



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

RESOLUTIONS IN BRIEF ORDINARY MEETING

To be read in conjunction with the Council Meeting Agenda 19 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
Andrew Pomeroy, General Manager Development
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 5 March 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 5 March 2024.

CR WOOD / COUNCILLOR STEPHENS

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 5 March 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

6.1. REVIEW OF COMMUNITY AND RECREATION FACILITIES

ACTION OFFICER: COUNCILLOR TATTERSON

I, Councillor Tatterson, hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council on 19 March 2024.

MOTION

That Council:

1. *Instruct the Chief Executive Officer to appoint a professional recreational planning consultant to undertake a review of Council's current processes for maintenance, planning, management and support of Community and Recreation facilities and provide a report to Council by August 2024.*
2. *The review should consider current planning documents and make recommendations on future changes to processes with implementation timelines including but not limited to the following:*
 - a. *Capital planning processes and current programs*
 - b. *Current Management models:*
 - i. *Specifically direct management of facilities in Sale;*
 - c. *Facility maintenance support and subsidies:*
 - d. *Number and purpose of Hierarchies*
 - e. *Role of service levels for each hierarchy/facility*
 - f. *Levels of facility use and opportunities for rationalisation.*



.....
COUNCILLOR TATTERSON

Dated: 5 March 2024

COUNCILLOR TATTERSON / COUNCILLOR MCKENZIE

That Council officers provide a report at the 16 April 2024 Council meeting regarding the feasibility of:

1. *Appointing a professional recreational planning consultant to undertake a review of Council's current processes for maintenance, planning, management and support of Community and Recreation facilities and provide a report to Council by August 2024.*
2. *The review should consider current planning documents and make recommendations on future changes to processes with implementation timelines including but not limited to the following:*
 - a. *Capital planning processes and current programs*
 - b. *Current Management models:*
 - i. *Specifically direct management of facilities in Sale*
 - c. *Facility maintenance support and subsidies:*
 - d. *Number and purpose of Hierarchies*
 - e. *Role of service levels for each hierarchy/facility*
 - f. *Levels of facility use and opportunities for rationalisation.*

CARRIED

7. RECEIVING OF PETITION OR JOINT LETTERS

7.1. OUTSTANDING PETITIONS

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
Yarram Swimming Pool	5 March 2024	The Community & Culture team have prepared a response to be tabled at this Council Meeting.	General Manager Community & Culture
Mafeking Hill corella issue	5 March 2024	The Built Environment team are working on a response to be tabled at the 2 April 2024 Council Meeting.	General Manager Built Environment

7.2. RECEIPT OF PETITION: FALLS LANE, BUNDALAGUAH

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To present Council with a petition regarding Falls Lane, Bundalaguah.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

KEN BAILEY, BUNDALAGUAH – the head petitioner addressed Council regarding the petition, noting the poor condition of the 3km section of gravel road between the highway and Sale Maffra Road. There have been consistent discussions with Council regarding the road condition. Dust has required most people to put filters on their water and asthma is starting to be an issue. Two weeks ago Ken witnessed a woman driving in front of him hitting the brakes when a milk tanker was coming, and the woman vibrated across the road and hit the tanker. It was only minor, but after that, he said something has to be done about this. If anything happens on the Stratford Maffra Road, all the navigation takes them on Falls Lane. The petition asks for the Shire to have a look at it, they are happy to contribute.

RECOMMENDATION

That Council receive the attached petition regarding Falls Lane, Bundalaguah and the petition be referred to the General Manager Built & Natural Environment for a report to a future Council Meeting.

COUNCILLOR ROSSETTI / COUNCILLOR MAHER

That Council receive the attached petition regarding Falls Lane, Bundalaguah 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 MAHER acknowledged HEESCO and the HEESCO Town Group, with the recent Australian Street Art Awards for the Water Tower mural in Yarram which is certainly considered by many of us to be the crowning glory of the Yarram mural trail. It was pleasing to read that they received a bronze in the Best Mega Mural category Australia-wide and gold in Best Street Art Experience, Victoria. Well done to them.

COUNCILLOR MAHER also acknowledged the Marketing, Events & Tourism and Visitor Information Centre teams for constantly promoting events within our region. She noted several recent and upcoming events in the 'Middle of Everywhere', including the Sale Music Festival, Parks Week, Maffco Market, the Yarram Chalk Art, the ANZAC Weekend Air Show, The Tinamba Food and Wine Festival, and the Tarra Festival.

COUNCILLOR RIPPER acknowledged Council staff and the work they do. They work in disasters and floods, working after hours, taking on extra work. She asked the CEO and General Managers to pass on her appreciation to the staff.

COUNCILLOR BYE acknowledged the Maffra Mardi Gras event on Saturday 16 March 2024 and thanked the volunteers who ran the event. The event has been running since 1958 and has raised over three million dollars. He congratulated the two Mardi Gras entrants this year: Nicole Wilkinson raised \$13,906 for refurbishments to the Maffra Cricket Club and winner Kade Renooy from the Maffra Football Netball Club raised \$30,240 for a gymnasium for the club. A phenomenal effort by both entrants and congratulations to the Maffra community for such a great event.

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 - FEBRUARY 2024

10.1. MAYOR AND COUNCILLORS REPORT - FEBRUARY 2024

ACTION OFFICER: COUNCILLOR IAN BYE

<p>RECOMMENDATION</p> <p><i>That the Mayor and Councillors report be noted.</i></p> <p>COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY</p> <p><i>That the Mayor and Councillors report be noted.</i></p> <p style="text-align: right;">CARRIED</p>

DATE	EVENT	ATTENDEES
1 February	Launch Ceremony: Rotary Club of Maffra Mardi Gras, Maffra U3A Annual General meeting, Sale	Mayor Bye and Cr Ripper Cr Crossley
2 February	Joint meeting with South Gippsland Shire Council CEO & Mayor, Yarram	Mayor Bye and David Morcom, Chief Executive Officer
3 February	Nambrok Rec Reserve Court Opening	Cr McKenzie and Cr Ripper
4 February	Loch Sport Business & Tourism Association community meeting, Loch Sport	Cr McKenzie
5 February	Tarra Festival Committee meeting, Yarram Yarram and District Historical Society meeting, Yarram Maffra Recreation Reserve committee meeting, Maffra	Cr McKenzie Cr Stephens Cr Ripper
8 February	Wellington Police Service Area Neighbourhood Police Forum, Sale Seaspray Ratepayers Committee meeting, Seaspray	Cr McKenzie, Cr Maher, Cr Stephens and Cr Ripper Cr McKenzie
9 February	Yarram Genealogy Group meeting, Yarram	Cr Stephens
10 February	Dargo Community House Launch, Dargo	Cr Ripper
12 February	VEC: 2024 Ward Boundary Review meeting, online	Cr Maher

15-16 February	SEATS Quarterly Meeting, Bega	Cr Tatterson
20 February	Planet Wind Screening, Yarram	Cr Crossley
21 February	Planet Wind Screening, Yarram 2024 Youth Council Induction, Sale	Cr Maher and Cr Stephens Cr Crossley, Cr Maher and Cr Wood
22 February	Local Government Reforms Consultation session, online	Cr Maher
23 February	OneGippsland February Board meeting, Traralgon	Cr Maher
24 February	Carrajung Oval Family Fun Day, Carrajung Grand Opening of the Maffra Mens and Womens Shed, Maffra Chalk Art Festival, Yarram Seaspray Rate Payers Parks Working Bee, Seaspray	Cr Stephens Cr Ripper Cr Stephens Cr McKenzie
25 February	Maffra Triathlon Ceremony, Maffra	Cr Ripper
26 February	Maffra Secondary School Student Leadership Address, Maffra	Cr Crossley
29 February	Municipal Emergency Management Planning Committee meeting, online Meerlieu Cricket Club Dinner, Meerlieu Project Seadragon Community Advisory Group meeting, Sale	Cr Crossley and Cr Wood Cr McKenzie and Cr Ripper Cr McKenzie

**COUNCILLOR IAN BYE
MAYOR**

11. DELEGATES REPORT

NIL

12. CHIEF EXECUTIVE OFFICER

12.1. CHIEF EXECUTIVE OFFICER REPORT - FEBRUARY 2024

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

<p>RECOMMENDATION</p> <p><i>That the Chief Executive Officer's report be received.</i></p> <p>COUNCILLOR MAHER / COUNCILLOR WOOD</p> <p><i>That the Chief Executive Officer's report be received.</i></p> <p style="text-align: right;">CARRIED</p>
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1 FEBRUARY TO 29 FEBRUARY

1 February	Attended Committee for Wellington monthly meeting, Sale. Provided the Committee with a presentation of some of Council's strategic objectives / challenges / opportunities for 2024
2 February	Attended a OneGippsland CEO Forum meeting Met with South Gippsland Shire Council CEO & Mayor, Yarram. In attendance was Mayor Bye
5 February	Attended Gippsland New Energy Coordination Group meeting
7 February	Met and interviewed prospective Caravan Park operators for two of Wellington's facilities
8 February	Attended a Wellington Police Service Area 2024 Neighbourhood Policing Forum, Sale
9 February	Met with Mr Gary Austin, Regional Engagement Officer, Telstra
12 February	Attended a Gippsland Regional Partnership meeting, Morwell
13 February	Met with Ms Sara Rhodes-Ward, Regional Development Victoria Gippsland
14 February	Attended a Renewable Jobs Taskforce, Melbourne. Chaired by Minister Natalie Hutchins
15 February	Attended a Local Government CEO Emergency Management Briefing
21 – 23 February	Attended Local Government Chief Officers Group Conference, Melbourne
26 February	Attended a OneGippsland Member Dinner, Canberra
27 February	Attended a OneGippsland Federal Delegation, Canberra alongside Mayor Bye. Meetings conducted include: Minister Farrell, Mr Darren Chester MP, Office of Minister McBain, Mr Broadbent, Office of Minister O'Connor, Advisors to Minister Catherine King
29 February	Met with Mr Rob Christie, Chairman Bendigo Bank, Sale Met with Ms Laura McPherson, TAFE Gippsland, Sale

12.2. REMUNERATION COMMITTEE MINUTES

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

PURPOSE

For Council to note and receive the minutes and endorse the actions of the Remuneration Committee meeting held on 5 March 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

- 1. Note and receive the minutes from the Remuneration Committee meeting held on 5 March 2024 as attached; and***
- 2. Endorse the actions from the Remuneration Committee meeting held on 5 March 2024 as detailed in the attached minutes.***

COUNCILLOR MCKENZIE / COUNCILLOR TATTERSON

That Council:

- 1. Note and receive the minutes from the Remuneration Committee meeting held on 5 March 2024 as attached; and***
- 2. Endorse the actions from the Remuneration Committee meeting held on 5 March 2024 as detailed in the attached minutes.***

CARRIED

13. GENERAL MANAGER CORPORATE SERVICES

13.1. ASSEMBLY OF COUNCILLORS REPORT

ACTION OFFICER: MANAGER ORGANISATIONAL PERFORMANCE AND GOVERNANCE

OBJECTIVE

To report on all Assembly of Councillor records received for the period 26 February to 10 March 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 26 February 2024 to 10 March 2024.

COUNCILLOR TATTERSON / COUNCILLOR MAHER

That Council note and receive the attached Assembly of Councillor records for the period 26 February 2024 to 10 March 2024.

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 26 February 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council receive and note the minutes in brief of the Audit & Risk Committee 26 February 2024 (as attached) and the confidential attachment Audit & Risk Committee Minutes of 26 February 2024;***
- 2. Council appoint Chris Badger as Chair of the Audit & Risk Committee; and***
- 3. The information contained in the confidential document Audit & Risk Committee Minutes of 26 February 2024 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 4 March 2024 because it relates to the following grounds:***
 - e) legal privileged information; and***
 - l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989;******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 26 February 2024 (as attached) and the confidential attachment Audit & Risk Committee Minutes of 26 February 2024;***
- 2. Council appoint Chris Badger as Chair of the Audit & Risk Committee; and***
- 3. The information contained in the confidential document Audit & Risk Committee Minutes of 26 February 2024 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 4 March 2024 because it relates to the following grounds:***
 - e) legal privileged information; and***
 - l) information that was confidential information for the purposes of section 77 of the Local Government Act 1989;******be designated confidential information under section 3(1) Confidential Information of the Local Government Act 2020.***

CARRIED

14. GENERAL MANAGER DEVELOPMENT

14.1. QUARTERLY BUILDING REPORT - OCTOBER TO DECEMBER 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 October to 31 December 2023 for information.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note the report of building permits issued from 1 October 2023 to 31 December 2023.

COUNCILLOR MAHER / COUNCILLOR CROSSLEY

That Council note the report of building permits issued from 1 October 2023 to 31 December 2023.

CARRIED

14.2. MONTHLY PLANNING DECISIONS - JANUARY 2024

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 January 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note the attached reports on recent Planning Permit trends and Planning Application decisions between 1 January and 31 January 2024.

COUNCILLOR MAHER / COUNCILLOR WOOD

That Council note the attached reports on recent Planning Permit trends and Planning Application decisions between 1 January and 31 January 2024.

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 13 February 2024 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 13 February 2024;***
- 2. For the subdivision at 29 Tyson Road, Heyfield, the private road be named 'Hind Place' subject to the developer agreeing to the following conditions:***
 - i) The road sign also bears the inscription 'Private Road' and be installed at the developer's expense; and***
 - ii) All future maintenance works and associated costs for the private road and sign be borne by the Owners Corporation of the development.***

COUNCILLOR ROSSETTI / COUNCILLOR MAHER

That:

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 13 February 2024;***
- 2. For the subdivision at 29 Tyson Road, Heyfield, the private road be named 'Hind Place' subject to the developer agreeing to the following conditions:***
 - i) The road sign also bears the inscription 'Private Road' and be installed at the developer's expense; and***
 - ii) All future maintenance works and associated costs for the private road and sign be borne by the Owners Corporation of the development.***

CARRIED

16. GENERAL MANAGER COMMUNITY AND CULTURE

16.1. COUNCIL COMMITTEES & COMMITTEES OF MANAGEMENT HIGHLIGHTS

ACTION OFFICER: MANAGER COMMUNITIES, FACILITIES AND EMERGENCIES

PURPOSE

For Council to receive the report highlighting activities and achievements of various Council advisory committees and community facilities' committees of management for the period November 2023 to February 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the report highlighting activities and achievements of various Council advisory committees and community facilities' committees of management for the period November 2023 to February 2024.

COUNCILLOR RIPPER / COUNCILLOR MAHER

That Council receive the report highlighting activities and achievements of various Council advisory committees and community facilities' committees of management for the period November 2023 to February 2024.

CARRIED

16.2. RESPONSE TO YARRAM SWIMMING POOL PETITION

ACTION OFFICER: MANAGER LEISURE SERVICES

PURPOSE

This report will offer a formal response to the Yarram Swimming Pool community petition, which was formally received on Tuesday 27 February 2024. The petition outlined a request to extend the Yarram Pool season past the traditional fifteen-week summer season period.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council support the extension of the current 2023/24 Yarram pool season until 1 April 2024, noting that the facility has been designed to only operate between the months of November to March.***
- 2. Council commits to reviewing and 'recalibrating' the Yarram Pool operating model this coming off season, in preparation for the 2024/25 season.***
- 3. Understanding the unique infrastructure and pool heating capabilities at Yarram Pool, Council will explore opportunities to develop an even more targeted approach to site programming and opening hours for future seasons.***
- 4. Council staff will reinstate the Yarram Pool User Group Committee, to allow local community input throughout this process and better inform future operating models.***

COUNCILLOR MCKENZIE / COUNCILLOR STEPHENS

That:

- 1. Council support the extension of the current 2023/24 Yarram pool season until 1 April 2024, noting that the facility has been designed to only operate between the months of November to March.***
- 2. Council commits to reviewing and 'recalibrating' the Yarram Pool operating model this coming off season, in preparation for the 2024/25 season.***
- 3. Understanding the unique infrastructure and pool heating capabilities at Yarram Pool, Council will explore opportunities to develop an even more targeted approach to site programming and opening hours for future seasons.***
- 4. Council staff will reinstate the Yarram Pool User Group Committee, to allow local community input throughout this process and better inform future operating models.***

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 –

1. Email received from **SOPHIE PATERSON, MAFFRA** regarding the proposed solar farm on Maffra-Briagolong Road, Maffra:

Many Council officers and councillors will be aware that we have been writing to Council with concerns about a proposal to construct on productive farmland a 15 hectare 12000 panel solar farm along Maffra-Briagolong Road, Maffra. Our historic and heritage listed property, Boisdale Estate circa 1841, surrounds the proposed solar & associated infrastructure site on 3 sides. A registered & significant Gunai Kurnai grinding stone site on our land is in direct sight of the proposed site and only approx. 400 mtrs away. Traditional landowners are opposed to the solar development and supporting our objection. Further the owner Maffra Nth Pty Ltd of the 64 lot residential development on the fourth side has also lodged objection to the solar development formally to VCAT. The Stratford Irrigation channel runs through the proposed site and there is active irrigation infrastructure immediately in the area. Southern Rural Water have confirmed that this site is able to be irrigated. We irrigate directly next to the proposed site as do our neighbours from the same delivery channel. The current landowner of the proposed solar site, has also recently applied to irrigate the actual land subject to the proposed solar development. The site is zoned farming for production of food and support our communities need for farmland. The productive capacity can be enhanced by being able to be irrigated. Despite these facts the applicant's proposal claims incorrectly that the site is not productive agricultural land. Alongside this, the applicant has clearly breached Councils requirement to the planning minister that there must be adequate engagement on this project. We've sent numerous examples to Council of the applicant's failure to notify neighbours, misrepresentations in the engagement report and missed engagement opportunities. We recently contacted all the 10 closest residents living within a 1000 mtr radius of the site and 7 out of 10 residents had never received any information about the proposed development at all. 10 out of 10 residents had no knowledge a community meeting was held to discuss the proposal. How is that Council can still support this application when it is against the councils stated policy to protect productive farmland for food production and there are so many inaccuracies and a clear lack of transparency and accountability from the applicant ? Council provided support for the proposal on condition that: Council caveated that by stating that councils support is subject to an appropriate level of community consultation particularly those residents that are in close proximity to the

project and that we felt that this was a critical element of this project. We understand that you have recommended that we take this to VCAT (which we are doing) but we and adjoining neighbours are wondering why Council is not supporting us in this process? And further why council is not withdrawing its support because of the clear breach of the caveat which council provided its support as clearly, there has been a failure by the Solar application to conduct an appropriate level of community consultation and a clear failure to have community consultation with all residents in close proximity of the project.

The CEO noted that much has transpired since the email was received five days ago. He further noted that Councillors were briefed on the lack of state government consultation with local landholders. A response will go out to Sophie Paterson in the next seven days and a copy will be provided to Councillors.

2. Email received from **DEAN HURLSTON, PRESIDENT OF COUNCIL WATCH – CHADSTONE** regarding waste enforcement:

RE: Questions to Council for the next Council Meeting

Could the following questions please be tabled at your next Council meeting and could I have a written response (via return email) in due course.

Question 1

What amount of waste enforcement costs in the current financial year 2023/24 has the Council included in its waste levies charged to residents? (if any)

Question 2

What amount of revenue has council included in the current financial year 2023/24 from waste enforcement actions?

Question 3

Has that revenue been offset in the waste levy OR applied to Councils General Revenue streams?

The CEO stated that a response will be provided to Dean Hurlston in the next seven days and a copy will be provided to Councillors.

FURTHER GALLERY COMMENTS –

NEIL BARRACLOUGH, STRATFORD – had previously provided email questions to Council but advised that the responses didn't provide answers. He simplified his position with regards to the timber industry; with over a fifty-year association with the forests, it has been very obvious over that time that the timber industry had to change. It shouldn't have been stopped and the reason it was stopped was because of the people who opposed change. That is why he has questions to the Council.

CHRISTINE TIMMERMAN, ALBERTON – provided printed information brochures and informed Council of the rare secret lakes of the Gelliondale State Forest and her intention to write a report to go to the federal and state governments to have the area annexed to the Nooramunga Marine & Coastal Park.

GRAEME JAMES, GELLIONDALE – addressed Council regarding the number of people using the Rail Trail and the proximity of the Wind Farm to the Yarram Airport flightpaths. Graeme noted Council's recent submission to DEECA.

PAUL GREENMAN, BERWICK – asked if Chief Executive Officer, David Morcom, is a public servant and further questioned -

is Wellington Shire Council prepared to be sued in their private capacity for any present or future projects against their full commercial liability insurance for harm, loss or damage against any other corporation? Because indeed you are a corporation.

Paul personally handed the Chief Executive Officer a 237 page document of what he described as Daniel Andrews treason charges that prove that no Council in this country has lawful authority whatsoever.

Meeting declared closed at: 5.48pm.

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

18. IN CLOSED SESSION

COUNCILLOR

That the meeting be closed to the public pursuant to Section 66(2) of the Local Government Act 2020 to consider matters under Section 66(5)(b) as defined by Section 3(1) being:

- a) Council business information*
- b) Security information*
- c) Land use planning information*
- d) Law enforcement information*
- e) Legal privileged information*
- f) Personal information*
- g) Private commercial information*
- h) Confidential meeting information*
- i) Internal arbitration information*
- j) Councillor Conduct Panel confidential information*
- k) Information prescribed by the regulations to be confidential information*
- l) Information that was confidential information for the purposes of section 77 of the Local Government Act 1989*

IN CLOSED SESSION

NIL