



**WELLINGTON**  
SHIRE COUNCIL  
*The Heart of Gippsland*

## **RESOLUTIONS IN BRIEF**

### **COUNCILLORS PRESENT**

Garry Stephens (Mayor)  
Scott Rossetti (Deputy Mayor)  
Ian Bye  
Carolyn Crossley  
Malcolm Hole  
Marcus McKenzie  
Gayle Maher  
John Tatterson  
Jill Wood

### **OFFICERS PRESENT**

David Morcom, Chief Executive Officer  
Denise Teo, Governance Officer

### **APOLOGIES**

Nil

**ORDINARY MEETING OF COUNCIL  
TABLE OF CONTENTS**

**0.1. TABLE OF CONTENTS**

**1. APOLOGIES**

**2. DECLARATION OF CONFLICT/S OF INTEREST**

**3. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S**

3.1. ADOPTION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

**4. BUSINESS ARISING FROM PREVIOUS MEETINGS**

**5. ACCEPTANCE OF LATE AND URGENT ITEMS**

**6. NOTICE/S OF MOTION**

**7. RECEIVING OF PETITION OR JOINT LETTERS**

7.1. OUTSTANDING PETITIONS

**8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS**

**9. QUESTION/S ON NOTICE**

9.1. OUTSTANDING QUESTION/S ON NOTICE

**10. DELEGATES REPORT**

**11. CHIEF EXECUTIVE OFFICER**

11.1. MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE  
REESTABLISHMENT

**12. GENERAL MANAGER CORPORATE SERVICES**

12.1. ASSEMBLY OF COUNCILLORS

12.2. CONSIDERATION OF THE ANNUAL REPORT 2019/20

12.3. ADOPTION OF COUNCIL MEETING DATES 2021

12.4. APPOINTMENT OF COMMITTEES & DELEGATES 2020/21

**13. GENERAL MANAGER DEVELOPMENT**

13.1. QUARTERLY BUILDING REPORT JULY-SEPTEMBER 2020

13.2. SEPTEMBER 2020 PLANNING DECISIONS

13.3. GOLDEN BEACH GAS PROJECT INQUIRY: COUNCIL SUBMISSION

**14. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT**

14.1. APPLICATION FOR UNUSED ROAD LICENCE, EXTENSION OF KALAMONT ROAD,  
TINAMBA

14.2. APPLICATION FOR UNUSED ROAD LICENCE, EXTENSION OF SMITHS LANE,  
BUNDALAGUAH

14.3. COONGULLA (EASTERN AREA) SPECIAL CHARGE SCHEME - INTENTION TO  
DECLARE

14.4. GORMANDALE-STRADBROKE ROAD SAFETY UPGRADE WORKS

14.5. INGLES BRIDGE REPLACEMENT - INGLES ROAD, DEVON NORTH

**15. GENERAL MANAGER COMMUNITY AND CULTURE**

15.1. GIPPSLAND ART GALLERY FOUNDATION – RECEIPT OF JOHN LESLIE  
FOUNDATION DONATION

**16. FURTHER GALLERY AND ONLINE COMMENTS**

**17. IN CLOSED SESSION**

17.1. AUSTRALIA DAY AWARDS 2021

## 1. APOLOGIES

NIL

## 2. DECLARATION OF CONFLICT/S OF INTEREST

NIL

## 3. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

### 3.1. ADOPTION OF MINUTES OF PREVIOUS COUNCIL MEETING/S

**ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES**

#### **PURPOSE**

To adopt the minutes of the Unscheduled Council Meeting of 12 November 2020 and Ordinary Council Meeting of 17 November 2020.

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

NIL

#### **RECOMMENDATION**

*That Council adopt the minutes of the Unscheduled Council Meeting of 12 November 2020 and Ordinary Council Meeting of 17 November 2020.*

**COUNCILLOR BYE / COUNCILLOR CROSSLEY**

*That Council adopt the minutes of the Unscheduled Council Meeting of 12 November 2020 and Ordinary Council Meeting of 17 November 2020.*

**CARRIED**

## 4. BUSINESS ARISING FROM PREVIOUS MEETINGS

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

<b>ITEM</b>	<b>FROM MEETING</b>	<b>COMMENTS</b>	<b>ACTION BY</b>
NIL			

## 5. ACCEPTANCE OF LATE AND URGENT ITEMS

NIL

## 6. NOTICE/S OF MOTION

NIL

## 7. RECEIVING OF PETITION OR JOINT LETTERS

### 7.1. OUTSTANDING PETITIONS

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

ITEM	FROM MEETING	COMMENTS	ACTION BY
Waste collection on Buckleys Island Road and Parrots Road, Yarram	17 November 2020	Currently under review by the Natural Environment and Parks team	Manager Natural Environment and Parks
Installation of footpath and bus shelter in Stratford	17 November 2020	Currently under review by the Built Environment team	Manager Built Environment

## 8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

**CR STEPHENS** noted that the Gippsland Art Gallery Sale has been named the sole Victorian host venue for the 2021 Archibald Prize regional tour. The gallery will host the prestigious prize from 8 October to 21 November 2021.

**CR MAHER** acknowledged Josette Nunn from the Yarram Early Learning Centre who has been announced as a winner in the 2020 Victorian Early Years Awards for outstanding contributions in creating positive outcomes for children and families in Yarram. She won the award for Early Childhood Teacher of the Year.

## 9. QUESTION/S ON NOTICE

### 9.1. OUTSTANDING QUESTION/S ON NOTICE

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

**New Question on Notice Received from Councillor Maher: *What is the present status for a warmer pool in Yarram?*** The CEO noted that the project is underway and on schedule however a more detailed report will be provided at the 15 December 2020 Council meeting from the Manager Leisure Services.

## 10. DELEGATES REPORT

**CR MAHER** attended a community information session hosted by the Goulburn Valley Waste and Resource Recovery Group on 18 November 2020 in relation to Victoria's container deposit scheme

- presents an opportunity for new jobs and provides an opportunity for charities and community groups to get involved through fundraising
- initiative will complement the existing household recycling system

## 11. CHIEF EXECUTIVE OFFICER

### 11.1. MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE REESTABLISHMENT

#### ACTION OFFICER: GENERAL MANAGER COMMUNITY AND CULTURE

#### PURPOSE

For Council to:

- Authorise the disestablishment of the existing Wellington Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the *Emergency Management Act 1986*, in recognition that on 1 December 2020 these provisions are repealed by s82(2) of the *Emergency Management Legislation Amendment Act 2018* (EMLA Act) and replaced by the provisions of s68 of the EMLA Act.
- Authorise the Chief Executive Officer to facilitate the establishment of a new MEMPC in accordance with the provisions of s68 of the EMLA Act (which inserts a new 'Part 6- Municipal Emergency Management Planning Committees' into the *Emergency Management Act 2013* on 1 December 2020).
- Note that, under the MEMPC Terms of Reference and the EMLA Act (which inserts s59 and 59F into the *Emergency Management Act 2013* on 1 December 2020), Council's role is to establish the committee. Once established, the committee exists separately to Council and is not a committee of Council, it is accountable and reports to the Gippsland Regional Emergency Management Planning Committee (REMP).
- Note that under the EMLA Act, that the Chief Executive Officer, nominates the General Manager Community and Culture as the Chairperson for the new MEMPC from 1 December 2020.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

#### RECOMMENDATION

***That Council:***

1. ***Authorises the disestablishment of the existing Wellington Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the Emergency Management Act 1986, in recognition that on 1 December 2020 these provisions are repealed by s82(2) of the Emergency***

**Management Legislation Amendment Act 2018 (EMLA Act) and replaced by the provisions of s68 of the EMLA Act.**

- 2. Authorises the Chief Executive Officer to facilitate the establishment of a new MEMPC in accordance with the provisions of s68 of the EMLA Act (which inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the Emergency Management Act 2013 on 1 December 2020).**
- 3. Notes that, under the MEMPC Terms of Reference and the EMLA Act (which inserts s59 and 59F into the Emergency Management Act 2013 on 1 December 2020), Council's role is to establish the committee. Once established, the committee exists separately to Council and is not a committee of Council, it is accountable and reports to the Gippsland Regional Emergency Management Planning Committee (REMPC).**
- 4. Notes that under the EMLA Act, that the Chief Executive Officer, nominates Sharon Houlihan, General Manager Community and Culture as the Chairperson for the new MEMPC from 1 December 2020.**

**COUNCILSSLEY / COUNCILLOR ROSSETTI**

**That Council:**

- 1. Authorises the disestablishment of the existing Wellington Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the Emergency Management Act 1986, in recognition that on 1 December 2020 these provisions are repealed by s82(2) of the Emergency Management Legislation Amendment Act 2018 (EMLA Act) and replaced by the provisions of s68 of the EMLA Act.**
- 2. Authorises the Chief Executive Officer to facilitate the establishment of a new MEMPC in accordance with the provisions of s68 of the EMLA Act (which inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the Emergency Management Act 2013 on 1 December 2020).**
- 3. Notes that, under the MEMPC Terms of Reference and the EMLA Act (which inserts s59 and 59F into the Emergency Management Act 2013 on 1 December 2020), Council's role is to establish the committee. Once established, the committee exists separately to Council and is not a committee of Council, it is accountable and reports to the Gippsland Regional Emergency Management Planning Committee (REMPC).**
- 4. Notes that under the EMLA Act, that the Chief Executive Officer, nominates Sharon Houlihan, General Manager Community and Culture as the Chairperson for the new MEMPC from 1 December 2020.**

**CARRIED**

## 12.1. ASSEMBLY OF COUNCILLORS

**ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES**

### **OBJECTIVE**

To report on all assembly of Councillor records received for the period 9 November 2020 to 22 November 2020.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

### **RECOMMENDATION**

*That Council note and receive the attached Assembly of Councillor records for the period 9 November 2020 to 22 November 2020.*

**COUNCILLOR BYE / COUNCILLOR MAHER**

*That Council note and receive the attached Assembly of Councillor records for the period 9 November 2020 to 22 November 2020.*

**CARRIED**

## 12.2. CONSIDERATION OF THE ANNUAL REPORT 2019/20

**ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES**

### **PURPOSE**

To consider, discuss and receive the Wellington Shire Council's Annual Report 2019/20 as attached.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

### **RECOMMENDATION**

*That Council consider, discuss and receive the Annual Report 2019/20 in accordance with the transitional requirements of the Local Government Act 1989 and the new Local Government Act 2020.*

**COUNCILLOR HOLE / COUNCILLOR BYE**

*That Council consider, discuss and receive the Annual Report 2019/20 in accordance with the transitional requirements of the Local Government Act 1989 and the new Local Government Act 2020.*

**CARRIED**

### 12.3. ADOPTION OF COUNCIL MEETING DATES 2021

**ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES**

**PURPOSE**

To adopt the 2021 Council Meeting dates and times as attached and publish the 2021 Council Meeting dates and times on Council's website.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

**RECOMMENDATION**

***That Council:***

- 1. adopt the 2021 Council Meeting dates and times as attached; and***
- 2. publish the 2021 Council Meeting dates and times on Council's website.***

**COUNCILLOR BYE / COUNCILLOR WOOD**

***That Council:***

- 1. adopt the 2021 Council Meeting dates and times as attached; and***
- 2. publish the 2021 Council Meeting dates and times on Council's website.***

**CARRIED**

## 12.4. APPOINTMENT OF COMMITTEES & DELEGATES 2020/21

**ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES**

### **PURPOSE**

To formally appoint Councillors to the following Committees:

- Advisory Committees;
- Committees of Other Organisations;
- Other groups and statutory Committees: and
- Community Asset Committees; and

in accordance with the updated register as attached.

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

NIL

#### **RECOMMENDATION**

*That Councillors be formally appointed to Council Committees in accordance with the updated register as attached.*

**COUNCILLOR CROSSLEY / COUNCILLOR WOOD**

*That Councillors be formally appointed to Council Committees in accordance with the updated register as attached.*

**CARRIED**

## 13.1. QUARTERLY BUILDING REPORT JULY-SEPTEMBER 2020

**ACTION OFFICER: MANAGER MUNICIPAL SERVICES**

### **PURPOSE**

To provide a report to Council on building permits issued in the Wellington Shire during the quarter 1 July to 30 September 2020, for information.

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

NIL

#### **RECOMMENDATION**

*That Council note the report of building permits issued from 1 July 2020 to 30 September 2020.*

**COUNCILLOR MAHER / COUNCILLOR BYE**

*That Council note the report of building permits issued from 1 July 2020 to 30 September 2020.*

**CARRIED**

### 13.2. SEPTEMBER 2020 PLANNING DECISIONS

**ACTION OFFICER: MANAGER LAND USE PLANNING**

**PURPOSE**

To provide a report to Council on recent planning permit trends and planning decisions made under delegation by Statutory Planners during the month of September 2020.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

**RECOMMENDATION**

*That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 September and 30 September 2020.*

**COUNCILLOR MAHER / COUNCILLOR BYE**

*That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 September and 30 September 2020.*

**CARRIED**

### 13.3. GOLDEN BEACH GAS PROJECT INQUIRY: COUNCIL SUBMISSION

**ACTION OFFICER: MANAGER LAND USE PLANNING**

**PURPOSE**

For Council to endorse a submission to the State Government's exhibition of the Golden Beach Gas Project Inquiry.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

**RECOMMENDATION**

*That Council endorse the attached submission to the Golden Beach Gas Project Inquiry.*

**COUNCILLOR MAHER / COUNCILLOR WOOD**

*That Council endorse the attached submission to the Golden Beach Gas Project Inquiry.*

**CARRIED**

## 14.1. APPLICATION FOR UNUSED ROAD LICENCE, EXTENSION OF KALAMONT ROAD, TINAMBA

**ACTION OFFICER: MANAGER ASSETS AND PROJECTS**

### **PURPOSE**

The objective of this report is for Council to consider an application for part of Government Road being an extension of Kalamont Road in the Parish of Tinamba is not required for public traffic and is therefore an unused road for the granting of an unused road grazing licence.

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

NIL

### **RECOMMENDATION**

*That Council, pursuant to section 400 of the Land Act 1958, gives notice that part of the Government Road east of Lot 1 on LP143899, Parish of Tinamba is not required for public traffic and is therefore an unused road.*

**COUNCILLOR HOLE / COUNCILLOR ROSSETTI**

*That Council, pursuant to section 400 of the Land Act 1958, gives notice that part of the Government Road east of Lot 1 on LP143899, Parish of Tinamba is not required for public traffic and is therefore an unused road.*

**CARRIED**

## 14.2. APPLICATION FOR UNUSED ROAD LICENCE, EXTENSION OF SMITHS LANE, BUNDALAGUAH

**ACTION OFFICER: MANAGER ASSETS AND PROJECTS**

### **PURPOSE**

The objective of this report is for Council to consider an application for part of the Government Road being an extension of Smiths Lane in the Parish of Bundalaguah is not required for public traffic and is therefore an unused road for the granting of an unused road grazing licence.

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

NIL

### **RECOMMENDATION**

*That Council, pursuant to section 400 of the Land Act 1958, gives notice that the Government Road through the North East of Lot 1 TP112393, Parish of Bundalaguah is not required for public traffic and is therefore an unused road.*

**COUNCILLOR CROSSLEY / COUNCILLOR TATTERSON**

*That Council, pursuant to section 400 of the Land Act 1958, gives notice that the Government Road through the North East of Lot 1 TP112393, Parish of Bundalaguah is not required for public traffic and is therefore an unused road.*

**CARRIED**

### 14.3. COONGULLA (EASTERN AREA) SPECIAL CHARGE SCHEME - INTENTION TO DECLARE

**ACTION OFFICER: MANAGER ASSETS AND PROJECTS**

#### **PURPOSE**

The purpose of this report is for Council to consider its intention to declare the proposed Coongulla Township (Eastern Area) Special Charge Street Construction Scheme Number 2007 as a Special Charge Scheme for the construction of streets within the eastern area of the Coongulla Township.

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

NIL

#### **RECOMMENDATION**

***That:***

- 1. Council commence the statutory process under the Local Government Act 1989 (the Act) to declare a Special Charge Scheme (Proposed Scheme) for the purposes of constructing certain streets in the eastern area of the Coongulla Township (as those streets listed and shown on the plan which is attached to and which forms a part of the Proposed Declaration of Special Charge Scheme Number 2007) and the provision of all and any ancillary works, including the provision of driveway crossings and culverts (from road edge to building line); and***
- 2. Council in accordance with sections 163(1A) and 163B(3) of the Act, direct that a public notice be given in the Gippsland Times newspaper and on Council's website of the intention of Council to declare the scheme at its ordinary meeting to be held on 20 April 2021 in accordance with the Proposed Declaration of Special Charge Scheme Number 2007; and***
- 3. Council direct that in accordance with section 163(1C) of the Act, separate letters enclosing a copy of the public notice be sent to the owners of the properties referred to and set out in the schedule of properties forming a part of the Proposed Declaration of Special Charge, advising of the intention of Council to declare the Special Charge at its ordinary meeting to be held on 20 April 2021, the basis of the calculation and distribution of the Special Charge and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Charge will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act; and***
- 4. Council appoint three Councillors as determined by Council plus an alternative representative to form the 'Coongulla (Eastern Area) Special Charge Scheme Submissions Committee' that is established by Council under section 223(1)(b)(i) of the Act, to consider written submissions/objections and to hear any persons who in their written submissions under Section 223 of the Act have requested that they are heard in support of their submissions; and***

5. ***The Chief Executive Officer or the person for the time being acting in that position, be authorised to give public notice of the Proposed Declaration of Special Charge in accordance with Sections 163B and 223 of the Local Government Act 1989; and***
6. ***The Chief Executive Officer, the General Manager Built and Natural Environment or the Manager Assets and Projects (or any person for the time being acting in any of those positions), each be authorised to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and sections 163(1A), (1B) and (1C) and sections 163B and 223 of the Act.***

**COUNCILLOR HOLE / COUNCILLOR CROSSLEY**

***That:***

1. ***Council commence the statutory process under the Local Government Act 1989 (the Act) to declare a Special Charge Scheme (Proposed Scheme) for the purposes of constructing certain streets in the eastern area of the Coongulla Township (as those streets listed and shown on the plan which is attached to and which forms a part of the Proposed Declaration of Special Charge Scheme Number 2007) and the provision of all and any ancillary works, including the provision of driveway crossings and culverts (from road edge to building line); and***
2. ***Council in accordance with sections 163(1A) and 163B(3) of the Act, direct that a public notice be given in the Gippsland Times newspaper and on Council's website of the intention of Council to declare the scheme at its ordinary meeting to be held on 20 April 2021 in accordance with the Proposed Declaration of Special Charge Scheme Number 2007; and***
3. ***Council direct that in accordance with section 163(1C) of the Act, separate letters enclosing a copy of the public notice be sent to the owners of the properties referred to and set out in the schedule of properties forming a part of the Proposed Declaration of Special Charge, advising of the intention of Council to declare the Special Charge at its ordinary meeting to be held on 20 April 2021, the basis of the calculation and distribution of the Special Charge and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Charge will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act; and***
4. ***Council appoint the following three Councillors; Councillor Hole, Councillor Crossley, Councillor Tatterson and an alternative representative Councillor Bye, to form the 'Coongulla (Eastern Area) Special Charge Scheme Submissions Committee' that is established by Council under section 223(1)(b)(i) of the Act, to consider written submissions/objections and to hear any persons who in their written submissions under Section 223 of the Act have requested that they are heard in support of their submissions; and***
5. ***The Chief Executive Officer or the person for the time being acting in that position, be authorised to give public notice of the Proposed Declaration of Special Charge in accordance with Sections 163B and 223 of the Local Government Act 1989; and***
6. ***The Chief Executive Officer, the General Manager Built and Natural Environment or the Manager Assets and Projects (or any person for the time being acting in any of those positions), each be authorised to carry out any***

***and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and sections 163(1A), (1B) and (1C) and sections 163B and 223 of the Act.***

***CARRIED***

## 14.4. GORMANDALE-STRADBROKE ROAD SAFETY UPGRADE WORKS

**ACTION OFFICER: MANAGER ASSETS AND PROJECTS**

### **PURPOSE**

The purpose of this report is for Council to consider entering into a contract for the Gormandale-Stradbroke Road Safety Upgrade Works.

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

NIL

### **RECOMMENDATION**

***That:***

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2021-014 Gormandale-Stradbroke Road Safety Upgrade Works; and***
- 2. The information contained in the confidential attachment Contract 2021-014 Gormandale-Stradbroke Road Safety Upgrade Works and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 17 November 2020 because it relates to the following grounds: private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;  
be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

**COUNCILLOR MAHER / COUNCILLOR BYE**

***That:***

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2021-014 Gormandale-Stradbroke Road Safety Upgrade Works; and***
- 2. The information contained in the confidential attachment Contract 2021-014 Gormandale-Stradbroke Road Safety Upgrade Works and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 17 November 2020 because it relates to the following grounds: private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;  
be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020, 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 Bairnsdale Road Services Pty Ltd.*

## 14.5. INGLES BRIDGE REPLACEMENT - INGLES ROAD, DEVON NORTH

**ACTION OFFICER: MANAGER ASSETS AND PROJECTS**

### **PURPOSE**

The purpose of this report is for Council to consider entering into a contract for the replacement of Ingles Bridge on Ingles Road, Devon North.

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

NIL

### **RECOMMENDATION**

***That:***

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2021-005 Ingles Bridge Replacement – Ingles Road, Devon North; and***
- 2. The information contained in the confidential attachment Contract 2021-005 Ingles Bridge Replacement – Ingles Road, Devon North and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 02 November 2020 because it relates to the following grounds: private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

### **COUNCILLOR MAHER / COUNCILLOR BYE**

***That:***

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2021-005 Ingles Bridge Replacement – Ingles Road, Devon North; and***
- 2. The information contained in the confidential attachment Contract 2021-005 Ingles Bridge Replacement – Ingles Road, Devon North and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 02 November 2020 because it relates to the following grounds: private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020, 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 Jarvis Norwood Constructions Pty Ltd.*

## 15.1. GIPPSLAND ART GALLERY FOUNDATION – RECEIPT OF JOHN LESLIE FOUNDATION DONATION

**ACTION OFFICER: GENERAL MANAGER COMMUNITY AND CULTURE**

### **PURPOSE**

For Council to approve the transfer of a \$200,000 donation, received by Wellington Shire Council's Gippsland Art Gallery from the John Leslie Foundation, as a gift to the Gippsland Art Gallery Foundation.

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

NIL

### **RECOMMENDATION**

***That Council:***

- ***approve the transfer of a \$200,000 donation, received by Wellington Shire Council's Gippsland Art Gallery from the John Leslie Foundation, as a gift to the Gippsland Art Gallery Foundation; and***

**COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY**

***That Council:***

1. ***approve the transfer of a \$200,000 donation, received by Wellington Shire Council's Gippsland Art Gallery from the John Leslie Foundation, as a gift to the Gippsland Art Gallery Foundation; and***
2. ***authorise the CEO to transfer any donation amounts from any ancillary fund made to Wellington Shire Council's Gippsland Art Gallery, directly to the Gippsland Art Gallery Foundation, as a gift.***

**CARRIED**

## 16. FURTHER GALLERY AND ONLINE 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 if your query requires a written response, we will advise you that a response will be forthcoming, 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.*

ONLINE COMMENTS – NIL

GALLERY COMMENTS – NIL

## 17. IN CLOSED SESSION

**COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY**

***That the meeting be closed to the public pursuant to Section 66(2) of the Local Government Act 2020 to consider matters under Section 66(5)(b) as defined by Section 3(1) being:***

***f) Personal information***

**CARRIED**

---

**IN CLOSED SESSION**

---

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

**COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY**

**CARRIED**

Meeting declared closed at: 3:59pm

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