



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

RESOLUTIONS IN BRIEF ORDINARY MEETING

To be read in conjunction with the Council Meeting Agenda 17 May 2022

COUNCILLORS PRESENT

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

OFFICERS PRESENT

David Morcom, Chief Executive Officer
Chris Hastie, General Manager Built and Natural Environment
Denise Teo, Governance Officer
Wendy Reeves, Coordinator Communication and Media

APOLOGIES

Cr Carolyn Crossley
Cr Gayle Maher

**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 - APRIL 2022
- 11. DELEGATES REPORT**
- 12. CHIEF EXECUTIVE OFFICER**
 - 12.1. CHIEF EXECUTIVE OFFICER'S REPORT - APRIL 2022
- 13. GENERAL MANAGER CORPORATE SERVICES**
 - 13.1. ASSEMBLY OF COUNCILLORS
 - 13.2. REMUNERATION COMMITTEE MINUTES
- 14. GENERAL MANAGER DEVELOPMENT**
 - 14.1. MONTHLY PLANNING DECISIONS (MARCH 2022)
 - 14.2. MAFFRA STRUCTURE PLAN
 - 14.3. PROPOSED TENDER AWARD FOR MUNICIPAL AND ANIMAL SHELTER SERVICES

15. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

15.1. REVOCATION OF UNUSED ROAD LICENCE - PHIPPS STREET, ALBERTON

15.2. TRANSFER STATION MANAGEMENT

15.3. EXTENSION OF WASTE SERVICES CONTRACT 2008-155

16. GENERAL MANAGER COMMUNITY AND CULTURE

16.1. COMMUNITY ASSISTANCE GRANTS - MARCH 2022

17. FURTHER GALLERY AND ONLINE COMMENTS

18. IN CLOSED SESSION

1. APOLOGIES

Councillor Carolyn Crossley
Councillor Gayle Maher

2. DECLARATION OF CONFLICT/S OF INTEREST

Councillor Garry Stephens declared a direct material conflict of interest at Item 16.1 Community Assistance Grants – March 2022 as he is the president of the Yarram Eisteddfod Committee who are recipients of funding from this round.

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 May 2022.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

MAYOR'S COMMENT: *The Mayor noted that Councillor Wood moved the motion to adopt the minutes and resolutions of the 19 April 2022 Council meeting at the 3 May 2022 Council Meeting however she was not present at the previous meeting and should not have moved the motion. Councillor Stephens has now moved and Councillor Wood has seconded the motion.*

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 3 May 2022.

COUNCILLOR WOOD / COUNCILLOR TATTERSON

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 3 May 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 TATTERSON acknowledged the GEO Group and noted their contribution to employment within the Shire. He also congratulated the new correctional services graduates at the Fulham prison.

COUNCILLOR BYE made a number of acknowledgements:

- National Volunteer Week: he extended his thanks to all of the volunteers that contribute to the various events and initiatives throughout the Shire
- Red Cross: he noted the Red Cross Care Teddy on his desk and highlighted its role in raising awareness about the Red Cross and the services and care they provide throughout the community and beyond.
- Citizenship Ceremony: he acknowledged the citizenship ceremony held on Monday and noted it as one of the largest to date and that it was a great event had by all
- IDAHOBIT Day: the Mayor and CEO raised the rainbow pride flag at the Raglan Street roundabout today in support of the International Day Against Homophobia, Biphobia, Intersexism and Transphobia.

COUNCILLOR RIPPER also extended her thanks to all of the volunteers and acknowledged all of the great work that they continue to do.

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 - APRIL 2022

ACTION OFFICER: COUNCILLOR IAN BYE

RECOMMENDATION <i>That the Mayor and Councillors report be noted.</i> COUNCILLOR RIPPER / COUNCILLOR WOOD <i>That the Mayor and Councillors report be noted.</i> CARRIED

11. DELEGATES REPORT

NIL

12. CHIEF EXECUTIVE OFFICER

12.1. CHIEF EXECUTIVE OFFICER'S REPORT - APRIL 2022

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

RECOMMENDATION <i>That the Chief Executive Officer's report be received.</i> COUNCILLOR STEPHENS / COUNCILLOR ROSSETTI <i>That the Chief Executive Officer's report be received.</i> 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 April 2022 to 8 May 2022.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 25 April 2022 to 8 May 2022.

COUNCILLOR WOOD / COUNCILLOR RIPPER

That Council note and receive the attached Assembly of Councillor records for the period 25 April 2022 to 8 May 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 3 May 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 3 May 2022 as attached; and*
- 2. Endorse the actions from the Remuneration Committee meeting held on 3 May 2022 as detailed in the attached minutes.*

COUNCILLOR MCKENZIE / COUNCILLOR RIPPER

That Council:

- 1. Note and receive the minutes from the Remuneration Committee meeting held on 3 May 2022 as attached; and*
- 2. Endorse the actions from the Remuneration Committee meeting held on 3 May 2022 as detailed in the attached minutes.*

CARRIED

14. GENERAL MANAGER DEVELOPMENT

14.1. MONTHLY PLANNING DECISIONS (MARCH 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 March 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 March and 31 March 2022.

COUNCILLOR TATTERSON / COUNCILLOR ROSSETTI

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 March and 31 March 2022.

CARRIED

14.2. MAFFRA STRUCTURE PLAN

ACTION OFFICER: MANAGER LAND USE PLANNING

PURPOSE

The purpose of this Report is for Council to adopt the Maffra Structure Plan (April 2022) included in Attachment 2.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the Maffra Structure Plan (April 2022) included in Attachment 2.

COUNCILLOR RIPPER / COUNCILLOR WOOD

That Council adopt the Maffra Structure Plan (April 2022) included in Attachment 2.

CARRIED

The Mayor acknowledged the Manager Land Use Planning and team on the great work done to pull this body of work together.

14.3. PROPOSED TENDER AWARD FOR MUNICIPAL AND ANIMAL SHELTER SERVICES

ACTION OFFICER: MANAGER REGULATORY SERVICES

PURPOSE

The purpose of this report is for Council to consider entering into a contract for the Wellington Shire Council Municipal Pound and Animal Shelter Services.

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 2022-066 Municipal Pound and Animal Shelter Services; and***
- 2. The information contained in the confidential attachment Contract 2022-066 Municipal Pound and Animal Shelter Services and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Development on 29 April 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 ROSSETTI / COUNCILLOR STEPHENS

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2022-066 Municipal Pound and Animal Shelter Services; and***
- 2. The information contained in the confidential attachment Contract 2022-066 Municipal Pound and Animal Shelter Services and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Development on 29 April 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 Victorian Animal Aid Trust.

15. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

15.1. REVOCATION OF UNUSED ROAD LICENCE - PHIPPS STREET, ALBERTON

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

PURPOSE

The purpose of this report is for Council to consider a request to open part of Phipps Street Alberton, abutting CA 10 and CA 11, to public traffic by revoking in part, an unused road licence.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Pursuant to section 223 of the Local Government Act 1989, Council authorise the Chief Executive Officer to write to the licensee of the unused road licence of its intention to open a part of Phipps Street, Alberton abutting CA 10 and CA 11 for a width of 10 metres and extending into Thomson Street for a length of 22 metres; and***
- 2. Council appoints three Councillors plus an alternative representative to form the 'Phipps Street Unused Road Licence 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***
- 3. In the event that there are no objections or submissions and pursuant to section 407 (1) of the Land Act 1958, as it is desirable in the public interest, the Department of Environment, Land, Water and Planning be requested that part of the unused road licence held over Phipps Street, Alberton abutting CA 10 and CA 11 for a width of 10 metres and extending into Thomson Street for a length of 22 metres be revoked as it is required for public traffic.***

COUNCILLOR STEPHENS / COUNCILLOR ROSSETTI

That:

- 1. Pursuant to section 223 of the Local Government Act 1989, Council authorise the Chief Executive Officer to write to the licensee of the unused road licence of its intention to open a part of Phipps Street, Alberton abutting CA 10 and CA 11 for a width of 10 metres and extending into Thomson Street for a length of 22 metres; and***
- 2. Council appoints three Councillors, being Councillor Stephens, Councillor McKenzie and Councillor Tatterson, plus an alternative representative, being Councillor Maher, to form the 'Phipps Street Unused Road Licence 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***
- 3. In the event that there are no objections or submissions and pursuant to section 407 (1) of the Land Act 1958, as it is desirable in the public interest, the Department of Environment, Land, Water and Planning be requested that***

part of the unused road licence held over Phipps Street, Alberton abutting CA 10 and CA 11 for a width of 10 metres and extending into Thomson Street for a length of 22 metres be revoked as it is required for public traffic.

CARRIED

15.2. TRANSFER STATION MANAGEMENT

ACTION OFFICER: MANAGER NATURAL ENVIRONMENT AND PARKS

PURPOSE

The purpose of this report is for Council to consider entering into a contract for the Provision of Transfer Station Management Services, including hardwaste collection.

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 2022-078 Provision of Transfer Stations Management Services; and***
- 2. The information contained in the confidential attachment Contract 2022-078 Provision of Transfer Stations Management Services and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 28th April 2022 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 STEPHENS

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2022-078 Provision of Transfer Stations Management Services; and***
- 2. The information contained in the confidential attachment Contract 2022-078 Provision of Transfer Stations Management Services and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 28th April 2022 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 Dasma Environmental.

15.3. EXTENSION OF WASTE SERVICES CONTRACT 2008-155

ACTION OFFICER: MANAGER NATURAL ENVIRONMENT AND PARKS

PURPOSE

The objective of this report is for:

1. Council to approve a 12-month extension to the kerbside rubbish and recycling collection component of the existing Waste Services Contract No. 2008-155 and to authorise the Chief Executive Officer to execute a required Deed of Agreement for this extension.
2. In addition, authorise the Chief Executive Officer to provide a variation certificate for transport and processing of recyclables as described in this report.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

1. ***Authorise the Chief Executive Officer to sign a Deed of Agreement for the extension of the kerbside collection component of the existing Waste Services Contract No. 2008-155 from 1 July 2022 to 30 June 2023; and***
2. ***Authorise the Chief Executive Officer to provide a Variation Certificate to Towards Zero Pty Ltd for the transport and processing of recyclables for the period 1 July 2022 to 30 June 2023 under Contract No. 2008-155.***

COUNCILLOR ROSSETTI / COUNCILLOR WOOD

That Council:

1. ***Authorise the Chief Executive Officer to sign a Deed of Agreement for the extension of the kerbside collection component of the existing Waste Services Contract No. 2008-155 from 1 July 2022 to 30 June 2023; and***
2. ***Authorise the Chief Executive Officer to provide a Variation Certificate to Towards Zero Pty Ltd for the transport and processing of recyclables for the period 1 July 2022 to 30 June 2023 under Contract No. 2008-155.***

CARRIED

16. GENERAL MANAGER COMMUNITY AND CULTURE

16.1. COMMUNITY ASSISTANCE GRANTS - MARCH 2022

ACTION OFFICER: MANAGER COMMUNITIES, FACILITIES AND EMERGENCIES

PURPOSE

For Council to approve the allocation of Community Assistance Grants March 2022 round, as detailed in Attachment 1 – CAG Mar 2022 Recommendations – and applicants being notified of the outcome of their applications.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council approves the allocation of Community Assistance Grants March 2022 funds, as detailed in Attachment 1 – CAG Mar 2022 Recommendations – and applicants being notified of the outcome of their applications.

Councillor Stephens declared a direct material conflict of interest as he is the president of the Yarram Eisteddfod Committee who are recipients of funding from this round.

Councillor Stephens left the chamber at 6:32pm

Councillor Stephens returned to the chamber at 6:37pm

COUNCILLOR MCKENZIE / COUNCILLOR TATTERSON

That Council approves the allocation of Community Assistance Grants March 2022 funds, as detailed in Attachment 1 – CAG Mar 2022 Recommendations – and applicants being notified of the outcome of their applications.

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 -

CHARLIE JONES: what is being done from a Council perspective in relation to livestock agents running cattle past GRLE?

The CEO noted that this question was received on 11 May 2022 and a response has been prepared and will be sent to Charlie and circulated to all Councillors.

FURTHER GALLERY COMMENTS –

NIL

Meeting declared closed at: 6:41pm

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

18. IN CLOSED SESSION

COUNCILLOR ROSSETTI / COUNCILLOR McKENZIE

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

Motion redacted.

COUNCILLOR STEPHENS / COUNCILLOR MCKENZIE

CARRIED

COUNCILLOR ROSSETTI / COUNCILLOR STEPHENS

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

CARRIED