



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

RESOLUTIONS IN BRIEF ORDINARY MEETING

To be read in conjunction with the Council Meeting Agenda 6 February 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
Carly Bloomfield, Manager Organisational Performance & Governance
Chris Hastie, General Manager Built and Natural Environment
Andrew Pomeroy, General Manager Development
Keisha Langshaw, Governance and Council Business Officer
Kim Salleh, Manager Communications and Media

**ORDINARY MEETING OF COUNCIL
TABLE OF CONTENTS**

0.1. TABLE OF CONTENTS	2
1. APOLOGIES	4
2. DECLARATION OF CONFLICT/S OF INTEREST	4
3. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S	4
3.1. ADOPTION OF MINUTES OF PREVIOUS COUNCIL MEETING	4
4. BUSINESS ARISING FROM PREVIOUS MEETINGS	4
5. ACCEPTANCE OF LATE AND URGENT ITEMS	5
6. NOTICE/S OF MOTION	5
7. RECEIVING OF PETITION OR JOINT LETTERS	5
7.1. OUTSTANDING PETITIONS	5
7.2. RECEIPT OF PETITION: SEVENTH AVE, PARADISE BEACH	5
8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS	5
9. QUESTION/S ON NOTICE	6
9.1. OUTSTANDING QUESTION/S ON NOTICE	6
10. DELEGATES REPORT	7
11. CHIEF EXECUTIVE OFFICER	7
11.1. DECEMBER 2023 COUNCIL PERFORMANCE REPORT	7
12. GENERAL MANAGER CORPORATE SERVICES	8
12.1. ASSEMBLY OF COUNCILLORS REPORT	8
13. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT	8
13.1. CREST WIDENING PROGRAM – NORDENS LANE MAFFRA	8
14. GENERAL MANAGER COMMUNITY AND CULTURE	10
14.1. ADOPTION OF DRAFT WELLINGTON SHIRE COUNCIL LIBRARY STRATEGY 2024-28	10
15. GENERAL MANAGER DEVELOPMENT	11
15.1. PORT ALBERT FLOOR LEVEL CONTROLS	11
16. FURTHER GALLERY AND ONLINE COMMENTS	12
17. IN CLOSED SESSION	13

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 19 December 2023.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 19 December 2023.

COUNCILLOR WOOD / COUNCILLOR ROSSETTI

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 19 December 2023.

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	A response was sent to the head petitioner on 11 December 2023. A further update will be provided in 2024 once Council has received further information from various State Government departments.	General Manager Development

7.2. RECEIPT OF PETITION: SEVENTH AVE, PARADISE BEACH

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To present Council with a petition regarding Seventh Ave, Paradise Beach.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the attached petition regarding Seventh Ave, Paradise Beach and the petition be referred to the General Manager Built & Natural Environment for a report to a future Council Meeting.

COUNCILLOR STEPHENS / COUNCILLOR MAHER

That Council receive the attached petition regarding Seventh Ave, Paradise Beach and the petition be referred to the General Manager Built & Natural Environment for a report to a future Council Meeting.

CARRIED

8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

COUNCILLOR STEPHENS acknowledged two recipients of Australia Day honours. Mrs Elizabeth Wynne, from Yarram received the medal of the Order of Australia (OAM). He noted her long and very devoted record of service to the Yarram community. Councillor Stephen's provided a thumbnail Elizabeth's work; Elizabeth is the current Vice President (and has been for many years) of the Yarram Historical Society; a life member of the Yarram Agricultural Society; her involvement with the Yarram Golf Club; a long service volunteer for the Yarram Eisteddfod; and is also still an active volunteer for the Yarram Visitor Information Centre.

Councillor Stephens concluded that it was a wonderful record of service and added that it was not in the acknowledgement that for many years she was involved in Mirradong providing training for the Mirradong Ball. He congratulated Elizabeth for a wonderful honour.

Councillor Stephens also acknowledged Mr Graeme Hurrell, from Carrajung, who received an Emergency Services Medal (ESM) for recognition of his long serving work with Lifesaving Victoria, particularly the Woodside Beach Surf Lifesaving Club. Graeme became involved with lifesaving in 1974 and was particularly focused on training young people. He congratulated Graeme for his ESM.

COUNCILLOR RIPPER acknowledged Denise Stothers – a former Stratford local and Avon Shire Councillor from 1980 to 1991, including serving as Shire President – who received an OAM on Australia Day. Councillor Ripper noted that Denise is a wonderful person that gave a lot to the community; a life of community dedication, that was documented in an interview with the Gippsland Times.

COUNCILLOR BYE also acknowledged Elizabeth, Graeme and Denise on behalf of the residents of the Middle of Everywhere, the Wellington Shire. He congratulated all that received awards.

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. CHIEF EXECUTIVE OFFICER

11.1. DECEMBER 2023 COUNCIL PERFORMANCE REPORT

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

PURPOSE

For Council to receive and note the December 2023 Council Performance Report and endorse the CEO's advice that a revised 2023/24 budget is not required.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

- 1. Receive and note the December 2023 Council Performance Report as attached; and***
- 2. Endorse the CEO's advice that a revised 2023/24 budget is not required.***

COUNCILLOR CROSSLEY / COUNCILLOR STEPHENS

That Council:

- 1. Receive and note the December 2023 Council Performance Report as attached; and***
- 2. Endorse the CEO's advice that a revised 2023/24 budget is not required.***

CARRIED

12. GENERAL MANAGER CORPORATE SERVICES

12.1. ASSEMBLY OF COUNCILLORS REPORT

ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE

OBJECTIVE

To report on all assembly of Councillor records received for the period 11 December 2023 to 28 January 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 11 December 2023 to 28 January 2024.

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council note and receive the attached Assembly of Councillor records for the period 11 December 2023 to 28 January 2024.

CARRIED

13. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

13.1. CREST WIDENING PROGRAM – NORDENS LANE MAFFRA

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to consider entering into a contract for the widening and sealing of approximately 1.5 km of Nordens Lane, Maffra as part of the annual Crest Widening Program.

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 2024-056 Nordens Lane Reconstruction Works; and***
- 2. The information contained in the confidential attachment Contract 2024-056 Nordens Lane Reconstruction Works 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) 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 CROSSLEY

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2024-056 Nordens Lane Reconstruction Works; and***
- 2. The information contained in the confidential attachment Contract 2024-056 Nordens Lane Reconstruction Works 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) 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 Bairnsdale Road Services Pty Ltd.

14. GENERAL MANAGER COMMUNITY AND CULTURE

14.1. ADOPTION OF DRAFT WELLINGTON SHIRE COUNCIL LIBRARY STRATEGY 2024-28

ACTION OFFICER: MANAGER ARTS AND CULTURE

PURPOSE

To recommend that Council adopts the Wellington Shire Council Library Strategy 2024 – 2028, noting the Year 1 Action Plan that has been developed for the 2024/25 financial year.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the Wellington Shire Council Library Strategy 2024 - 2028.

Agenda Item 14.1 including the recommendation was withdrawn from the agenda at the request of the Chief Executive Officer.

15. GENERAL MANAGER DEVELOPMENT

15.1. PORT ALBERT FLOOR LEVEL CONTROLS

ACTION OFFICER: MANAGER REGULATORY SERVICES

PURPOSE

To seek Council endorsement for the regulation and management of finished floor levels within flood prone urban zoned areas of Port Albert under the provisions of the *Building Regulations 2018* and to continue to waive the Report and Consent fee for flooding within the designated flood prone urban zoned areas.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

- 1. Designate the identified urban zoned areas of Port Albert (identified in red in Attachment 15.1.2) as being subject to flooding under the Building Regulations 2018 (with a finished floor level requirement of not less than 2.9m AHD); and***
- 2. Continue to waive the Report and Consent fee for flooding in the designated flood prone urban zoned areas of Port Albert.***

COUNCILLOR MAHER / COUNCILLOR CROSSLEY

That Council:

- 1. Designate the identified urban zoned areas of Port Albert (identified in red in Attachment 15.1.2) as being subject to flooding under the Building Regulations 2018 (with a finished floor level requirement of not less than 2.9m AHD); and***
- 2. Continue to waive the Report and Consent fee for flooding in the designated flood prone urban zoned areas of Port Albert.***

CARRIED

16. 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 –

1. Email received from Lorelle Putland:

RE: The Fair Access Policy (the Policy) tabled on the 19th December 2023

The Fair Access Policy (the Policy) seeks to address known barriers experienced by women and girls in accessing and using community and sporting infrastructure. The Policy aims to progressively build capacity and capabilities of Wellington Shire Council in the identification, and elimination of systemic causes of gender inequality in policy, programs, communications, and delivery of services in relation to community sports infrastructure.

Council aims to collect and analyse data annually to ensure diverse representation on Committees as part of this policy.

How is this analysis going to be done to make sure there is no bias against women? Keeping in mind the Government's "Womens budget statement 2023-2024" states in theirs:

"The majority of the data collected and reported in this Statement relate to sex, not gender. Sex is based upon the person's sex characteristics, such as their chromosomes, hormones and reproductive organs. Gender is a social and cultural concept. It is about social and cultural differences in identity, expression and experience as a man, woman or non-binary person. This Statement uses the terms women and men in reference to both sex and gender, but the terms female and male are used when presenting data collected on the basis of sex".

The Chief Executive Officer summarised Lorelle's question and stated that a response will be provided directly to Lorelle, and a copy provided to the Councillors.

2. Email received from Christine Timmerman:

Christine requested that a PDF document was circulated to Councillors.

The Chief Executive Officer confirmed that PDF had been circulated to Councillors.

FURTHER GALLERY COMMENTS –

CHRISTINE TIMMERMAN, ALBERTON – Addressed Council with reference to the PDF document which she had provided in relation to the draft Public Environment Report for the Gelliondale Wind Farm Project. Christine shared that there was a deadline of 19 February to make a comment to the Federal Government about the Gelliondale Windfarm Project and provided an overview of the information which she had provided in the PDF document.

GRAEME JAMES, GELLIONDALE – Addressed Council regarding his objection to the Gelliondale Windfarm Project. He noted that there will be an opportunity for public comment regarding the Synergy Wind application for the project. Graeme noted he has prepared some photo montages of what he believes the project will look like afterwards and expressed his disagreement with Synergy Wind's landscape visuals.

17. IN CLOSED SESSION

COUNCILLOR ROSSETTI / COUNCILLOR STEPHENS

That the meeting be closed to the public to consider confidential information pursuant to section 66(2) of the Local Government Act 2020 and defined in section 3(1) as involving personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

CARRIED

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

IN CLOSED SESSION

COUNCILLOR ROSSETTI / COUNCILLOR STEPHENS

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

CARRIED

Meeting declared closed at: 5.36PM