action items identified in the 17 April 2012 Briefing Committee Meeting minutes.

CARRIED
ITEM C3.1  PLANNING DECISIONS

OBJECTIVE

To provide a report to Council on planning decisions made under delegation by Statutory Planners during the month of April 2012 for information.

RECOMMENDATION

That Council note the report on Planning Application Determinations between 1 April and 30 April 2012.

COUNCILLOR ROSSETTI/COUNCILLOR HILDEBRANT
That Council note the report on Planning Application Determinations between 1 April and 30 April 2012.

CARRIED

ITEM C3.2  BUILDING PERMITS REPORT

OBJECTIVE

To provide a report to Council on building permits issued in the Wellington Shire during the month of March 2012 for information.

RECOMMENDATION

That Council note the report of building permits issued from 1 March 2012 to 31 March 2012.

COUNCILLOR ROSSETTI/COUNCILLOR AMOS
That Council note the report of building permits issued from 1 March 2012 to 31 March 2012. CARRIED

ITEM C4.1  PROPOSED DECLARATION OF SECTIONS OF SEASPRAY - STRADBROKE ROAD EAST, SEASPRAY & STRADBROKE AS A PUBLIC HIGHWAY

OBJECTIVE

The objective of this report is for Council to declare three sections of Seaspray – Stradbroke Road East at Seaspray and Stradbroke that were constructed by agreement on private property in 1966 as “Public Highways”.

RECOMMENDATION

That:

1. Pursuant to Section 204(1) of the Local Government Act 1989 Council resolves to declare the sections of Seaspray-Stradbroke Road East, through Lot 1 TP 274967H and Lot 1 TP 585572X Section A Parish of Wulla Wullock and Lot 1 TP 888276N Section 2 Parish of Wulla Wullock as a public highway; and

2. A notice to this effect be placed in the Victorian Government Gazette.
COUNCILLOR COOK/COUNCILLOR RIPPER

That:
1. Pursuant to Section 204(1) of the Local Government Act 1989 Council resolves to declare the sections of Seaspray-Stadbroke Road East, through Lot 1 TP 274967H and Lot 1 TP 585572X Section A Parish of Wulla Wullock and Lot 1 TP 888276N Section 2 Parish of Wulla Wullock as a public highway; and
2. A notice to this effect be placed in the Victorian Government Gazette.

CARRIED

D1 URGENT BUSINESS

NIL

D2 FURTHER GALLERY AND CHAT ROOM COMMENTS

Mr Peter Heilbuth, Chief Executive Officer, Advance TAFE
Feasibility of Sale Library, Mr Heilbuth advised that Advance TAFE are open to discussions with Council in relation to co-location with Advance TAFE and Council at the Port of Sale location.

COUNCILLOR AMOS/COUNCILLOR ROSSETTI

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

h) any other matter which the Council or special committee considers would prejudice the Council or any person

CARRIED

IN CLOSED SESSION

COUNCILLOR AMOS/COUNCILLOR RIPPER

That the meeting resume in open session and Council ratify the decisions made in closed session.

CARRIED

Meeting declared closed 6.55pm.