



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

RESOLUTIONS IN BRIEF ORDINARY MEETING

7 May 2024

To be read in conjunction with the Council Meeting Agenda 7 May 2024

COUNCILLORS PRESENT

Cr Ian Bye
Cr Carmel Ripper
Cr Garry Stephens
Cr Gayle Maher
Cr Jill Wood
Cr John Tatterson
Cr Marcus McKenzie
Cr Scott Rossetti

OFFICERS PRESENT

David Morcom, Chief Executive Officer
Andrew Pomeroy, General Manager Development
Arthur Skipitaris, General Manager Corporate Services
Chris Hastie, General Manager Built and Natural Environment
Kimberly Salleh, Manager Communications and Media
Catie Thomson, Governance Officer

APOLOGIES

Cr Carolyn Crossley

**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

COUNCILLOR CROSSLEY

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 16 April 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 16 April 2024.

COUNCILLOR WOOD / COUNCILLOR ROSSETTI

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 16 April 2024.

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 RIPPER acknowledged the Candlelight Vigils in Sale and Stratford on Tuesday 30 April 2024 to honour the lives and memories of those who have lost their lives to domestic violence. Councillor Ripper provided the opening address for the vigil in Stratford, a first time event organised by the Stratford Committee Association. The evening was well run and very solemn with around 30 attendees. Councillor Ripper thanked the Association Chairperson, Shane, for his moving speech and Mick Harrington for music provided. The vigil in Sale took place in the mall of the Sale Clocktower and was attended by Mayor Bye and Councillor McKenzie with approximately 200 attendees.

COUNCILLOR RIPPER acknowledged and thanked those involved in the 'Walk & Talk for Mental Health' event for the Black Dog Institute in support of better mental health. She acknowledged Callan Coleman, one of the original organisers, who had recognised the need for greater mental health awareness during the COVID-19 pandemic. The walk, now in its third year, took place from Pine Lodge in Stratford to Briagolong and was a family fun day. The atmosphere of the day was filled with kindness and an absolute joy to be a part of.

COUNCILLOR RIPPER acknowledged the 19 events of the Stratford Shakespeare Festival which ran from 18 April to 5 May 2024, a festival with one of the longest timeframes for an event in the Wellington Shire, for which Councillor Bye, Councillor McKenzie and Councillor Ripper attended the opening night. There was acknowledgement of the fair day and the many participants dressed in costume reminiscent of this bygone era in England. One of the highlights was the unicycle race between Gavin Roberts, artist of "The Art Colt" in Stratford and Miss Ella Mae McCubbin.

COUNCILLOR MAHER acknowledged the great work being undertaken by the Rotary Club of Yarram where she was recently asked to address members. Councillor Mayor requested that Councillor Stephens pass on her feedback to Rotary Club members for all their impressive work which is 'well done' and includes the launch of 'Yarram says NO to Family Violence'; a 4 May commemoration day to celebrate the Star Wars Trilogy; the purchase of player bibs for a local indoor soccer sport team that is being established; English language dialogue sessions to assist those wanting to strengthen their English speaking skills; and a six week screening program of international movies for cultural promotion. These movies provide an opportunity to educate locals on other areas of cultural significance as well as providing a 'sense of home' to the many international backpackers who come to visit Yarram.

COUNCILLOR TATTERSON acknowledged the many local RSL clubs, volunteers and all persons involved in ANZAC Day commemoration services held on 25 April 2024. On behalf of the Council, Councillor Tattersson had the privilege of attending the Stratford and Heyfield ANZAC Day services where attendance numbers were fantastic and really highlights the importance, understanding and community engagement that has continued to grow over the past ten years. Councillor Tattersson then extended his thanks to the councillors who attended the various other ANZAC Day services across the Shire.

COUNCILLOR BYE acknowledged the Siemens Renewable Energy event he attended by invitation on Tuesday 23 April at the Melbourne Immigration Museum. Councillor Bye spoke about the Siemens company itself with its 150 year history, beginning with what brought Siemens to Australia in the 1870s to construct the 2,700km Adelaide to Darwin overland telegraph line, now recognised as one of the great engineering achievements of the 19th century in Australia which opened up communications between Australia and the rest of the world. The Hon. Minister D'ambrosio, Minister for Energy & Resources, was present at the event along with many other important officials. At this event Siemens announced to the Minister they will undertake some renewable energy projects in Gippsland including Wellington Shire. They also announced a Memorandum of Understanding with local Gippsland business Marathon Future Industries. Councillor Bye thanked Siemens for his invitation and presented a special silk scarf portraying the history of Siemens by aboriginal artist John Paton and youth from the Sunbury Aboriginal Corporation, to the Depuy Mayor, Councillor Maher. The scarf, provided by Siemens, acknowledges 150 years in Australia.

COUNCILLOR BYE acknowledged the success of the Small Bore and Air Rifle Club with a relatively small but talented 35 to 40 membership base. The Club is ranked number one in all the grades for the State and amongst the juniors, two juniors are ranked number one in the ladies and mens divisions of Australia. There is also a 14 year old junior named Darcy who recently ranked in eighth place across the whole of Australia for qualification to represent Australia at the Olympic games. This may lead to 'one of our own', homegrown talent representing us at the Olympics one day. Councillor Bye highlighted the Club's responsible use of firearms and congratulated the Club on the value they bring to the local community.

COUNCILLOR BYE acknowledged the joint award for "Innovative Management Initiatives" granted to East Gippsland and Wellington Shire Council which was awarded at the Statewide Local Government Professionals (LGPro) Annual Conference and Awards for Excellence event. This award promotes and celebrates the outstanding work being undertaken and delivered by individuals and teams working in local government across Victoria. Councillor Bye acknowledged the award by reading a script that formally outlined the significance of the award:

The award recognises a joint achievement between Wellington and East Gippsland Shire Councils which marks a groundbreaking milestone in local government, collaboration and technology innovation. By consolidating data centres and ICT infrastructure, both Councils achieve remarkable advances in cyber security, data projection and disaster recovery services. The project also significantly reduces the environmental footprints of both councils whilst improving servicing issues and cost savings.

On behalf of all councillors, Councillor Bye expressed pride in what Wellington Shire Council has achieved with the award and extended his congratulations to all teams involved in achieving such a coveted award.

The trophy was held up by hand for a clear visual display followed by a formal presentation of the trophy by Councillor Bye to Arthur Skipitaris, the General Manager Corporate Services at Wellington Shire Council.

COUNCILLOR BYE acknowledged the success of the recent ANZAC Weekend Airshow which ran from 27 to 28 April 2024 at the West Sale Aerodrome and extended a special thank you to all involved from the sponsors, the 80+ volunteers, the Department of Defence, the 'Middle of Everywhere' team, the RAAF Roulettes, the Paul Bennet Airshow pilots and organisers, the West Sale airport tenants and operators and all other participants. Large emergency services and SES were also present. The event was well organised and well attended with over 14,000 attendees. Glowing reports have been received by Councillor Bye. Economic benefits for the region, including eateries and accommodation venues, will likely be in the millions, and Councillor Bye is looking forward to the next large scale event to be held in 2026.

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

COUNCILLOR MCKENZIE provided an update on the Star of the South Community Advisory Group, that met in Sale on Wednesday 17 April 2024.

The advisory group is made up of voluntary members who represent the community ranging from fishermen, conservationists, farmers and community leaders. The group formed approximately 4 years ago to assist in keeping communities informed of what the Star of the South project is; how it will affect communities and stay connected.

Special guests from VicGrid, Danny Benjamin - Executive Director Project Delivery and Nishana Perera - Project Director, provided an update on the Gippsland transmission study area announced in March. Robust discussion and a range of questions and concerns were raised by the advisory group in relation to the community impacts of Vic Grid's decision to proceed with overhead transmission infrastructure, rather than underground or a combination of overhead and underground transmission lines. Councillor McKenzie summarised the issue of transparency, suggesting that Council has a responsibility to obtain further clarity on what VicGrid is proposing, given the community impact of these transmission lines on the present and future generations. With the announcements by the Federal Government last week to award six feasibility licenses to offshore proponents, this is the time for the council to lead discussions by making contact with these companies and working through how the future may be envisaged.

Darren McCubbin and Glen McColl shared a presentation of their trip to Germany, following their return from a renewable energy delegation which travelled from Australia to Germany to investigate the offshore wind industry and operations. The size and scope of the wind farm development in Europe is staggering. The presentation was both powerful and informative. It is suggested that Darren is invited to present his view on where Australia stands in the offshore space and what Wellington Shire Council needs to do to 'be on the front foot'.

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 8 April 2024 to 28 April 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 8 April 2024 to 28 April 2024.

COUNCILLOR MAHER / COUNCILLOR ROSSETTI

That Council note and receive the attached Assembly of Councillor records for the period 8 April 2024 to 28 April 2024.

CARRIED

11.2. CEO REMUNERATION AND EMPLOYMENT COMMITTEE RECOMMENDATIONS

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To receive the minutes of the CEO Employment and Remuneration Committee (CERC) meeting held on 9 April 2024 and approve the Committee's recommendations.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That

1. Council receive and note:

- ***CERC minutes of meeting in brief of 9 April 2024 (attachment 11.2.1)***

and approve the following CERC recommendations:

- ***amendments to the CEO Employment and Remuneration Policy (attachment 11.2.2)***
- ***provision of administrative support for the CERC and Independent Advisor (attachment 11.2.1)***

- **appointment of Mr Michael Malouf as an Independent Advisor (attachment 11.2.1 and confidential attachments 11.2.5 & 11.2.6)**
 - **the CEO 23/24 Performance Review and 24/25 CEO KPI Timelines (attachment 11.2.1 and confidential attachment 11.2.7)**
- 2. The information contained in the confidential documents of this Council meeting agenda and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Corporate Services on 30 April 2024 because it relates to the following grounds: f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.**

COUNCILLOR MAHER / COUNCILLOR STEPHENS

That

1. Council receive and note:

- **CERC minutes of meeting in brief of 9 April 2024 (attachment 11.2.1)**

and approve the following CERC recommendations:

- **amendments to the CEO Employment and Remuneration Policy (attachment 11.2.2)**
- **provision of administrative support for the CERC and Independent Advisor (attachment 11.2.1)**
- **appointment of Mr Michael Malouf as an Independent Advisor (attachment 11.2.1 and confidential attachments 11.2.5 & 11.2.6)**
- **the CEO 23/24 Performance Review and 24/25 CEO KPI Timelines (attachment 11.2.1 and confidential attachment 11.2.7)**

- 2. The information contained in the confidential documents of this Council meeting agenda and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Corporate Services on 30 April 2024 because it relates to the following grounds: f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.**

CARRIED

The CEO left Council chambers 5.29pm for the duration of this item and returned at 5.33pm.

11.3. UPDATE OF COUNCILLOR CODE OF CONDUCT

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To approve the revised Councillor Code of Conduct, as attached and approve the publication of the revised Councillor Code of Conduct on Council's website.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

- 1. Approve the revised Councillor Code of Conduct, as attached; and*
- 2. Authorise the publication of the revised Councillor Code of Conduct on Council's website.*

COUNCILLOR RIPPER / COUNCILLOR MAHER

That Council:

- 1. Approve the revised Councillor Code of Conduct, as attached; and*
- 2. Authorise the publication of the revised Councillor Code of Conduct on Council's website.*

CARRIED

12. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

12.1. URBAN AND RURAL TREE MANAGEMENT PANEL 2024-079

ACTION OFFICER: MANAGER NATURAL ENVIRONMENT AND PARKS

PURPOSE

The purpose of this report is for Council to consider entering into a Schedule of Rates panel contract for the Urban and Rural Tree Management 2024-2026, Contract 2024-079.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

- 1. Receive and consider this report and all attachments pertaining to this report.*
- 2. Accept the Schedule of Rates for Rural Tree Management 2024-2026 for a two year term with two extension options of twelve months to be made available solely at Council's discretion as outlined in the Confidential Attachment and as submitted by:*

- **ASAP Tree Services**
 - **Batt Brothers Vegetation Management**
 - **Benson Group Contractors**
 - **ENSPEC**
 - **Flemings Tree Services**
 - **Regal Tree Services**
 - **Roots 2 Leaves; and**
3. **The information contained in the document *Urban and Rural Tree Management 2024-2026 Schedule of Rates Panel* relating to the Panel Tender 2024-079, of this Council meeting agenda is designated confidential by the General Manager Built and Natural Environment on 27 April 2024 because it contains confidential information as defined in section 3(1) of the Local Government Act 2021;**
- (g) private commercial information, being information provided by a business, commercial or financial undertaking that -**
- (i) relates to trade secrets; or**
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**

COUNCILLOR TATTERSON / COUNCILLOR WOOD

That Council:

1. **Receive and consider this report and all attachments pertaining to this report.**
 2. **Accept the Schedule of Rates for Rural Tree Management 2024-2026 for a two year term with two extension options of twelve months to be made available solely at Council's discretion as outlined in the Confidential Attachment and as submitted by:**
 - **ASAP Tree Services**
 - **Batt Brothers Vegetation Management**
 - **Benson Group Contractors**
 - **ENSPEC**
 - **Flemings Tree Services**
 - **Regal Tree Services**
 - **Roots 2 Leaves; and**
 3. **The information contained in the document *Urban and Rural Tree Management 2024-2026 Schedule of Rates Panel* relating to the Panel Tender 2024-079, of this Council meeting agenda is designated confidential by the General Manager Built and Natural Environment on 27 April 2024 because it contains confidential information as defined in section 3(1) of the Local Government Act 2021;**
- (g) private commercial information, being information provided by a business, commercial or financial undertaking that -**
- (i) relates to trade secrets; or**
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**

CARRIED

13. 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: 5.38pm

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

14. 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