



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

RESOLUTIONS IN BRIEF ORDINARY MEETING

To be read in conjunction with the Council Meeting Agenda 15 November 2022

COUNCILLORS PRESENT

Cr Ian Bye
Cr Gayle Maher
Cr Scott Rossetti
Cr Carmel Ripper
Cr Garry Stephens
Cr John Tatterson
Cr Jill Wood

OFFICERS PRESENT

Chris Hastie, Acting CEO/General Manager Built and Natural Environment
Brent McAlister, General Manager Development
Clem Gillings, General Manager Community and Culture
Denise Teo, Coordinator Governance and Council Business
Hayley Furlong, Governance and Council Business Officer
Kimberley Salleh, Acting Coordinator Communications and Media

APOLOGIES

Cr Carolyn Crossley
Cr Marcus McKenzie
David Morcom, Chief Executive Officer

**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
- 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. MAYOR AND COUNCILLORS REPORT**
 - 10.1. MAYOR AND COUNCILLORS REPORT - OCTOBER 2022
- 11. DELEGATES REPORT**
- 12. CHIEF EXECUTIVE OFFICER**
 - 12.1. CHIEF EXECUTIVE OFFICER'S REPORT - OCTOBER 2022
- 13. GENERAL MANAGER CORPORATE SERVICES**
 - 13.1. ASSEMBLY OF COUNCILLORS
 - 13.2. REMUNERATION COMMITTEE MINUTES
 - 13.3. 2021-25 COUNCIL PLAN PROGRESS
 - 13.4. IN PRINCIPLE APPROVAL OF DRAFT 2021/22 FINANCIAL REPORT AND PERFORMANCE STATEMENT
- 14. GENERAL MANAGER DEVELOPMENT**

14.1. MONTHLY PLANNING DECISIONS - SEPTEMBER 2022

15. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

15.1. SALE TOONGABBIE ROAD RECONSTRUCTION - NAMBROK

15.2. SALE TOONGABBIE ROAD RECONSTRUCTION STAGE 2 WINNINDOO

16. GENERAL MANAGER COMMUNITY AND CULTURE

16.1. APPROVAL OF THE WELLINGTON DISABILITY ADVISORY COMMITTEE
TERMS OF REFERENCE

16.2. COUNCIL COMMITTEES AND COMMITTEES OF MANAGEMENT HIGHLIGHTS

17. FURTHER GALLERY AND ONLINE COMMENTS

18. IN CLOSED SESSION

18.1. GLASS AND MIXED RECYCLING PROCESSING TENDER

1. APOLOGIES

Councillor Crossley and Councillor McKenzie are on approved leave.

2. DECLARATION OF CONFLICT/S OF INTEREST

Councillor Maher has declared a general conflict of interest at item 18.1 Glass and Mixed Recycling Processing Tender due to conflict of duty.

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 2 November 2022.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 2 November 2022.

COUNCILLOR WOOD / COUNCILLOR MAHER

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 2 November 2022.

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 Bye attended the Sale City Band 150 years anniversary celebration at Sale Greyhound Function Room, held on Saturday 5 November 2022. The President of the Victorian Bands Association noted that the Sale City Band is one of the top three oldest bands in Victoria. Councillor Bye acknowledged credit to the community band for running for so long.

Councillor Bye also attended the Country Fire Authority District 10 National Emergency Medal Presentation Ceremony at Sale Catholic College Sports Stadium on Sunday 6 November 2022. He acknowledged the certificate of appreciation presented to Wellington Shire Council which read *"thank you to the Wellington Shire Council's Emergency Management team during the 2019 to 2020 bushfires. The joint planning and management of the local fire risks in our communities is very much appreciated along with the sustained provision relief and recover efforts for our community"*.

He acknowledged that Wellington Shire were not as heavily affected by the 2019/2020 bushfires as East Gippsland Shire was and highlighted the assistance and relief provided by Council officers to the emergency teams at East Gippsland during the period. Councillor Bye congratulated the CFA for recognising all volunteers and each brigade was acknowledged separately and presented with medals.

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 - OCTOBER 2022

ACTION OFFICER: COUNCILLOR IAN BYE

RECOMMENDATION

That the Mayor and Councillors report be noted.

COUNCILLOR WOOD / COUNCILLOR TATTERSON

That the Mayor and Councillors report be noted.

CARRIED

11. DELEGATES REPORT

Councillor Tatterson attended the South East Australian Transport Strategy (SEATS) quarterly committee meeting on Thursday 10 November 2022 and noted one of the key highlights was the confirmation of Greg Pullen as the Executive Officer of the SEATS committee. He also noted that the committee discussed key projects and major transport initiatives they are advocating for during the upcoming State Elections.

Councillor Tatterson acknowledged support received for the duplication of the Mitchell River bridge improvements, specifically the roundabout to Lakes Entrance and Bruthen in East Gippsland. He also recognised the Sale Alternate Truck route as a priority project for Gippsland. Councillor Tatterson provided an update on the current progress relating to the planning for the Traralgon bypass which has been raised as a priority project, including additional traffic lights near the golf course and the railway crossing, which is currently adding significant time to commuter travel. In addition, Councillor Tatterson noted that the committee discussed the introduction of lower speed limits on the highway west of Warragul/Drouin that is currently reducing the amount of productivity for commuters.

Councillor Tatterson concluded his report by reiterating the important role SEATS plays in advocating for the community.

12. CHIEF EXECUTIVE OFFICER

12.1. CHIEF EXECUTIVE OFFICER'S REPORT - OCTOBER 2022

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

RECOMMENDATION

That the Chief Executive Officer's report be received.

COUNCILLOR ROSSETTI / COUNCILLOR MAHER

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 24 October 2022 to 6 November 2022.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 24 October 2022 to 6 November 2022.

COUNCILLOR MAHER / COUNCILLOR WOOD

That Council note and receive the attached Assembly of Councillor records for the period 24 October 2022 to 6 November 2022.

CARRIED

13.2. REMUNERATION COMMITTEE MINUTES

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

PURPOSE

For Council to note and receive the minutes and endorse the actions of the Remuneration Committee meeting held on 2 November 2022.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

- 1. Note and receive the minutes from the Remuneration Committee meeting held on 2 November 2022 as attached; and*
- 2. Endorse the actions from the Remuneration Committee meeting held on 2 November 2022 as detailed in the attached minutes.*

COUNCILLOR STEPHENS / COUNCILLOR RIPPER

That Council:

- 1. Note and receive the minutes from the Remuneration Committee meeting held on 2 November 2022 as attached; and*
- 2. Endorse the actions from the Remuneration Committee meeting held on 2 November 2022 as detailed in the attached minutes.*

CARRIED

13.3. 2021-25 COUNCIL PLAN PROGRESS

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To provide Council and the community with an update on the progress of the 2021-25 Council Plan for the 2021-22 financial period.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the attached update on progress of the 2021-25 Council Plan for the 2021-22 financial period.

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council receive the attached update on progress of the 2021-25 Council Plan for the 2021-22 financial period.

CARRIED

13.4. IN PRINCIPLE APPROVAL OF DRAFT 2021/22 FINANCIAL REPORT AND PERFORMANCE STATEMENT

ACTION OFFICER: MANAGER CORPORATE FINANCE

PURPOSE

For Council to approve in principle the amended draft 2021/22 Financial Report and Performance Statement as attached and authorise two Councillors to certify both documents upon completion of the Auditor-General's review.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council approve, in principle, the amended Draft 2021/22 Financial Report and Performance Statement as attached, subject to no material changes by the Victorian Auditor General's Office (VAGO) and authorise two Councillors from the Audit & Risk Committee to certify the documents in their final form.

COUNCILLOR STEPHENS / COUNCILLOR WOOD

That Council approve, in principle, the amended Draft 2021/22 Financial Report and Performance Statement as attached, subject to no material changes by the Victorian Auditor General's Office (VAGO) and authorise two Councillors from the Audit & Risk Committee to certify the documents in their final form.

CARRIED

14. GENERAL MANAGER DEVELOPMENT

14.1. MONTHLY PLANNING DECISIONS - SEPTEMBER 2022

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 2022.

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 2022.

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 September and 30 September 2022.

CARRIED

15. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

15.1. SALE TOONGABBIE ROAD RECONSTRUCTION - NAMBROK

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 a section of Sale-Toongabbie Road, Nambrok.

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 2023-026 Sale-Toongabbie Road Nambrok; and***
- 2. The information contained in the confidential attachment Contract 2023-026 Sale-Toongabbie Road Nambrok and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 2 November 2022 because it relates to the following grounds: (g)(ii) 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 RIPPER / COUNCILLOR ROSSETTI

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2023-026 Sale-Toongabbie Road Nambrok; and***
- 2. The information contained in the confidential attachment Contract 2023-026 Sale-Toongabbie Road Nambrok and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 2 November 2022 because it relates to the following grounds: (g)(ii) 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 Whelans Group Investments Pty Ltd

15.2. SALE TOONGABBIE ROAD RECONSTRUCTION STAGE 2 WINNINDOO

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 a section of Sale-Toongabbie Road, Winnindoo.

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 2023-027 Sale-Toongabbie Road Winnindoo; and***
- 2. The information contained in the confidential attachment Contract 2023-027 Sale-Toongabbie Road Winnindoo and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 2 November 2022 because it relates to the following grounds: (g)(ii) 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 RIPPER / COUNCILLOR MAHER

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2023-027 Sale-Toongabbie Road Winnindoo; and***
- 2. The information contained in the confidential attachment Contract 2023-027 Sale-Toongabbie Road Winnindoo and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 2 November 2022 because it relates to the following grounds: (g)(ii) 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 MJ Kiernan Tilt Tray Services Pty Ltd

16. GENERAL MANAGER COMMUNITY AND CULTURE

16.1. APPROVAL OF THE WELLINGTON DISABILITY ADVISORY COMMITTEE TERMS OF REFERENCE

ACTION OFFICER: MANAGER COMMUNITIES, FACILITIES AND EMERGENCIES

PURPOSE

For Council to approve the Terms of Reference of the Wellington Disability Advisory Committee, as attached.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council approve the Terms of Reference of the Wellington Disability Advisory Committee, as attached.

COUNCILLOR ROSSETTI / COUNCILLOR STEPHENS

That Council approve the Terms of Reference of the Wellington Disability Advisory Committee, as attached.

CARRIED

16.2. COUNCIL COMMITTEES AND COMMITTEES OF MANAGEMENT HIGHLIGHTS

ACTION OFFICER: GENERAL MANAGER COMMUNITY AND CULTURE

PURPOSE

For Council to receive the report highlighting activities and achievements of various Council advisory committees and community facilities' committees of management for the period July to October 2022.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the report highlighting activities and achievements of various Council advisory committees and community facilities' committees of management for the period July to October 2022.

COUNCILLOR TATTERSON / COUNCILLOR WOOD

That Council receive the report highlighting activities and achievements of various Council advisory committees and community facilities' committees of management for the period July to October 2022.

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 -

NIL

Meeting declared closed at: 6:30pm

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:

g) Private commercial information

CARRIED

IN CLOSED SESSION

Item 18.1 Glass and Mixed Recycling Processing Tender was considered in closed session.

COUNCILLOR ROSSETTI / COUNCILLOR STEPHENS

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

CARRIED