



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

RESOLUTIONS IN BRIEF ORDINARY MEETING

To be read in conjunction with the Council Meeting Agenda 19 December 2023

COUNCILLORS PRESENT

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

OFFICERS PRESENT

David Morcom, Chief Executive Officer
Clem Gillings, General Manager Community and Culture
Carly Bloomfield, Acting General Manager Corporate Services
Chris Hastie, General Manager Built and Natural Environment
Andrew Pomeroy, General Manager Development
Keisha Langshaw, Governance and Council Business Officer
Kim Salleh, Coordinator Communications and Media



**ORDINARY MEETING OF COUNCIL
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1. APOLOGIES

NIL

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 5 December 2023.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 5 December 2023.

COUNCILLOR WOOD / COUNCILLOR ROSSETTI

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 5 December 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
Cobains Feedlots	21 November 2023	A response was sent to the head petitioner on 11 December 2023. A further update will be provided in the New Year.	General Manager Development

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

Rod Doke, Cobains: Is aware of the problems the petitioners have with the feedlot. He was wondering, had there been a proposal put forward for that particular feedlot to the Shire?

Councillor Bye confirmed that the Council Meeting isn't a forum for questions and answers. The Chief Executive Officer directed Mr Doke to the General Manager Development who can provide some updates.

Mr Doke noted that the Victorian planning scheme specifically mentions that a feedlot must not be within 300 metres of someone else's house. There are houses within 25 meters, 35 meters. There is total disregard of that element of the code.

The other thing is that there are certain number of elements that need to be addressed in the proposal to the Shire. He does not think that any of the conditions in the code have been looked at. Another condition is that a feedlot must be 200 meters from any road, but this feedlot is situated on Bengworden Road for everyone to see.

There has been a study of the waterways. Failure to mitigate improper use surrounding the catchments has been identified as an issue. If these feedlots are allowed to continue, Mr Doke thinks the Shire is complicit in that problem as well as forgetting about their rate payers.

Geoff Mynard, Cobains, Head Petitioner: The other concern is the double standards by the EPA. Mr Mynard raised that he has been required to install an environmental septic system because of the impact to the ground level water which is high in that area. Then fifty meters away, there is a pit into the ground water level, to hold manure and run off which is putting the waste straight into the water table. When Mr Mynard has rung after rain, and complained to the EPA, no one comes out, no one does anything.

Mr Mynard referenced the other issue nearby with more feedlots noting that runoff from the paddock is contaminating a dam and running straight into the Gippsland lakes. Mr Maynard raised that it needs to be looked at a further level.

Councillor Bye noted that Council takes these matters seriously. Council has written to the head petitioner on 11 December 2023 and are waiting on advice from government departments. Councillor Bye advised that further contact will be made in the New Year.

8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

COUNCILLOR TATTERSON met with Minister for Roads and Road Safety, Melissa Horne MP at the invitation of the Department of Transport and Planning. The meeting provided the opportunity for some workshopping. Key SEATS (South East Australian Transport Strategy) priorities came through including the Mitchell River bridge duplication at Bairnsdale, the Sale alternate truck route, delays with the Traralgon Bypass and issues with lower speed limits west of Longwarry. One of the other key issues was the landslips on Traralgon-Yarram Road.

COUNCILLOR TATTERSON acknowledged participating in the recent Sale Golf Club Sporting Legends Pro Am with Councillor McKenzie. He congratulated the Middle of Everywhere staff in supporting these successful events across Maffra, Sale and Yarram.

COUNCILLOR RIPPER attended the Keith Hamilton Toy Run on 9 December 2023 with Councillor Bye. She acknowledged the Police presence on the day and their positive communication with young people on the day.

COUNCILLOR RIPPER acknowledged the twenty-three Crossing Supervisors that keep families safe across Wellington Shire. She further thanked the Council staff for their work throughout the year.

COUNCILLOR MCKENZIE acknowledged the 30th Anniversary of the Loch Sport public hall on Saturday 9 December. It was a pleasure to celebrate this occasion with Councillor Stephens and Danny O'Brien MP. The celebration was well attended, will attendees signing a time capsule that was then buried to be opened on the fiftieth anniversary. A tree was planted by Peter McMahon, whose parents built the hall thirty years ago. At the recent Neighbourhood House, AGM representatives of the Loch Sport public hall received the award for Community Resilience 2023 presented by Toni Halloran-Lavelle to Eleanor Speed, Ren Renehan and Rachel Mulder. The award was a result of the hard work of creating the Loch Sport Resilience Guide map. A great week of celebration for the community of Loch Sport.

COUNCILLOR MCKENZIE acknowledged the transformational changes in Port Albert. Three years ago community leaders met with Council management and Councillors Maher and McKenzie to brainstorm ideas to transform Port Albert. Three years on the changes have been many and varied. He noted many upgrades Port Albert has received. Port Albert is now ready for the next generational change, being the offshore wind development. He sends his sincere thanks to the Built Environment team and his fellow Councillors for supporting these initiatives.

COUNCILLOR BYE acknowledged the great event that ESSO provided for the Community Festival. It was a shame there was a lot of rain, but the event was still well received. He acknowledged the ESSO partnership with Sale Lions Club, that has now reached an impressive milestone of 50 years.

COUNCILLOR BYE acknowledged the Sale Fire Brigade for their Santa run in the fire truck.

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 - NOVEMBER 2023

ACTION OFFICER: COUNCILLOR IAN BYE

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

11. DELEGATES REPORT

COUNCILLOR CROSSLEY spoke to the [Gippsland Climate Change Network \(GCCN\) 2023 Annual Report](#) that was shared with Councillors. The AGM was held on 13 December 2023. Councillor Crossley is Council delegate, but was also re-elected as Chair of the GCCN. Wellington Shire has a good footprint on the organisation, with previously Councillor Darren McCubbin the CEO.

Since it's inception in 2007, this is the second year that there has been \$1 million in income. The partnerships and the increasing responsibilities have resulted in a coordinating role, looking at influencing policies and implementing Gippsland-wide projects, including the rollout of EV charges.

There have been a number of successful project and programs that go across boundaries. Four EV expos, probably the most successful being the Community Day of the Gippsland New Energy Conference at Sale. The Renewable Energy Demonstration Trailer allows students to understand new energy and what opportunities exist.

Councillor Crossly encourages all to read the Annual Report document. There is a strong relationship with Wellington Shire and new energy proponents.

12. CHIEF EXECUTIVE OFFICER'S REPORT

12.1. CHIEF EXECUTIVE OFFICER'S REPORT - NOVEMBER 2023

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

RECOMMENDATION

That the Chief Executive Officer's report be received.

COUNCILLOR STEPHENS / COUNCILLOR MAHER

That the Chief Executive Officer's report be received.

CARRIED

13. GENERAL MANAGER CORPORATE SERVICES

13.1. ASSEMBLY OF COUNCILLORS REPORT

ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE

PURPOSE

To report on all assembly of Councillor records received for the period 27 November 2023 to 10 December 2023.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 27 November 2023 to 10 December 2023.

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council note and receive the attached Assembly of Councillor records for the period 27 November 2023 to 10 December 2023.

CARRIED

13.2. 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 30 November 2023 and approve suggested amendments to the Audit & Risk Committee Charter and Terms of Reference.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council receive and note the minutes in brief of the Audit & Risk Committee 30 November 2023 (as attached) and the confidential attachment Audit & Risk Committee Minutes of 30 November 2023; and***
- 2. Council approve the suggested amendments to the Audit & Risk Committee Charter and Terms of Reference; and***
- 3. The information contained in the confidential document Audit & Risk Committee Minutes of 30 November 2023 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 8 December 2023 because it relates to the following grounds:***
 - e) legal privileged information; and***
 - g) private commercial information, being information provided by a business, commercial or financial undertaking that -***
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and***
 - l) information that was confidential information for the purposes of section 77 of the Local Government Act 2020;***

be designated confidential information under section 3(1) Confidential Information of the Local Government Act 2020.

COUNCILLOR STEPHENS / COUNCILLOR WOOD

That:

- 1. Council receive and note the minutes in brief of the Audit & Risk Committee 30 November 2023 (as attached) and the confidential attachment Audit & Risk Committee Minutes of 30 November 2023; and***
- 2. Council approve the suggested amendments to the Audit & Risk Committee Charter and Terms of Reference; and***
- 3. The information contained in the confidential document Audit & Risk Committee Minutes of 30 November 2023 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 8 December 2023 because it relates to the following grounds:***
 - e) legal privileged information; and***
 - g) private commercial information, being information provided by a business, commercial or financial undertaking that -***
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and***

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

CARRIED

13.3. ADOPTION OF REVIEWED COUNCIL POLICIES

ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE

PURPOSE

To adopt the updated Council policies as attached.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY
NIL

RECOMMENDATION

That Council revoke the existing Council policies with a review date of December 2023 and adopt the updated Council policies as attached.

COUNCILLOR MAHER / COUNCILLOR STEPHENS

That Council revoke the existing Council policies with a review date of December 2023 and adopt the updated Council policies as attached.

CARRIED

13.4. PROGRESS OF 2021-25 COUNCIL PLAN AND HEALTHY WELLINGTON: QUARTER 1, 2023/24

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To provide Council and the community with the Quarter 1, 2023/24 progress update towards achievement of our Council Plan 2021 – 2025.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY
NIL

RECOMMENDATION

That Council receive the attached update on progress of the 2021-25 Council Plan for Quarter 1, 2023/24.

COUNCILLOR ROSSETTI / COUNCILLOR WOOD

That Council receive the attached update on progress of the 2021-25 Council Plan for Quarter 1, 2023/24.

CARRIED

14. GENERAL MANAGER DEVELOPMENT

14.1. QUARTERLY BUILDING REPORT - JULY TO SEPTEMBER 2023

ACTION OFFICER: MANAGER REGULATORY SERVICES

PURPOSE

To provide a report to Council on building permits issued in the Wellington Shire during the quarter 1 July 2023 to 30 September 2023, for information.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note the report of building permits issued from 1 July 2023 to 30 September 2023.

COUNCILLOR MAHER / COUNCILLOR RIPPER

That Council note the report of building permits issued from 1 July 2023 to 30 September 2023.

CARRIED

14.2. MONTHLY PLANNING DECISIONS - OCTOBER 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 October 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 October and 31 October 2023.

COUNCILLOR MAHER / COUNCILLOR STEPHENS

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 October and 31 October 2023.

CARRIED

14.3. QUARTERLY STRATEGIC LAND USE PLANNING UPDATE REPORT FOURTH QUARTER 2023

ACTION OFFICER: MANAGER LAND USE PLANNING

PURPOSE

To update Council on the strategic land use planning work program for the fourth quarter October – December 2023.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the fourth quarterly update on the strategic land use planning work program (included in attachment 14.3.1 - Current Strategic Planning Work).

COUNCILLOR MAHER / COUNCILLOR CROSSLEY

That Council receive the fourth quarterly update on the strategic land use planning work program (included in attachment 14.3.1 - Current Strategic Planning Work).

CARRIED

15. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

15.1. PLACE NAMES COMMITTEE MINUTES

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to receive the minutes of the Place Names Committee meeting held on 14 November 2023 and to consider the recommendations from that meeting.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 14 November 2023.***
- 2. The name 'Snow Gum Road' be extended from the proposed subdivision at 54 Tyson Road, Heyfield to the adjacent proposed subdivision at 76 Tyson Road.***
- 3. The name 'Mullungdung Road' be approved for the subdivision at 38 Mill Lane, Rosedale.***
- 4. A commemorative plaque to acknowledge 'Forgotten Australians' placed in institutional and out-of-home care, namely Kilmany Park Home for Boys, be installed at a suitable location within the reserve at Counahan Drive, Wurruk subject to agreement between Uniting and the Manager Natural Environment and Parks.***

COUNCILLOR ROSSETTI / COUNCILLOR MAHER

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 14 November 2023.***
- 2. The name 'Snow Gum Road' be extended from the proposed subdivision at 54 Tyson Road, Heyfield to the adjacent proposed subdivision at 76 Tyson Road.***
- 3. The name 'Mullungdung Road' be approved for the subdivision at 38 Mill Lane, Rosedale.***
- 4. A commemorative plaque to acknowledge 'Forgotten Australians' placed in institutional and out-of-home care, namely Kilmany Park Home for Boys, be installed at a suitable location within the reserve at Counahan Drive, Wurruk subject to agreement between Uniting and the Manager Natural Environment and Parks.***

CARRIED

15.2. SALE-TOONGABBIE ROAD RECONSTRUCTION, WINNINDOO AND NAMBROK - TENDER AWARD

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 sections of Sale-Toongabbie Road, Winnindoo and 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 2024-051 Sale-Toongabbie Road Reconstruction Winnindoo and Nambrok; and***
- 2. The information contained in the confidential attachment Contract 2024-051 Sale-Toongabbie Road Reconstruction Winnindoo and Nambrok and designated confidential under section 3(1) of the Local Government Act 2020 by the General Manager Built and Natural Environment on 6 December 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 RIPPER / COUNCILLOR WOOD

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2024-051 Sale-Toongabbie Road Reconstruction Winnindoo and Nambrok; and***
- 2. The information contained in the confidential attachment Contract 2024-051 Sale-Toongabbie Road Reconstruction Winnindoo and Nambrok and designated confidential under section 3(1) of the Local Government Act 2020 by the General Manager Built and Natural Environment on 6 December 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 Fulton Hogan Industries Pty Ltd.

15.3. SALE-COWWARR ROAD RECONSTRUCTION, DENISON - TENDER AWARD

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 2.4 km section of Sale-Cowwarr Road.

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 2024-012 Sale-Cowwarr Road Reconstruction; and***
- 2. The information contained in the confidential attachment Contract 2024-012 Sale-Cowwarr Road Reconstruction and designated confidential under section 3(1) of the Local Government Act 2020 by the General Manager Built and Natural Environment on 28 November 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 RIPPER / COUNCILLOR TATTERSON

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2024-012 Sale-Cowwarr Road Reconstruction; and***
- 2. The information contained in the confidential attachment Contract 2024-012 Sale-Cowwarr Road Reconstruction and designated confidential under section 3(1) of the Local Government Act 2020 by the General Manager Built and Natural Environment on 28 November 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 Fulton Hogan Industries Pty Ltd.

15.4. DESAILLY AND MACARTHUR STREET ROUNDABOUT CONSTRUCTION - TENDER AWARD

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 a roundabout at Desailly Street and Macarthur Street, Sale.

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 2024-053 Desailly Street and Macarthur Street Roundabout; and***
- 2. The information contained in the confidential attachment Contract 2024-053 Desailly Street and Macarthur Street Roundabout and designated confidential under section 3(1) of the Local Government Act 2020 by the General Manager Built and Natural Environment on 28 November 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 MAHER

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2024-053 Desailly Street and Macarthur Street Roundabout; and***
- 2. The information contained in the confidential attachment Contract 2024-053 Desailly Street and Macarthur Street Roundabout and designated confidential under section 3(1) of the Local Government Act 2020 by the General Manager Built and Natural Environment on 28 November 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 Contula Constructions Pty Ltd.

15.5. WILLUNG ROAD RECONSTRUCTION, WILLUNG - TENDER AWARD

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 Willung Road, Willung.

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 2024-052 Willung Road Reconstruction; and***
- 2. The information contained in the confidential attachment Contract 2024-052 Willung Road Reconstruction and designated confidential under section 3(1) of the Local Government Act 2020 by the General Manager Built and Natural Environment on 28 November 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 CROSSLEY

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2024-052 Willung Road Reconstruction; and***
- 2. The information contained in the confidential attachment Contract 2024-052 Willung Road Reconstruction and designated confidential under section 3(1) of the Local Government Act 2020 by the General Manager Built and Natural Environment on 28 November 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 Fulton Hogan Industries Pty Ltd

16. GENERAL MANAGER COMMUNITY AND CULTURE

16.1. FAIR ACCESS POLICY

ACTION OFFICER: GENERAL MANAGER COMMUNITY AND CULTURE

PURPOSE

For Council to adopt the attached 'Fair Access Policy'.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the attached 'Fair Access Policy'.

COUNCILLOR WOOD / COUNCILLOR MAHER

That Council adopt the attached 'Fair Access Policy'.

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

FUTHER GALLERY COMMENTS: NIL

COUNCILLOR BYE acknowledged the members of the community who watch the Council Meetings.

Meeting declared closed at: 5.55pm

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*

IN CLOSED SESSION

NIL