



**WELLINGTON**  
SHIRE COUNCIL

*The Heart of Gippsland*

## **RESOLUTIONS IN BRIEF ORDINARY MEETING**

**To be read in conjunction with the Council Meeting Agenda 15 August 2023**

### **COUNCILLORS PRESENT**

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

### **OFFICERS PRESENT**

David Morcom, Chief Executive Officer  
Andrew Pomeroy, General Manager Development  
Chris Hastie, General Manager Built and Natural Environment  
Clem Gillings, General Manager Community and Culture  
Hayley Furlong, Governance and Council Business Officer  
Kimberley Salleh, Coordinator Communications and Media

### **APOLOGIES**

Cr Gayle Maher  
Cr Marcus McKenzie

Arthur Skipitaris, General Manager Corporate Services

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## 1. APOLOGIES

Councillor Maher is on leave.  
Councillor McKenzie is on leave.

## 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: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE**

#### **PURPOSE**

To adopt the minutes of the Ordinary Council Meeting of 1 August 2023.

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

NIL

#### **RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 1 August 2023.*

**COUNCILLOR WOOD / COUNCILLOR STEPHENS**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 1 August 2023.*

**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 63<sup>rd</sup> Gippstar Awards night, held at the Morwell Bowls Club on 10 August 2023. He presented the 2022/2023 Team of the Year Award to the Gippsland All Abilities Netball Team and Sale United Women's Football Team and congratulated the teams on their award as it was well deserved.

COUNCILLOR CROSSLEY attended the celebration of the launch of the Cowwarr Football Netball Club's upgrades on Saturday 12 August 2023. The project focused on the upgrade to the court and surrounds. She noted \$10,000 funded through Council as well as \$12,000 in sponsorship that has been put toward the upgrades.

COUNCILLOR CROSSLEY attended the Maffra Rotary Club on Sunday 13 August 2023 accompanied by Councillor Ripper for a meet and greet for potential new members. She noted the need for volunteers in our community and the important role they play.

COUNCILLOR RIPPER and accompanied by Councillor Crossley attended the Valencia Creek Memorial Hall on Friday 4 August 2023 for the presentation of the new upgrades. With grant funding they were able to make upgrades to facility amenities. Councillor Ripper congratulated the committee and thanked them for a wonderful evening.

COUNCILLOR RIPPER acknowledged the Newry Town Hall Floor Reveal event held on Friday 11 August 2023, which Councillor Ripper and Councillor Bye attended. The new flooring is made from Canadian Oak wood and is expected to last at least a hundred years to come. She thanked the volunteers who assisted in the upgrades and reveal, as well as noting Council's funding of approximately \$108,000 toward the upgrades at the hall.

COUNCILLOR BYE acknowledged the official opening of the modular building at Gumnuts Early Learning Centre in Sale on Thursday 3 August 2023. He noted the time and hard work put in by Brendan Ronan (director), the team and the committee of management. The \$1,750,000 build provides the community with an additional 66 kindergarten places which is fantastic.

## 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 - JULY 2023

ACTION OFFICER: COUNCILLOR IAN BYE

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

## 11. DELEGATES REPORT

NIL

## 12. CHIEF EXECUTIVE OFFICER

### 12.1. 2023 JUNE COUNCIL PERFORMANCE REPORT

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

**PURPOSE**

For Council to receive and note the June 2023 Council Performance Report.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

**RECOMMENDATION**

*That Council receive and note the June 2023 Council Performance Report as attached.*

**COUNCILLOR STEPHENS / COUNCILLOR WOOD**

*That Council receive and note the June 2023 Council Performance Report as attached.*

**CARRIED**

### 12.2. CHIEF EXECUTIVE OFFICERS REPORT

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

**RECOMMENDATION**

*That the Chief Executive Officer's report be received.*

**COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY**

*That the Chief Executive Officer's report be received.*

**CARRIED**

## 13. GENERAL MANAGER CORPORATE SERVICES

### 13.1. ASSEMBLY OF COUNCILLORS

#### **ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE**

##### **OBJECTIVE**

To report on all assembly of Councillor records received for the period 24 July 2023 to 6 August 2023.

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

NIL

##### **RECOMMENDATION**

*That Council note and receive the attached Assembly of Councillor records for the period 24 July 2023 to 6 August 2023.*

**COUNCILLOR ROSSETTI / COUNCILLOR WOOD**

*That Council note and receive the attached Assembly of Councillor records for the period 24 July 2023 to 6 August 2023.*

**CARRIED**

## 14. GENERAL MANAGER DEVELOPMENT

### 14.1. MONTHLY PLANNING DECISIONS - JUNE 2023

#### **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 June 2023.

##### **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 June and 30 June 2023.*

**COUNCILLOR TATTERSON / COUNCILLOR CROSSLEY**

*That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 June and 30 June 2023.*

**CARRIED**



## 14.2. PROPOSED SALE 32 PARADISE BEACH ROAD, PARADISE BEACH - RECEIPT OF PUBLIC SUBMISSIONS

### ACTION OFFICER: MANAGER ECONOMIC DEVELOPMENT

#### PURPOSE

For Council to authorise the sale of property assessed as surplus to requirements, located at 32 Paradise Beach Road, Paradise Beach, noting that the required statutory public notice and submissions process has been completed.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

#### RECOMMENDATION

*That:*

- 1. Council note no submissions have been received regarding the proposed sale of surplus Council property located at 32 Paradise Beach Road, Paradise Beach*
- 2. Council resolve that property described as 32 Paradise Beach Road, Paradise Beach as shown on the plan within (refer Figure 1) and more specifically referred as Lot 1 on Title Plan 93699P - Volume 10098 Folio 230 for an amount not less than 75% of the market value following consolidation, as determined by a certified independent valuer.*
- 3. The information contained in the confidential document Updated Valuation 32 Paradise Beach Road, Paradise Beach (June 2023) and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Development on 8 August 2023 because they relate 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.*

#### COUNCILLOR STEPHENS / COUNCILLOR WOOD

*That:*

- 1. Council note no submissions have been received regarding the proposed sale of surplus Council property located at 32 Paradise Beach Road, Paradise Beach*
- 2. Council resolve that property described as 32 Paradise Beach Road, Paradise Beach as shown on the plan within (refer Figure 1) and more specifically referred as Lot 1 on Title Plan 93699P - Volume 10098 Folio 230 for an amount not less than 75% of the market value following consolidation, as determined by a certified independent valuer.*
- 3. The information contained in the confidential document Updated Valuation 32 Paradise Beach Road, Paradise Beach (June 2023) and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Development on 8 August 2023 because they relate 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.*

**CARRIED**

#### **14.3. PROPOSED SALE 12 FIREFLY ROAD AND 9-11 SHOREWARD WAY GOLDEN BEACH - RECEIPT OF SUBMISSIONS**

##### **ACTION OFFICER: MANAGER ECONOMIC DEVELOPMENT**

##### **PURPOSE**

For Council to authorise the sale of property assessed as surplus to requirements, located at 12 Firefly Road and 9 - 11 Shoreward Way, Golden Beach described as Lots 3029, 3030 and 3048 of LP 56682, noting that the required statutory public notice and submissions process has been completed.

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

NIL

##### **RECOMMENDATION**

###### ***That:***

- 1. Council note no submissions have been received regarding the proposed sale of surplus Council property located at 12 Firefly Road and 9 - 11 Shoreward Way, Golden Beach***
- 2. Resolve that property described as 12 Firefly Road and 9 - 11 Shoreward Way, Golden Beach, being Lots 3029, 3030 and 3048 of LP 56682 more particularly described as Volume 08391 Folio 636, Volume 08391 Folio 637 and Volume 08391 Folio 655, be sold by private treaty for an amount not less than 75% of the following consolidation market value as determined by a certified independent valuer.***
- 3. The information contained in the confidential document Updated Valuation 12 Firefly and 9-11 Shoreward Way, Golden Beach (June 2023) and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Development on 8 August 2023 because they relate 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.***

##### **COUNCILLOR STEPHENS / COUNCILLOR CROSSLEY**

###### ***That:***

- 1. Council note no submissions have been received regarding the proposed sale of surplus Council property located at 12 Firefly Road and 9 - 11 Shoreward Way, Golden Beach***
- 2. Resolve that property described as 12 Firefly Road and 9 - 11 Shoreward Way, Golden Beach, being Lots 3029, 3030 and 3048 of LP 56682 more particularly described as Volume 08391 Folio 636, Volume 08391 Folio 637 and Volume 08391 Folio 655, be sold by private treaty for an amount not less***

*than 75% of the following consolidation market value as determined by a certified independent valuer.*

3. *The information contained in the confidential document Updated Valuation 12 Firefly and 9-11 Shoreward Way, Golden Beach (June 2023) and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Development on 8 August 2023 because they relate 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.*

**CARRIED**

## **15. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT**

### **15.1. AQUA ENERGY REDEVELOPMENT**

#### **ACTION OFFICER: MANAGER ASSETS AND PROJECTS**

#### **PURPOSE**

The purpose of this report is for Council to consider entering into a contract for the redevelopment of Aqua Energy.

#### **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 2023-029 Aqua Energy Redevelopment; and*
2. *The information contained in the confidential attachment Contract 2023-029 and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 August 2023 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 TATTERSON / COUNCILLOR WOOD**

##### ***That:***

1. ***Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2023-029 Aqua Energy Redevelopment; and***
2. ***The information contained in the confidential attachment Contract 2023-029 and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 August 2023 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 Brooker Builders Pty Ltd.*

## **16. GENERAL MANAGER COMMUNITY AND CULTURE**

### **16.1. SALE INTEGRATED CENTRE FOR CHILDREN AND FAMILIES - DESIGN TENDER AWARD**

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

#### **PURPOSE**

The purpose of this report is for Council to consider entering into a contract for the 2023 056 the Sale Integrated Centre for Children and Families (Gibsons Road Hub) Design.

#### **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 056 the Sale Integrated Centre for Children and Families (Gibsons Road Hub) Design; and***
2. ***The information contained in the confidential attachment Contract 2023 056 the Sale Integrated Centre for Children and Families (Gibsons Road Hub) Design and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Community and Culture on 4 August 2023 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 CROSSLEY / COUNCILLOR ROSSETTI**

**That:**

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2023 056 the Sale Integrated Centre for Children and Families (Gibsons Road Hub) Design; and**
- 2. The information contained in the confidential attachment Contract 2023 056 the Sale Integrated Centre for Children and Families (Gibsons Road Hub) Design and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Community and Culture on 4 August 2023 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 Perkins Architecture Pty Ltd.*

## 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 –

**Christine Timmerman, Alberton:** addressed Council in relation to the Strzelecki – Nooramunga Biolink wildlife corridor. Councillors were presented with documentation for reference and review outlining the area and considerations for the wildlife corridor. Christine requested wildlife information and warning signs to be considered at selected areas in the municipality. Christine's contact details have been provided to the General Manager Built and Natural Environment.

**Graham James, Gelliondale:** addressed Council in relation to the Gelliondale wind farm and the recent application submitted by Synergy Wind.

Meeting declared closed at: 5:48pm

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

## 18. 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*

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IN CLOSED SESSION

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