



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

RESOLUTIONS IN BRIEF

To be read in conjunction with the Council Meeting Agenda 16 November 2021

COUNCILLORS PRESENT

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

OFFICERS PRESENT

David Morcom, Chief Executive Officer
Karen McLennan, Acting General Manager Community and Culture
Chris Hastie, General Manager Built and Natural Environment
Brent McAlister, General Manager Development
Denise Teo, Governance Officer

APOLOGIES

Councillor Carolyn Crossley

**ORDINARY MEETING OF COUNCIL
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1. APOLOGIES

Councillor Carolyn Crossley

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 3 November 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 3 November 2021.

COUNCILLOR WOOD / COUNCILLOR ROSSETTI

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 3 November 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

That Council accept the late item, being Item 6.1 Notice of Motion – Loch Sport Coastal Erosion.

COUNCILLOR STEPHENS / COUNCILLOR MCKENZIE

That Council accept the late item, being Item 6.1 Notice of Motion – Loch Sport Coastal Erosion.

CARRIED

6. NOTICE/S OF MOTION

6.1 Notice of Motion – Loch Sport Coastal Erosion

ACTION OFFICER: COUNCILLOR GARRY STEPHENS

I, Councillor Garry Stephens, hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council on 16 November 2021.

That Council write to the Hon Lilly D'Ambrosio MP, Minister for Energy, Environment and Climate Change requesting an update, and urgent action to address coastal erosion issue on crown land areas adjacent to Lake Victoria, Loch Sport.

COUNCILLOR STEPHENS / COUNCILLOR TATTERSON

That Council write to the Hon Lilly D'Ambrosio MP, Minister for Energy, Environment and Climate Change requesting an update, and urgent action to address coastal erosion issue on crown land areas adjacent to Lake Victoria, Loch Sport.

CARRIED

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

NIL

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. MAYOR AND COUNCILLORS REPORT

10.1. MAYOR AND COUNCILLORS REPORT

ACTION OFFICER: COUNCILLOR IAN BYE

RECOMMENDATION

That the Mayor and Councillors report be noted.

COUNCILLOR WOOD / COUNCILLOR MAHER

That the Mayor and Councillors report be noted.

CARRIED

11. DELEGATES REPORT

NIL

12. CHIEF EXECUTIVE OFFICER

12.1. CHIEF EXECUTIVE OFFICER'S REPORT

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

RECOMMENDATION

That the Chief Executive Officer's report be received.

COUNCILLOR TATTERSON / COUNCILLOR WOOD

That the Chief Executive Officer's report be received.

CARRIED

13. GENERAL MANAGER CORPORATE SERVICES

13.1. ASSEMBLY OF COUNCILLORS

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

OBJECTIVE

To report on all assembly of Councillor records received for the period 25 October 2021 to 7 November 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 25 October 2021 to 7 November 2021.

COUNCILLOR MCKENZIE / COUNCILLOR STEPHENS

That Council note and receive the attached Assembly of Councillor records for the period 25 October 2021 to 7 November 2021.

CARRIED

13.2. REMUNERATION COMMITTEE MINUTES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

For Council to note and receive the minutes and endorse the actions of the Remuneration Committee meeting held on 3 November 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

- 1. Note and receive the minutes from the Remuneration Committee meeting held on 3 November 2021 as attached; and***
- 2. Endorse the actions from the Remuneration Committee meeting held on 3 November 2021 as detailed in the attached minutes.***

COUNCILLOR MCKENZIE / COUNCILLOR WOOD

That Council:

- 1. Note and receive the minutes from the Remuneration Committee meeting held on 3 November 2021 as attached; and***
- 2. Endorse the actions from the Remuneration Committee meeting held on 3 November 2021 as detailed in the attached minutes.***

CARRIED

13.3. CONSIDERATION OF ANNUAL REPORT 2020/21

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To consider, discuss and receive the Wellington Shire Council's Annual Report 2020/21 as attached.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council consider, discuss and receive the Annual Report 2020/21 in accordance with the transitional requirements of the Local Government Act 1989 and the new Local Government Act 2020.

COUNCILLOR STEPHENS / COUNCILLOR RIPPER

That Council consider, discuss and receive the Annual Report 2020/21 in accordance with the transitional requirements of the Local Government Act 1989 and the new Local Government Act 2020.

CARRIED

14. GENERAL MANAGER DEVELOPMENT

14.1. SEPTEMBER 2021 PLANNING DECISIONS REPORT

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 2021.

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 2021.

COUNCILLOR MAHER / COUNCILLOR WOOD

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 September and 30 September 2021.

CARRIED

15. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

15.1. ROAD EXCHANGE - MARATHON ROAD, BRIAGOLONG

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

PURPOSE

The objective of this report is for Council to consider a road exchange by deviating a section of unused Government Road over the part of Lot 1 TP121970B Parish of Woolenook forming the current alignment of Marathon Road in Briagolong.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

- 1. Pursuant to Section 206 including Clause 2 of Schedule 10 and Section 207A of the Local Government Act 1989, resolve to advertise its intention to undertake a road exchange by deviating a section of unused Government Road north of Lot 1 TP121970B, Parish of Woolenook over the current alignment of Marathon Road traversing through Lot 1 TP121970B, Parish of Woolenook; and***
- 2. Place a public notice of the proposed road exchange in local newspapers and serve a notice on statutory authorities; and***
- 3. Appoint three Councillors plus an alternative representative to form the 'Marathon Road - Road Exchange 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 submission under section 223 of the Act have been requested that they be heard in support of their submission/objection; and***
- 4. In the event that there are no objections or submissions, authorise the Chief Executive Officer to progress the road exchange including placing a notice in the Victoria Government Gazette.***

COUNCILLOR RIPPER / COUNCILLOR STEPHENS

That Council:

- 1. Pursuant to Section 206 including Clause 2 of Schedule 10 and Section 207A of the Local Government Act 1989, resolve to advertise its intention to undertake a road exchange by deviating a section of unused Government Road north of Lot 1 TP121970B, Parish of Woolenook over the current alignment of Marathon Road traversing through Lot 1 TP121970B, Parish of Woolenook; and***
- 2. Place a public notice of the proposed road exchange in local newspapers and serve a notice on statutory authorities; and***
- 3. Appoint three Councillors, being Councillor Tatterson, Councillor Ripper and Councillor Crossley plus an alternative representative, being Councillor Stephens, to form the 'Marathon Road - Road Exchange 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***

submission under section 223 of the Act have been requested that they be heard in support of their submission/objection; and

- 4. In the event that there are no objections or submissions, authorise the Chief Executive Officer to progress the road exchange including placing a notice in the Victoria Government Gazette.*

CARRIED

15.2. MAIN STREET IMPROVEMENT WORKS – COWWARR

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

PURPOSE

The purpose of this report is for Council to consider entering into an agreement via a purchase order for the Main Street Improvement Works, Cowwarr.

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 Main Street Improvements Cowwarr; and***
- 2. The information contained in the confidential attachment Tender Award Main Street Improvements Cowwarr and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment 18 October 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 MAHER / COUNCILLOR WOOD

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Main Street Improvements Cowwarr; and***
- 2. The information contained in the confidential attachment Tender Award Main Street Improvements Cowwarr and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment 18 October 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 the Department of Transport.

15.3. RADIAL RENEWABLE ENERGY PARK DEMONSTRATION – FUNDING AGREEMENT

ACTION OFFICER: GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

PURPOSE

The purpose of this report is for Council to consider delegating authority to the to the Chief Executive Officer to enter into a funding agreement to facilitate the delivery of the Radial Renewable Energy Park Demonstration Site Project, in line with the agreement between Council and the Department of Jobs, Precincts and Regions.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

Council delegate authority to the Chief Executive Officer to enter into a funding agreement with project partners to facilitate the delivery of the Radial Renewable Energy Park Demonstration Site Project, in line with the agreement between Council and the Department of Jobs, Precincts and Regions.

COUNCILLOR STEPHENS / COUNCILLOR WOOD

Council delegate authority to the Chief Executive Officer to enter into a funding agreement with project partners to facilitate the delivery of the Radial Renewable Energy Park Demonstration Site Project, in line with the agreement between Council and the Department of Jobs, Precincts and Regions.

CARRIED

15.4. URBAN PATH CONCRETE WORKS

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 shared paths in Sale and Alberton and modifications to the Yarram Waste Transfer Station.

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 2022-051 Urban Path Concrete Works; and***
- 2. The information contained in the confidential attachment Contract 2022-051 Urban Path Concrete 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 29 October 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 ROSSETTI

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2022-051 Urban Path Concrete Works; and***
- 2. The information contained in the confidential attachment Contract 2022-051 Urban Path Concrete 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 29 October 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 Formplus Concrete Constructions Pty Ltd.

16. GENERAL MANAGER COMMUNITY AND CULTURE

16.1. QUICK RESPONSE GRANTS

ACTION OFFICER: GENERAL MANAGER COMMUNITY AND CULTURE

PURPOSE

For Council to note information regarding successful and unsuccessful applications received under the Quick Response Grant Scheme (QRGS) for the period July to October 2021 as at Attachment *Quick Response Grants Applications - July 2021 to October 2021*.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council notes information regarding successful and unsuccessful applications received under the Quick Response Grant Scheme (QRGS) for the period July to October 2021 as at Attachment Quick Response Grants Applications – July 2021 to October 2021.

COUNCILLOR ROSSETTI / COUNCILLOR MCKENZIE

That Council notes information regarding successful and unsuccessful applications received under the Quick Response Grant Scheme (QRGS) for the period July to October 2021 as at Attachment Quick Response Grants Applications – July 2021 to October 2021.

CARRIED

17. 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 –

Neil Barraclough, Stratford:

- Gippsland Apiarist Association has extended an invitation to Councillors to undertake a field tour in East Gippsland, in conjunction with East Gippsland Shire Council
- Tour will be hosted by beekeeping expert, Ian Cane, and highlight the effects of clear felling on the land
- A section of the forest has been used as a trial to showcase the sustainability of selective logging practices and demonstrates how working with local environmentalists and the local timber industry can rejuvenate the forest
- Highlighted the support of beekeepers for selective logging as a means to restore the health of the forests as well as supporting local timber families.

Meeting declared closed at: 6:42pm

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

18. IN CLOSED SESSION

COUNCILLOR ROSSETTI / COUNCILLOR STEPHENS

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

COUNCILLOR ROSSETTI / COUNCILLOR WOOD

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

CARRIED