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 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

APOLOGIES:
Councillor Beth Ripper
ORDINARY MEETING OF COUNCIL – 17 APRIL 2012
AGENDA & TABLE OF CONTENTS

A PROCEDURAL
A1 STATEMENT OF ACKNOWLEDGEMENT and PRAYER
A2 APOLOGIES
Nil
A3 DECLARATION OF CONFLICT(S) OF INTERESTS
Nil
A4 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING
Ordinary Meeting of 3 April 2012
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
8 (1) Motion for inclusion on the Agenda for the next Municipal Association of Victoria forthcoming State Council meeting
A9 RECEIVING OF PETITIONS OR JOINT LETTERS
Nil
A10 INVITED ADDRESSES OR PRESENTATIONS
Nil
A11 GALLERY COMMENTS
Nil
A12 QUESTIONS ON NOTICE
12(1) Response to Question on Notice – Stratford Railway bridge
12(2) Response to Question on Notice – Landfill waste
A13 MAYOR’S REPORT
B REPORT OF DELEGATES

C OFFICERS’ REPORTS

C1 CHIEF EXECUTIVE OFFICER
   ITEM C1.1 CHIEF EXECUTIVE OFFICER’S ACTIVITIES REPORT

C2 GENERAL MANAGER GOVERNANCE
   ITEM C2.1 BRIEFING COMMITTEE MINUTES
   ITEM C2.2 ASSEMBLY OF COUNCILLORS
   ITEM C2.3 GUMNUTS EARLY LEARNING CENTRE

C3 GENERAL MANAGER DEVELOPMENT
   ITEM C3.1 PLANNING DECISIONS
   ITEM C3.2 BUILDING PERMITS
   ITEM C3.3 ALBERTON SEWERAGE SCHEME – MINISTERIAL AMENDMENT

C4 GENERAL MANAGER BUILT & NATURAL ENVIRONMENT
   ITEM C4.1 SPECIAL CHARGE SCHEME POLICY

C5 GENERAL MANAGER LIVEABILITY
   ITEM C5.1 GORDON STREET RESERVE COMMITTEE OF MANAGEMENT MINUTES
   ITEM C5.2 BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES

D1 URGENT BUSINESS

D2 FURTHER GALLERY AND CHAT ROOM COMMENTS

E IN CLOSED SESSION
   ITEM E1 REMUNERATION COMMITTEE MINUTES
   ITEM E2 VICTORIAN LIVESTOCK EXCHANGE DISPUTE AND PROPOSED AGREEMENT
ITEM A4
ADOPITION OF MINUTES OF PREVIOUS MEETING/S

OBJECTIVE
To adopt the minutes of the Ordinary Council Meeting of 3 April 2012 as tabled.

RECOMMENDATION
That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 3 April 2012 as tabled.

COUNCILLOR ROSSETTI/COUNCILLOR MCCUBBIN
That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 3 April 2012 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 (1)
NOTICE OF MOTION

I, Malcolm Hole, hereby give notice of my intention to move the following motion at the Ordinary Council Meeting on Tuesday 17 April 2012.

That Council submit the following motion to the Municipal Association of Victoria for inclusion on the Agenda at the forthcoming State Council meeting:

That the State Government indemnify councils from legal liability when they make planning decisions in relation to development applications in coastal areas where such decisions comply with State Government Planning Controls.

.....................................................
COUNCILLOR MALCOLM HOLE
DATE
10 - 04 - 2012

COUNCILLOR HOLE/COUNCILLOR HILDEBRANT
That the State Government indemnify councils from legal liability when they make planning decisions in relation to development applications in coastal areas where such decisions comply with State Government Planning Controls.

CARRIED
ITEM A12 (1) RESPONSE TO QUESTION ON NOTICE

At the 20 March 2012 Council Meeting, Councillor MCubbin asked the following Question on Notice:

**The 2010 – 2011 Development Division Business plans indicate under Key Objectives, Strategies and Measure that they will “continue to pursue the Wellington position on regional freight and logistics services, transport infrastructure provision and increasing rail passenger services in the Traralgon- Sale corridor.”**

**Considering that the Stratford Railway bridge is a vital link within Wellingtons transport rail network can the Chief Executive Officer explain if the Wellington Shire has been made aware of any concerns about the future of the Stratford Railway bridge or plans by the Department of Transport for its improvement.**

The following information is provided in response.

Council officers had not been made aware of any concerns about the future of the Stratford Railway bridge or plans by the Department of Transport for its improvement.

Upon request the following information was provided by the Department of Transport.

**The Stratford Railway Bridge is maintained in a fit for purpose condition for passenger and freight traffic, however a current 15kmh speed limit will remain in place to mimimise any structural deterioration and to compensate for the heavy "N" class locomotives used for passenger trains.**

**There are maintenance works programmed for 2012, however, its age (built in 1890) means that ongoing work will always be required. It is estimated that approximately $300,000 will be spent on maintenance this year.**
ITEM A12 (2) RESPONSE TO QUESTION ON NOTICE

At the 3 April 2012 Council Meeting, Councillor McCubbin asked the following Question on Notice:

In the Gippsland Waste Management Annual report, mention is made of a trial conducted last year in Golden Beach to assist householders to divert green waste from landfill by the trailing of different composting systems.

a) Can the CEO please give Council a brief review of the results of this trial?

b) Can the CEO give a rough measure of the amount of waste that is being generated by the Wellington Shire pound and whether Council can use these composting systems or any other composting method that might reduce the amount of this waste that is currently being sent to landfill

A response will be presented at the next Council Meeting to be held on 1 May 2012.

ITEM A13 MAYOR’S REPORT

National Close the Gap Day
On 22 March I had the pleasure of joining the National Close the Gap event in Sale at our Botanic Gardens.

The day was an opportunity to reflect on progress we have made as a community towards the indigenous community’s access to health services; addressing critical social issues such as housing, nutrition, employment and education; and working in partnership to tackle the indigenous health crisis.

Gathering on the Aqua Energy lawns it was with a great sense of accomplishment that Councillors Ripper, McCubbin and I joined with representatives from Ramahyuck and the community to celebrate the renaming of what was once Macintosh Drive to its new official name, Brayakoolong Close.

Our Geographic Place Names Committee selected the name and location because it is adjacent to both the nearby significant scar tree and Aqua Energy; a Healthy Lifestyles Council facility which aims to encourage and support the health and wellbeing of all members of our community – a reflection of the Close The Gap objective of closing the life expectancy gap between indigenous and non-indigenous Australians within a generation.

The Geographic Place Names Committee rely on community members to make suggestions for road names that reflect the values, culture and history across our extensive Shire. Once processed, they are added to a register of pre-approved names which can be used by developers constructing new roads who wish to avoid the sometimes lengthy road names approval process.

Ride2School
Launching the perpetual Wellington Step, Peddle and Roll shield for those participating in National Ride2School Day, I attended the Maffra Primary School on 19 March.

We know from Wellington 2030 that our community values a well developed network of walking and cycling paths; high quality and accessible open space; and plentiful recreation facilities and infrastructure.

Our new Step, Peddle and Roll initiative is designed to encourage our youth to make the most of those Council facilities across Wellington.
Although the Wellington community value healthy lifestyles, statistics suggest that many adults don’t follow through by actually living those values.

Through Step, Peddle and Roll young people become role models for older citizens in how to incorporate an active healthy lifestyle into their daily routine.

The draft Walking and Cycling Strategy, scheduled for public consultation over the coming months, will serve to guide Council’s priorities and funding for upgrading its network of cycling recreational and transport infrastructure into the future. I encourage anyone with an interest or stake in walking and cycling for fitness to contribute their opinions and ideas to the Strategy’s development.

**Ride for Sight**
In my capacity as Mayor I had the privilege of starting the Sale Lions Club’s 2012 Ride for Sight – a bicycle ride to promote and raise funds for various sight charities that Lions support.

Vision impairment can result from age-related macular degeneration, glaucoma, diabetic retinopathy and corneal diseases but is not restricted to the elderly. The Lions International commitment to supporting vision-related research began back in 1925 following a plea from Helen Keller to “…help me hasten the day when there shall be no preventable blindness; no little deaf, blind child untaught; no blind man or woman unaided?”

I commend the members of the Sale Lions Club for their continued efforts and dedication to working as volunteers for the benefit of the broader Wellington community.

**COUNCILLOR PETER CLEARY**  
**MAYOR**

**RECOMMENDATION**

*That the Mayor’s report be noted.*

**COUNCILLOR ROSSETTI/COUNCILLOR AMOS**  
*That the Mayor’s report be noted.*

**ITEM C1.1 CHIEF EXECUTIVE OFFICER’S ACTIVITIES REPORT**

**21 March**  
Meeting with Andrew Tongue PSM, Secretary Department of Planning and Community Development; Richard Elkington, Chair Regional Development Australia Gippsland Committee; Angela Hutson, Deputy Chair Regional Development Australia Gippsland Committee; Sue Jaquinot, Deputy Secretary, Community Development and Regional Delivery. Department of Planning and Community Development; Julian Hill, Executive Director Regional Services, Department of Planning and Community Development; Jane Oakley, Regional Director Gippsland, Department of Planning and Community Development

**22 March**  
Meeting with Cr Hole and a representative from the Sale Neighbourhood House  
Meeting with representatives from the Department of Primary Industries re CarbonNet

**23 March**  
Meeting with the Chief Executive Officer of Latrobe City Council  
Meeting with Cr McCubbin  
Meeting with a representative from Wellington Regional Tourism  
Maffra Cricket Club Senior Presentation Night
24 March Launch of the Environmental Sustainability Strategy
26 March Prime7 Wellington People’s Choice Awards 2012
29 March Air Force Week Reception
4 April Meeting with representatives from the Victorian Livestock Exchange
5 April Understanding Local Climate Challenges for Local Government Workshop
4 April Campervan Motorhome Club of Australia Official Opening
11 April Committee for Wellington Meeting
12 April Citizenship Ceremony
13 April Gippsland Local Government Network Meeting

RECOMMENDATION

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

COUNCILLOR HOLE/COUNCILLOR HILDEBRANT
That the Chief Executive Officer’s Activities report be received.

CARRIED

ITEM C2.1 BRIEFING COMMITTEE MINUTES

OBJECTIVE

To receive and note the minutes of the 20 March 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 20 March 2012 Briefing Committee Meeting;
and
2. Council endorse the proposed action items identified in the 20 March 2012 Briefing Committee Meeting minutes.

COUNCILLOR AMOS/COUNCILLOR ROSSETTI
That:
1. Council note and receive the minutes of the 20 March 2012 Briefing Committee Meeting;
and
2. Council endorse the proposed action items identified in the 20 March 2012 Briefing Committee Meeting minutes.

CARRIED

ITEM C2.2 ASSEMBLY OF COUNCILLORS

OBJECTIVE

To report on all assemblies of Councillors records received during the period 13 March 2012 to 27 March 2012.

RECOMMENDATION

That Council note and receive the attached assembly of Councillors records received during the period 13 March 2012 to 27 March 2012.
COUNCILLOR ROSSETTI/COUNCILLOR AMOS
That Council note and receive the attached assembly of Councillors records received during the period 13 March 2012 to 27 March 2012.

CARRIED

ITEM C2.3 GUMNUTS EARLY LEARNING CENTRE

OBJECTIVE
For Council to consider a request from Gumnuts Early Learning Centre (the Centre) for a Bank Guarantee of $150,000 to enable the Centre to secure loan funds to enable the purchase of land adjoining the Centre.

RECOMMENDATION
That Council approves an increase in a bank guarantee for Gumnuts Early Learning Centre for a maximum sum of $150,000 over a ten year period, subject to the following:
   a. an independent assessment of the Centre’s financial position being undertaken that provides expected positive financial outcomes into the future; and
   b. conditions of Council’s Bank Guarantees Policy are met.

COUNCILLOR MCCUBBIN/COUNCILLOR AMOS
That Council approves an increase in a bank guarantee for Gumnuts Early Learning Centre for a maximum sum of $150,000 over a ten year period, subject to the following:
   a. an independent assessment of the Centre’s financial position being undertaken that provides expected positive financial outcomes into the future; and
   b. conditions of Council’s Bank Guarantees Policy are met.

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 March 2012 for information.

RECOMMENDATION
That Council note the report on Planning Application Determinations between 1 March and 31 March 2012.

COUNCILLOR ROSSETTI/COUNCILLOR O’BRIEN
That Council note the report on Planning Application Determinations between 1 March and 31 March 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 February 2012 for information.

RECOMMENDATION

That Council note the report of building permits issued from 1 February 2012 to 29 February 2012.

COUNCILLOR ROSSETTI/COUNCILLOR HOLE
That Council note the report of building permits issued from 1 February 2012 to 29 February 2012.

CARRIED

ITEM C3.3 ALBERTON SEWERAGE SCHEME – MINISTERIAL AMENDMENT

OBJECTIVE
To request that the Minister for Planning prepare an amendment under Section 8 of the Planning and Environment Act 1987 to expedite required planning controls associated with the provision of a reticulated sewerage scheme in Alberton.

RECOMMENDATION

That Council request the Minister for Planning to prepare an amendment under Section 8 of the Planning and Environment Act 1987 to expedite required planning controls associated with the provision of a reticulated sewerage scheme in Alberton.

COUNCILLOR ROSSETTI/COUNCILLOR AMOS
That Council request the Minister for Planning to prepare an amendment under Section 8 of the Planning and Environment Act 1987 to expedite required planning controls associated with the provision of a reticulated sewerage scheme in Alberton.

CARRIED

ITEM C4.1 SPECIAL CHARGE SCHEME POLICY

OBJECTIVE
The objective of this report is for Council to adopt the revised Special Charge Scheme Policy as attached.

RECOMMENDATION

That Wellington Shire Council adopt the amended Special Charge Schemes – Roads, Street & Drainage Development Policy.
COUNCILLOR O'BRIEN/COUNCILLOR ROSSETTI
That Wellington Shire Council adopt the amended Special Charge Schemes – Roads, Street & Drainage Development Policy.

AMENDMENT
COUNCILLOR COOK/COUNCILLOR HILDEBRANT
That Wellington Shire Council adopt the amended Special Charge Schemes – Roads, Street & Drainage Development Policy, with an amendment to section 4, dot point 1 as follows: before initiating a scheme, council will undertake a minimum of one public meeting and mail out a voting survey whereby the scheme cannot proceed unless greater than 50 percent, excluding Council owned properties, of the directly affected property owners are in favour.

The motion was put and was LOST

COUNCILLOR ROSSETTI
Called for a Division

For: Councillors Hildebrant, Rossetti, Amos, O'Brien
Against: Councillors Cook, Cleary, McCubbin, Hole

ITEM C5.1 GORDON STREET RESERVE COMMITTEE OF MANAGEMENT MINUTES

OBJECTIVE
To receive the minutes from the Gordon Street Reserve Committee’s Ordinary Meeting held on 9 February 2012.

RECOMMENDATION
That Council receives the minutes from the Gordon Street Reserve Committee’s Ordinary Meeting held on 9 February 2012.

COUNCILLOR HOLE/COUNCILLOR AMOS
That Council receives the minutes from the Gordon Street Reserve Committee’s Ordinary Meeting held on 9 February 2012

CARRIED

ITEM C5.2 BRIAGOLONG RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES

OBJECTIVE
To receive the minutes from the Briagolong Recreation Reserve Committee’s Ordinary Meeting held on 19 March 2012.
RECOMMENDATION

That Council receives the minutes from the Briagolong Recreation Reserve Committee’s Ordinary Meeting held on 19 March 2012.

COUNCILLOR HILDEBRANT/COUNCILLOR AMOS
That Council receives the minutes from the Briagolong Recreation Reserve Committee’s Ordinary Meeting held on 19 March 2012.

CARRIED

NIL

D1 URGENT BUSINESS

Ralph Barraclough, Licola resident

Mr Barraclough advised Council there was problem with Council sewerage running down the street in Licola.

The Mayor, Councillor Cleary advised Mr Barroclough that first instance Wednesday morning, Council would have someone inspect the leakage at Licola.

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

d) contractual matters; and
f) legal advice; and
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 MCCUBBIN
That the meeting resume in open session and Council ratify the decisions made in closed session.

CARRIED

Meeting declared closed at 7.10pm