



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

RESOLUTIONS IN BRIEF ORDINARY MEETING

To be read in conjunction with the Council Meeting Agenda 5 March 2024

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
Arthur Skipitaris, General Manager Corporate Services
Chris Hastie, General Manager Built and Natural Environment
Barry Hearsey, Manager Land Use Planning
Sheryl Saynor, Executive Support Officer - Corporate Services
Kim Salleh, Manager Communications and Media

**ORDINARY MEETING OF COUNCIL
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COUNCIL MEETING INFORMATION

Members of the Public Gallery should note that the Council records and publishes Council meetings via YouTube to enhance the accessibility of Council meetings to the broader Wellington community. These recordings are also archived and may be published on Council's Website for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, members of the gallery may address the Council at which time their image, comments or submissions will be recorded.

Members of the public who are not in attendance at the Council meeting but who wish to communicate with the Council via the online webform should lodge their questions or comments early in the meeting to ensure that their submissions can be dealt with at the end of the meeting.

Please could gallery visitors, Councillors and invited online attendees ensure that mobile phones and other electronic devices are turned off or in silent mode for the duration of the meeting.

MISSION STATEMENT

Working together to make a difference. We listen and lead to provide quality services that improve life for all.

ACKNOWLEDGEMENT OF COUNTRY

“Wellington Shire Council acknowledges our offices are located on the traditional lands of the Gunaikurnai nation. We pay our deep respects to their Elders past, present and future and acknowledge their ongoing cultural and spiritual connections to their land and waters.”

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 20 February 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 20 February 2024.

COUNCILLOR WOOD / COUNCILLOR RIPPER

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 20 February 2024.

CARRIED

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

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	Council has been in contact with the landowner and head petitioner. The petition is now resolved.	General Manager Development
Seventh Ave	6 February 2024	The Built and Natural Environment Division have prepared a response to be tabled at this Council Meeting.	General Manager Built & Environment

7.2. RECEIPT OF PETITION: YARRAM SWIMMING POOL

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To present Council with a petition regarding the Yarram Swimming Pool.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

DEB ELDRIDGE, YARRAM - addressed Council in relation to the petition tabled. Deb is sure that the Council has reviewed the 1600 signatures, seven support letters, a newspaper article and photos of the building and surrounding streets supporting the petition. She would also like to give her personal reasons for the petition – because of her knee. She was diagnosed with osteoarthritis and the physio recommend aquatic exercise. She discovered Yarram's heated pool and loved it. What she didn't love was not knowing when it would be open next – how do you find that information? There are no AquaEnergy logos around or any information at reception that the facility is run by AquaEnergy. She talked to the lifeguards about it – they said to look up Aqua Energy's facebook page after 4pm as that is when the opening hours are published, but it relies on Sale's trigger temperature of 25 degrees.

Deb stated that Yarram's pool is an indoor heated pool – why does it matter what the temperature is outside? It also took her a month to realise that Yarram has a dedicated exercise group time on Monday, Wednesday and Friday. The ladies in the exercise group, who are here today, have their own health journeys and she thanked them for their support and showing up today. They would all dearly love to have water aerobics classes, but one

step at a time. Deb has been going to the pool daily since December, sometimes twice a day. She has had some success at weight loss and gaining strength and movement in her knee, but there is still a journey to go. The heated pool has certainly helped this and she is a much happier person with the exercise.

Now it is coming to an end. After 105 days of the scheduled pool season, of which on 81 days of it opened, we have lost three weeks of pool time. She has two questions of Councillors: why did you decide to spend \$771,000 on enclosing and heating this pool to only be open four months of the year? And what are your hobbies? What would you do if you were unable to do your hobbies for eight months of the year? Would you drive a 130km round trip to do them? Because it is great for your health and socialisation. What would you do if your passion was taken away?

CHRISTINE RENDELL, ALBERTON - addressed Council in relation to the petition tabled. Noted that Council talks about money. She lives at Alberton. She and her husband live on a low wage. She loves the pool, has rheumatoid arthritis. She doesn't have the money to drive to Sale or Traralgon to get relief. There's not much in Yarram for middle-aged ladies, unless you go to the pokies or the pub. The pool is their fit. Council thinks it will cost money, but it costs more to drive to Traralgon or Sale. Diesel is \$2.10 in Alberton. She needs to pay that to fill her car up. She hasn't got the money to do much with her life, the pool is her exercise. Christine have met ladies she never would have met in the community. She knows money is a big thing for Council, but be in her shoes.

RECOMMENDATION

That Council receive the attached petition regarding extending the opening season at the Yarram Swimming Pool beyond 11 March 2024 and refer it to the General Manager Community & Culture for a report to a future Council Meeting.

COUNCILLOR STEPHENS / COUNCILLOR WOOD

That Council receive the attached petition regarding extending the opening season at the Yarram Swimming Pool beyond 11 March 2024 and refer it to the General Manager Community & Culture for a report to a future Council Meeting.

CARRIED

7.3. RECEIPT OF PETITION: MAFEKING HILL CORELLA ISSUE

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To present Council with a petition regarding the Mafeking Hill corella issue.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

BEN HORSFORD, MAFFRA – head petitioner addressed Council in relation to the petition tabled. The corella issue is continuing to develop into an unsustainable problem. The local residents are seeking some assistance with the relocation of the birds in consultation with, and guidance from, the Department of Energy, Environment and Climate Action (DEECA). While they appreciate there are no guaranteed outcomes, we are desperate to see some effort made to ease the burdens being created, such as – but not limited to – the land itself, the property damage incurred by local residents, the impact on tourism in the township and to residents' mental wellbeing. Ben will send through some video evidence and noted that

the corellas are also having an impact on the local school and local clubs. A 'Corella Strategy Working Group' has also been established and it is hoped that Council can also get on board.

RECOMMENDATION

That Council receive the attached petition regarding the Mafeking Hill corella issue and refer it to the General Manager Built & Natural Environment for a report to a future Council Meeting.

COUNCILLOR CROSSLEY / COUNCILLOR MAHER

That Council receive the attached petition regarding the Mafeking Hill corella issue and refer it to the General Manager Built & Natural Environment for a report to a future Council Meeting.

CARRIED

8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

COUNCILLOR TATTERSON acknowledged all staff who were responsible for the Baby's Day Out at Brennan Park in Sale as part of Parks Week on 4 March 2024. It was a terrific and well attended event.

COUNCILLOR TATTERSON acknowledged the Sale Amateur Basketball Association basketball tournament which saw record numbers participating and used courts in numerous towns across the shire.

COUNCILLOR RIPPER acknowledged the official opening of the Maffra Men's Shed on 24 February 2024, also encompassing a Women's Shed. The absolute highlight for Councillor Ripper was the opening bow made of timber; instead of the ribbon being cut, a cable tie was pulled and the whole ribbon felt apart.

COUNCILLOR RIPPER acknowledged the Maffra Triathlon on 25 February 2024. There were 200 entries, including 120 children.

COUNCILLOR RIPPER acknowledged the Meerlieu Junior Cricket under 13 T20 cricket event on 29 February 2024. A really enjoyable event and she congratulates the youth who put on a good show of their cricket skills.

COUNCILLOR BYE acknowledged the success of the bin roll out for Wellington Shire. 41,020 bins have been delivered to the residents of Wellington Shire over an eight week period. He noted that the new bins are made out of 80% recycled bins from other shires and that our old bins will also be recycled. A fantastic effort by the whole team.

COUNCILLOR BYE acknowledged the opening night of the Annemieke Mein: A Life's Work exhibition on 1 March 2024 and thanked Annemieke for letting us have that exhibition in our great gallery. Over 200 artworks are on display, some that have never been seen by the general public. He encouraged the community to see the exhibition and thanked Simon Gregg, Gallery Director and his team.

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. DELEGATES REPORT

NIL

11. GENERAL MANAGER CORPORATE SERVICES

11.1. ASSEMBLY OF COUNCILLORS REPORT

ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE

OBJECTIVE

To report on all assembly of Councillor records received for the period 12 February 2024 to 25 February 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 12 February 2024 to 25 February 2024.

COUNCILLOR MAHER / COUNCILLOR WOOD

That Council note and receive the attached Assembly of Councillor records for the period 12 February 2024 to 25 February 2024.

CARRIED

11.2. COUNCIL SUBMISSION TO THE VEC WARD BOUNDARY REVIEW

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

For Council to endorse the proposed submission to the Victorian Electoral Commission's ward boundary review of Wellington Shire.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council endorse the proposed submission to the Victorian Electoral Commission's ward boundary review of Wellington Shire.

COUNCILLOR ROSSETTI / COUNCILLOR MAHER

That Council endorse the proposed submission to the Victorian Electoral Commission's ward boundary review of Wellington Shire.

CARRIED

11.3. COUNCIL FEEDBACK TO LOCAL GOVERNMENT REFORMS 2024 CONSULTATION PAPER

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

For Council to note the feedback provided by the Chief Executive Officer to Local Government Victoria in response to the Local Government Reforms 2024 Consultation Paper.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note the feedback provided by the Chief Executive Officer to Local Government Victoria in response to the Local Government Reforms 2024 Consultation Paper.

COUNCILLOR ROSSETTI / COUNCILLOR MAHER

That Council note the feedback provided by the Chief Executive Officer to Local Government Victoria in response to the Local Government Reforms 2024 Consultation Paper.

CARRIED

11.4. S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION (PLANNING AND ENVIRONMENT ACT 1987 ONLY) - KRITSAYA JINTAKOM

ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE

PURPOSE

This report seeks Council's approval for the designated Council Officer responsible for administration and enforcement of the *Planning and Environment Act 1987* (the Act) to be appointed and authorised as an Authorised Officer under the Act.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council, in the exercise of the powers conferred by section 224 of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached S11A Instrument of Appointment and Authorisation (the instrument), resolve that:

- 1. Council Officer Kritsaya Jintakom be appointed and authorised as set out in the instrument provided in Attachment 11.4.1; and***
- 2. The instrument be signed by the Chief Executive Officer.***

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council, in the exercise of the powers conferred by section 224 of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached S11A Instrument of Appointment and Authorisation (the instrument), resolve that:

- 1. Council Officer Kritsaya Jintakom be appointed and authorised as set out in the instrument provided in Attachment 11.4.1; and***
- 2. The instrument be signed by the Chief Executive Officer.***

CARRIED

12. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

12.1. RESPONSE TO PETITION - SEVENTH AVENUE PARADISE BEACH

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

PURPOSE

The purpose of this report is for Council to consider a petition received at the Ordinary Council meeting of 20 February 2024 requesting sealing of Seventh Avenue, Paradise Beach.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council authorise the Chief Executive Officer to write to the head petitioner advising that Council will commence engagement with property owners on Seventh Avenue, Paradise Beach, to progress consultation for a street upgrade project through a special charge scheme in line with Council's Residential Road and Street Construction Plan.

COUNCILLOR STEPHENS / COUNCILLOR ROSSETTI

That Council authorise the Chief Executive Officer to write to the head petitioner advising that Council will commence engagement with property owners on Seventh Avenue, Paradise Beach, to progress consultation for a street upgrade project through a special charge scheme in line with Council's Residential Road and Street Construction Plan.

CARRIED

13. GENERAL MANAGER DEVELOPMENT

13.1. COUNCIL SUBMISSION TO THE GELLIONDALE WIND ENERGY FACILITY PROPOSAL

ACTION OFFICER: MANAGER LAND USE PLANNING

PURPOSE

To endorse a submission to the Minister for Planning in relation to planning permit application PA2302394 for the proposed Gelliondale Wind Energy Facility, Alberton.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

- 1. Council endorse the submission included in Attachment 13.1.1 'Submission to the Gelliondale Wind Energy Facility', to the Minister for Planning in response to planning permit application PA2302394 for the proposed Gelliondale Wind Energy Facility;*
- 2. Council seek the Minister for Planning's assurance that in the absence of a formal Environmental Effects Statement being required by the State Government, all specific concerns raised in submissions by community members be thoroughly investigated and detailed responses provided;*
- 3. Council liaise with Synergy Wind to seek a Memorandum of Understanding to ensure that local community benefits arise from the development (should a planning permit be issued), and*
- 4. Given that the application is being assessed by the State Minister for Planning, Council provides the Member for Gippsland South, Mr Danny O'Brien, with a copy of Wellington Shire's endorsed submission.*

COUNCILLOR CROSSLEY / COUNCILLOR MAHER

That Council:

- 1. Council endorse the submission included in Attachment 13.1.1 'Submission to the Gelliondale Wind Energy Facility', to the Minister for Planning in response to planning permit application PA2302394 for the proposed Gelliondale Wind Energy Facility;*
- 2. Council seek the Minister for Planning's assurance that in the absence of a formal Environmental Effects Statement being required by the State Government, all specific concerns raised in submissions by community members be thoroughly investigated and detailed responses provided;*
- 3. Council liaise with Synergy Wind to seek a Memorandum of Understanding to ensure that local community benefits arise from the development (should a planning permit be issued), and*
- 4. Given that the application is being assessed by the State Minister for Planning, Council provides the Member for Gippsland South, Mr Danny O'Brien, with a copy of Wellington Shire's endorsed submission.*

CARRIED

13.2. CROWN LAND CARAVAN PARK LEASES - SALE MOTOR VILLAGE AND STRATFORD ON THE RIVER TOURIST PARK

ACTION OFFICER: MANAGER ECONOMIC DEVELOPMENT

PURPOSE

For Council acting in its capacity as Committee of Management to authorise the finalisation of new leases on Crown Land Reserves for the Lease, Development and Management of Sale Motor Village and Stratford on the River Tourist Park.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council authorise the Chief Executive Officer to finalise the negotiation of new leases on Crown Land Reserves for the Lease, Development and Management of Sale Motor Village and Stratford on the River Tourist Park, and obtain all required approvals including from the Department of Energy, Environment and Climate Action.***
- 2. The information contained in the confidential attachment 13.2.2 Evaluation Report - Sale Caravan Park and Item 13.2.3 Evaluation Report – Stratford Caravan Park and designated confidential under section 3(1) of the Local Government Act 2020 by the General Manager Development on 19 February 2024 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 names of the recommended lessees can be made public.***

COUNCILLOR RIPPER / COUNCILLOR WOOD

That:

- 1. Council authorise the Chief Executive Officer to finalise the negotiation of new leases on Crown Land Reserves for the Lease, Development and Management of Sale Motor Village and Stratford on the River Tourist Park, and obtain all required approvals including from the Department of Energy, Environment and Climate Action.***
- 2. The information contained in the confidential attachment 13.2.2 Evaluation Report - Sale Caravan Park and Item 13.2.3 Evaluation Report – Stratford Caravan Park and designated confidential under section 3(1) of the Local Government Act 2020 by the General Manager Development on 19 February 2024 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 names of the recommended lessees can be made public.***

CARRIED

The Mayor announced the successful tenderer as Camp Crusty Operations Pty Ltd for both Sale Motor Village and Stratford on the River Tourist Park.

14. 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: 5.52PM.

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

15. 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