



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

RESOLUTIONS IN BRIEF ORDINARY MEETING

To be read in conjunction with the Council Meeting Agenda 5 October 2021

COUNCILLORS PRESENT

Cr Garry Stephens (Mayor)
Cr Scott Rossetti (Deputy Mayor)
Cr Ian Bye
Cr Carolyn Crossley
Cr Marcus McKenzie
Cr Carmel Ripper
Cr John Tatterson
Cr Jill Wood

OFFICERS PRESENT

David Morcom, Chief Executive Officer
Denise Teo, Governance Officer

APOLOGIES

Cr Gayle Maher

**ORDINARY MEETING OF COUNCIL
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1. APOLOGIES

COUNCILLOR GAYLE MAHER

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

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To adopt the minutes of the Ordinary Council Meeting of 21 September 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 21 September 2021.

COUNCILLOR WOOD / COUNCILLOR CROSSLEY

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 21 September 2021.

CARRIED

4. BUSINESS ARISING FROM PREVIOUS MEETINGS

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
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
NIL			

8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

COUNCILLOR CROSSLEY acknowledged the attendance of the Hon Lily D’Ambrosio, Minister for Energy, Environment and Climate Change, at the screened launch on Saturday 2 October 2021 to celebrate the launch of the Gippsland Community Power Hub. To date, eight small community projects have received funding to have their solar power and batteries installed. Community Engagement Officers have also been deployed into a number of Gippsland communities to provide support for a variety project groups in terms of reviewing proposals, applying for grant funding and addressing general community interest.

THE MAYOR and CEO attended the virtual signing of the Small Business Charter alongside the Victorian Small Business Commissioner (VBSC). This commits Council to:

1. notify small business of any infrastructure works that may impact their business;
2. provide support to establish small businesses;
3. streamline all process relating to setting up small business; and
4. pay accounts within 14 days of receipt of invoice.

Council joins 61 other Councils to date in signing up its support for this Charter. The Mayor has also extended an invitation to the VBSC to visit the Shire when restrictions lift.

9. QUESTION/S ON NOTICE

9.1. OUTSTANDING QUESTION/S ON NOTICE

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

10. DELEGATES REPORT

Delegates Report by Councillor McKenzie – Star of the South Update

Members of the Star of the South Community Advisory Group received an email on 22 September 2021, informing us that the Australian CEO, Casper Frost Thorhauge, is to return back home to take up another offshore wind farm project for the consortium that is managing the Star of the South project.

An official statement from the Star of the South chairman Michael Hannibal was covered in the email and was as follows:

It is with sadness but gratitude that I announce the resignation of Star of the South's CEO Casper Frost Thorhauge.

Mr Thorhauge commenced as CEO in 2019, relocating his family to Australia to pursue the opportunity of developing the nation's first offshore wind farm. Since that time, Mr Thorhauge has led the organisation through a significant growth period, accelerating the project's development and setting a strong benchmark for offshore wind projects in Australia.

I would like to congratulate Mr Thorhauge on his achievements during his tenure at Star of the South. He has contributed valuable offshore wind knowledge to the Australian industry, sharing lessons from his previous career experience across European and Asian markets.

Mr Thorhauge has not taken the decision to leave Australia and the Star of the South lightly. I am pleased to confirm Mr Thorhauge will stay in the family and lead another offshore wind project in Copenhagen Infrastructure Partners' (CIP) portfolio, which will be announced in due course.

CIP, together with our partners in Australia, remain committed to Star of the South's development as an essential project contributing to local energy, emissions reduction and economic goals for the Gippsland region, State of Victoria and the Australian people.

An extensive global and Australian search commences today for Star of the South's new CEO, offering the opportunity to lead Australia's most exciting energy project.

Mr Thorhauge will continue in the role of CEO for Star of the South while the search for a new CEO is ongoing, to allow for a smooth transition for the organisation and project.

During my time as delegate and councillor what Casper brought to the renewable space is a company that is engaged, transparent and community based. He brought a style of management that centres around openness right through the organisation and can say , 100% that on behalf of all within council , it has been a pleasure to know and have worked with Casper over the past two years and wish him and his family all the very best in the future.

11. CHIEF EXECUTIVE OFFICER

11.1. AUDIT & RISK COMMITTEE MEMBER APPOINTMENT

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

PURPOSE

The purpose of this report is to provide information to Council to enable the consideration of, and a decision to appoint an external independent member to Council's Audit & Risk Committee following the resignation of an existing independent member.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council appoint an independent member to Council's Audit & Risk Committee for a one year period commencing 29 October 2021 and expiring 28 October 2022 in accordance with the recommendation in the attached confidential Audit & Risk Committee Member Appointment of this Council meeting agenda; and***
- 2. The information contained in the attached Audit & Risk Committee Member Appointment and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the Chief Executive Officer on 17 September 2021 because it relates to the following grounds: f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs; 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 applicant can be made public.***

COUNCILLOR MCKENZIE / COUNCILLOR BYE

That:

- 1. Council appoint an independent member to Council's Audit & Risk Committee for a one year period commencing 29 October 2021 and expiring 28 October 2022 in accordance with the recommendation in the attached confidential Audit & Risk Committee Member Appointment of this Council meeting agenda; and***
- 2. The information contained in the attached Audit & Risk Committee Member Appointment and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the Chief Executive Officer on 17 September 2021 because it relates to the following grounds: f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs; 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 applicant can be made public.***

CARRIED

The Mayor announced the successful applicant as Kiah Cashman.

12. GENERAL MANAGER CORPORATE SERVICES

12.1. ASSEMBLY OF COUNCILLORS

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

OBJECTIVE

To report on all assembly of Councillor records received for the period 13 September 2021 to 26 September 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 13 September 2021 to 26 September 2021.

COUNCILLOR BYE / COUNCILLOR WOOD

That Council note and receive the attached Assembly of Councillor records for the period 13 September 2021 to 26 September 2021.

CARRIED

12.2. AUDIT & RISK COMMITTEE MINUTES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To receive and note the minutes of the Audit & Risk Committee meeting held on 9 September 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council receive and note the minutes in brief of the Audit & Risk Committee 9 September 2021 (Attachment 12.2.1) and the confidential attachment Audit & Risk Committee Minutes of 9 September 2021 (Attachment 12.2.3);***
- 2. The information contained in the confidential document Audit & Risk Committee Minutes of 9 September 2021 of this Council meeting agenda and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the Chief Executive Officer on 16 September 2021 because it relates to the following grounds: e) legal privileged***

information; and l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989; be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020.

COUNCILLOR MCKENZIE / COUNCILLOR WOOD

That:

- 1. Council receive and note the minutes in brief of the Audit & Risk Committee 9 September 2021 (Attachment 12.2.1) and the confidential attachment Audit & Risk Committee Minutes of 9 September 2021 (Attachment 12.2.3);**
- 2. The information contained in the confidential document Audit & Risk Committee Minutes of 9 September 2021 of this Council meeting agenda and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the Chief Executive Officer on 16 September 2021 because it relates to the following grounds: e) legal privileged information; and l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989; be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020.**

CARRIED

12.3. RE-APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

For Council to re-appoint David Morcom as Council's Chief Executive Officer for a period of five (5) years from 30 January 2022 to 29 January 2027.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council re-appoint David Morcom as Council's Chief Executive Officer for a term of five (5) years from 30 January 2022 to 29 January 2027, pursuant to section 94(4) of the Local Government Act 1989 and in accordance with the public notice published in the Gippsland Times and on Council's website on 14 September 2021.**
- 2. Council authorise the Mayor to finalise a contract of employment with David Morcom, inclusive of annual Enterprise Agreement increases, by 19 October 2021.**
- 3. In accordance with section 94(6) of the Local Government Act 1989, details of David Morcom's total remuneration as Chief Executive Officer under the new contract of employment, be made available for public inspection within 14 days following approval of this recommendation.**

The CEO left the meeting at 3:20pm

GMCS stepped in as Acting CEO

COUNCILLOR WOOD / COUNCILLOR BYE

That:

- 1. Council re-appoint David Morcom as Council's Chief Executive Officer for a term of five (5) years from 30 January 2022 to 29 January 2027, pursuant to section 94(4) of the Local Government Act 1989 and in accordance with the public notice published in the Gippsland Times and on Council's website on 14 September 2021.**
- 2. Council authorise the Mayor to finalise a contract of employment with David Morcom, inclusive of annual Enterprise Agreement increases, by 19 October 2021.**
- 3. In accordance with section 94(6) of the Local Government Act 1989, details of David Morcom's total remuneration as Chief Executive Officer under the new contract of employment, be made available for public inspection within 14 days following approval of this recommendation.**

CARRIED

GMCS, as Acting CEO, has left the meeting

The CEO returned to the meeting at 3:23pm

13. GENERAL MANAGER DEVELOPMENT

13.1. QUARTERLY BUILDING REPORT - APRIL TO JUNE 2021

ACTION OFFICER: MANAGER MUNICIPAL SERVICES

PURPOSE

To provide a report to Council on building permits issued in the Wellington Shire during the quarter, 1 April 2021 to 30 June 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note the report of building permits issued from 1 April 2021 to 30 June 2021.

COUNCILLOR BYE / COUNCILLOR MCKENZIE

That Council note the report of building permits issued from 1 April 2021 to 30 June 2021.

CARRIED

13.2. STRATEGIC LAND USE PLANNING THIRD QUARTERLY REPORT

ACTION OFFICER: MANAGER LAND USE PLANNING

PURPOSE

To update Council on the strategic land use planning work program for the third quarter (July to September 2021).

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the third quarterly update on the strategic land use planning work program (included in Attachment Planning Project and Amendments to this report).

COUNCILLOR BYE / COUNCILLOR TATTERSON

That Council receive the third quarterly update on the strategic land use planning work program (included in Attachment Planning Project and Amendments to this report).

CARRIED

13.3. COVID-19 BUSINESS SUPPORT PACKAGE 2.0

ACTION OFFICER: MANAGER ECONOMIC DEVELOPMENT

PURPOSE

The objective of this report is to seek Council's approval for the allocation of funding to implement the proposed COVID-19 Business Support Package 2.0 to support small businesses operating in Wellington Shire.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council resolve:

- 1. To allocate up to \$360,000 to fund the following COVID-19 Business Support Package 2.0:*
 - The engagement of Victorian Emergency Ministry to conduct a second round of chaplain visits for mental health support*
 - Engagement of the Small Business Mentoring Service*
 - Financial assistance to small businesses to build online capability with 'click & collect' on their website*
 - Waiving of 2022 Food Act and Public Health and Wellbeing Registration Fees, effective of applications and renewals for the 2022 registration year*

- **Waiving/refund of outdoor dining permit fees, roadside trading permit fees, livestock permits, portable advertising/signage permit fees for period of 12 months**
 - **That rental waivers are granted for Council owned or managed properties for 6 months on a proportionate basis where there has been at least a 30% downturn in revenue**
 - **Implementation of a marketing campaign and competition 'buy local & win' to promote local spend**
 - **Upon application by business associations funding annual memberships where the association can demonstrate they meet the assessment criteria listed in the report.**
- 2. To note the following business support initiatives (at no additional cost) that are part of the COVID-19 Business Support Package 2.0;**
- **Engagement and promotion of the Business Advisory Service**
 - **Promotion of 'Partners in Wellbeing' – State Government mental health support**
 - **Ongoing promotion, campaigns and engagement of ambassadors for Wellington Still Delivering Facebook page**
 - **Extension of Covid and Concierge role until July/August 2022**
 - **Supporting business and tourism associations to promote a Gippsland 'Etsy' initiative to support small business who do not have an online presence**
 - **Implement marketing campaigns to support business, tourism and accommodation providers.**

COUNCILLOR MCKENZIE / COUNCILLOR WOOD

That Council resolve:

- 1. To allocate up to \$360,000 to fund the following COVID-19 Business Support Package 2.0:**
- **The engagement of Victorian Emergency Ministry to conduct a second round of chaplain visits for mental health support**
 - **Engagement of the Small Business Mentoring Service**
 - **Financial assistance to small businesses to build online capability with 'click & collect' on their website**
 - **Waiving of 2022 Food Act and Public Health and Wellbeing Registration Fees, effective of applications and renewals for the 2022 registration year**
 - **Waiving/refund of outdoor dining permit fees, roadside trading permit fees, livestock permits, portable advertising/signage permit fees for period of 12 months**
 - **That rental waivers are granted for Council owned or managed properties for 6 months on a proportionate basis where there has been at least a 30% downturn in revenue**
 - **Implementation of a marketing campaign and competition 'buy local & win' to promote local spend**

- *Upon application by business associations funding annual memberships where the association can demonstrate they meet the assessment criteria listed in the report.*
2. *To note the following business support initiatives (at no additional cost) that are part of the COVID-19 Business Support Package 2.0;*
- *Engagement and promotion of the Business Advisory Service*
 - *Promotion of 'Partners in Wellbeing' – State Government mental health support*
 - *Ongoing promotion, campaigns and engagement of ambassadors for Wellington Still Delivering Facebook page*
 - *Extension of Covid and Concierge role until July/August 2022*
 - *Supporting business and tourism associations to promote a Gippsland 'Etsy' initiative to support small business who do not have an online presence*
 - *Implement marketing campaigns to support business, tourism and accommodation providers.*

CARRIED

14. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

14.1. UNSEALED ROADS RECONSTRUCTION WORKS EAST AND URBAN

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to consider entering into a contract for the reconstruction of unsealed roads in the Eastern and Urban Maintenance Areas.

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 2022-014 Unsealed Road Reconstruction Eastern and Urban Maintenance Areas; and***
2. ***The information contained in the confidential attachment Contract 2022-014 Unsealed Road Reconstruction Eastern and Urban Maintenance Areas and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 3 September 2021 because it relates to the following grounds: (g) 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 ROSSETTI / COUNCILLOR CROSSLEY

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2022-014 Unsealed Road Reconstruction Eastern and Urban Maintenance Areas; and**
- 2. The information contained in the confidential attachment Contract 2022-014 Unsealed Road Reconstruction Eastern and Urban Maintenance Areas and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 3 September 2021 because it relates to the following grounds: (g) 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.

14.2. UNSEALED ROADS RECONSTRUCTION WORKS SOUTHERN AREA

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to consider entering into a contract for the reconstruction of the unsealed roads in the Southern Maintenance Area.

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 2022-016 Unsealed Road Reconstruction Southern Maintenance Area; and**
- 2. The information contained in the confidential attachment Contract 2022-016 Unsealed Road Reconstruction Southern Maintenance Area and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 3 September 2021 because it relates to the following grounds: (g) 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 CROSSLEY / COUNCILLOR TATTERSON

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2022-016 Unsealed Road Reconstruction Southern Maintenance Area; and**
- 2. The information contained in the confidential attachment Contract 2022-016 Unsealed Road Reconstruction Southern Maintenance Area and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 3 September 2021 because it relates to the following grounds: (g) 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 CROSSLEY / COUNCILLOR TATTERSON

CARRIED

The Mayor announced the successful tenderer as Bairnsdale Road Services Pty Ltd.

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

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

PURPOSE

The purpose of this report is for Council to consider its intention to declare the proposed Coongulla Township (Central Area) Special Charge Street Construction Scheme Number 2102 as a Special Charge Scheme for its construction at Coongulla.

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 within the central area of the Coongulla Township (being those streets listed and shown on the plan which is attached to and forms part of the Proposed Declaration of Special Charge**

- Scheme Number 2102) and the provision of ancillary works including 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 1 March 2022 in accordance with the Proposed Declaration of Special Charge Scheme Number 2102; 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 1 March 2022, 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 (Central 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 Built Environment (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 RIPPER / COUNCILLOR BYE

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 within the central area of the Coongulla Township (being those streets listed and shown on the plan which is attached to and forms part of the Proposed Declaration of Special Charge Scheme Number 2102) and the provision of ancillary works including 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 1 March 2022 in accordance with the Proposed Declaration of Special Charge Scheme Number 2102; 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 1 March 2022, 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 Councillors Ripper, Bye and Tatterson, plus Councillor Crossley as an alternative representative, to form the 'Coongulla (Central 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 Built Environment (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. BITUMINOUS RESEALING OF LOCAL ROADS

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to consider entering into a contract for the bituminous resealing of local roads for a three year period from 2021 to 2024.

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 2022-035 Bituminous Resealing of Local Roads; and**
- 2. The information contained in the confidential attachment Contract 2022-035 Bituminous Resealing of Local Roads and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 3 September 2021 because it relates to the following grounds: (g) 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 TATTERSON / COUNCILLOR RIPPER

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2022-035 Bituminous Resealing of Local Roads; and**
- 2. The information contained in the confidential attachment Contract 2022-035 Bituminous Resealing of Local Roads and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 3 September 2021 because it relates to the following grounds: (g) 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 Fulton Hogan Industries Pty Ltd.

14.5. LAKE GUTHRIDGE-GUYATT ENVIRONMENT EDUCATION CENTRE

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to consider entering into a contract for the construction of the Lake Guthridge-Guyatt Environmental Education Centre.

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 2022-022 Lake Guthridge-Guyatt Environmental Education Centre; and**
- 2. The information contained in the confidential attachment Contract 2022-022 Lake Guthridge-Guyatt Environmental Education Centre and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 3 September 2021 because it relates to the following grounds: (g) 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 CROSSLEY / COUNCILLOR BYE

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2022-022 Lake Guthridge-Guyatt Environmental Education Centre; and**
- 2. The information contained in the confidential attachment Contract 2022-022 Lake Guthridge-Guyatt Environmental Education Centre and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 3 September 2021 because it relates to the following grounds: (g) 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 RAL Construction Pty Ltd.

14.6. LAND PURCHASE FOR NEW TRANSFER STATION FACILITY IN MAFFRA

ACTION OFFICER: GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

PURPOSE

The purpose of this report is to seek Council authorisation to complete the acquisition of 3.829 hectares of vacant land situated on Fulton Road, Maffra (refer attached draft plan) noting the land is required for a future Maffra Resource Recovery Facility.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That

- 1. Council authorise the Chief Executive Officer to acquire 3.829 hectares of vacant land as shown on draft plan PS846507V situated off Fulton Road, Maffra noting it is required for the future development of the Maffra Resource Recovery Facility;**
- 2. The acquisition be completed in accordance with the process outlined within the Confidential Attachment;**
- 3. Budget be sourced from available funds within the Waste Infrastructure Reserve Fund in the 2021/22 Financial Year;**

4. *The information contained in the confidential attachments 'Outline of Acquisition Process' and 'Valuation Report – Fulton Road, Maffra' and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 3 September 2021 because it relates to the following grounds: (a) Council Business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020.*

COUNCILLOR RIPPER / COUNCILLOR MCKENZIE

That

1. *Council authorise the Chief Executive Officer to acquire 3.829 hectares of vacant land as shown on draft plan PS846507V situated off Fulton Road, Maffra noting it is required for the future development of the Maffra Resource Recovery Facility;*
2. *The acquisition be completed in accordance with the process outlined within the Confidential Attachment;*
3. *Budget be sourced from available funds within the Waste Infrastructure Reserve Fund in the 2021/22 Financial Year;*
4. *The information contained in the confidential attachments 'Outline of Acquisition Process' and 'Valuation Report – Fulton Road, Maffra' and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 3 September 2021 because it relates to the following grounds: (a) Council Business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020.*

CARRIED

15. GENERAL MANAGER COMMUNITY AND CULTURE

15.1. ADOPTION OF THE MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN

ACTION OFFICER: MANAGER COMMUNITIES, FACILITIES AND EMERGENCIES

PURPOSE

For Council to adopt the Wellington Shire Municipal Public Health and Wellbeing Plan 'Healthy Wellington 2021 – 2025', as attached.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the Wellington Shire Municipal Public Health and Wellbeing Plan, 'Healthy Wellington 2021 – 2025', as attached.

COUNCILLOR CROSSLEY / COUNCILLOR WOOD

That Council adopt the Wellington Shire Municipal Public Health and Wellbeing Plan, 'Healthy Wellington 2021 – 2025', as attached.

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

FURTHER GALLERY COMMENTS - NIL

Meeting declared closed at: 4:00pm

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

17. IN CLOSED SESSION

COUNCILLOR

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:

- a) Council business information*
- b) Security information*
- c) Land use planning information*
- d) Law enforcement information*
- e) Legal privileged information*
- f) Personal information*
- g) Private commercial information*
- h) Confidential meeting information*
- i) Internal arbitration information*
- j) Councillor Conduct Panel confidential information*
- k) Information prescribed by the regulations to be confidential information*
- l) Information that was confidential information for the purposes of section 77 of the Local Government Act 1989*

IN CLOSED SESSION

COUNCILLOR

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