



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

COUNCIL MEETING AGENDA ORDINARY MEETING

Meeting to be held at

Wellington Centre – Wellington Room

Foster Street, Sale and via MS Teams

Tuesday 20 August 2024, commencing at 5:00 PM

**or join Wellington on the Web:
www.wellington.vic.gov.au**

**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

2. DECLARATION OF CONFLICT/S OF INTEREST

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

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of Tuesday 6 August 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of Tuesday 6 August 2024.

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

6. NOTICE/S OF MOTION

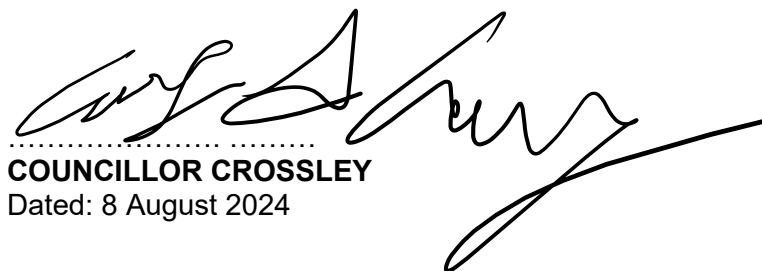
6.1. RENEWABLE ENERGY AND OFFSHORE WIND INVESTMENT

ACTION OFFICER: COUNCILLOR CROSSLEY

I, Councillor Crossley, hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council on 20 August 2024.

Motion

1. *That Council affirms its commitment to supporting renewable energy initiatives, particularly investment in offshore wind projects in the identified Bass Strait offshore wind area. With 25GW of generation under investigation in the Gippsland offshore wind declared area, Gippsland has an opportunity to facilitate large scale sustainable produced energy generation for all Victorians, and that opportunity is in front of us now, not in 15 to 20 years in the future.*
2. *That Council continues to advocate for state and federal support for offshore wind projects through policy initiatives and funding mechanisms, including:*
 - a. *That the Mayor, write to State and Federal government ministers Bowen and D'Ambrosio that the Wellington Shire Council wishes to re-affirm it's positive position on renewable energy investment in Gippsland; and*
 - b. *That the Mayor, write to the State and Federal Gippsland elected representatives requesting their support for the renewable energy sector that has the potential to support thousands of jobs in Gippsland and across the supply chain.*
3. *That Council collaborates with industry stakeholders, community groups, and educational institutions to promote the opportunities within renewable energy in our region.*
4. *That Council continues to advocate to the State Government for the timely delivery of an overall transmission plan for Gippsland that responds to both offshore wind and onshore renewable energy investment, and that the plan be developed in consultation with the community.*



COUNCILLOR CROSSLEY
Dated: 8 August 2024

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

9. QUESTION/S ON NOTICE

9.1. OUTSTANDING QUESTION/S ON NOTICE

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

10. MAYOR AND COUNCILLORS REPORT

10.1. MAYOR AND COUNCILLORS REPORT - JULY 2024

ACTION OFFICER: COUNCILLOR IAN BYE

<p>RECOMMENDATION</p> <p><i>That the Mayor and Councillors report be noted.</i></p>
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DATE	EVENT	ATTENDEES
1 July	Maffra Recreation Reserve committee meeting, Maffra Official launch of the Gippsland New Energy Conference 2024	Cr Ripper Cr Crossley
2 July	2024 Regional Forum, Canberra National General Assembly Listening sessions, Canberra MAVLab Launch, Canberra	Mayor Bye and Cr Maher Mayor Bye and Cr Maher Mayor Bye and Cr Maher
3 July	National General Assembly – Day 1, Canberra Coastal Round Table meeting, Canberra Wellington Disability Advisory Committee meeting, Sale National General Assembly Dinner, Canberra	Mayor Bye and Cr Maher Mayor Bye and Cr Maher Cr Wood Mayor Bye and Cr Maher
4 July	National General Assembly – Day 2, Canberra Australian Local Government Dinner, Canberra	Mayor Bye and Cr Maher Mayor Bye
5 July	Yarram Pool User Group meeting, Yarram Australian Local Government Forum, Canberra	Cr McKenzie, Cr Maher, Cr Stephens. Mayor Bye
8 July	Ramahyuck Flag Raising Ceremony, Sale	Mayor Bye

8 July	Energy Resilience Community Fund meeting, online Sale Rotary Club Changeover Dinner, Sale	Cr Crossley Cr Ripper
10 July	CircularEco AuWE2024 Gala Ball Dinner, Melbourne	Cr Crossley
12 July	Official Opening of the Stratford Recreation Reserve Pavilion Upgrade, Stratford Gippsland Climate Change Network Board meeting, Morwell	Mayor Bye, Cr Tatterson, Cr Ripper, Cr McKenzie. Cr Crossley
17 July	Youth Council Formal Meeting, Sale	Cr Crossley and Cr Wood
18 July	Citizenship Ceremony, Sale Heyfield Lions Changeover Dinner, Heyfield	Mayor Bye Cr Ripper
19 July	Meeting with Mr Tom McIntosh MP, Sale	Mayor Bye
20 July	Port Albert Fishing Club AGM, Port Albert Rotary Club of Yarram International Dinner, Yarram	Cr McKenzie Cr Stephens
23 July	Gippsland Skies Drop-In Session, Seaspray Heyfield Community Resource Centre, Heyfield	Cr McKenzie Cr Ripper
24 July	Anglican Parish of Maffra - Induction of the Rev'd Dr Tim Gaden, Maffra	Cr Ripper
25 July	Seaspray Ratepayers Association Meeting, Seaspray	Cr McKenzie
26 July	Yarram Pool User Group meeting, Yarram Meeting with Dyland Steele, Senior Advisor of Mr Steve Dimopoulos, online	Cr McKenzie, Cr Maher, Cr Stephens. Mayor Bye
28 July	Christmas In July High Tea, Port Albert	Cr McKenzie
29 July	Yarram & District Progress Association meeting, Yarram Gordon Street Recreation Reserve Committee meeting, Heyfield	Cr Stephens Cr Ripper
30 July	Meeting with Minister Kilkenny & Minister D'Ambrosio, Melbourne Guest Speaker U3A Meeting, Sale	Mayor Bye Cr Rossetti

**COUNCILLOR IAN BYE
MAYOR**

11. DELEGATES REPORT

12. CHIEF EXECUTIVE OFFICER

12.1. CHIEF EXECUTIVE OFFICER'S REPORT - JULY 2024

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

RECOMMENDATION

That the Chief Executive Officer's report be received.

DATE	EVENT
2 July	Attended a 2024 Regional Forum, Canberra. In attendance was Mayor Bye and Cr Maher. Attended National General Assembly Listening sessions, Canberra. In attendance was Mayor Bye and Cr Maher. Attended McArthur dinner, Canberra.
3 July	Attended the National General Assembly – Day 1, Canberra. In attendance was Mayor Bye and Cr Maher.
4 July	Attended the National General Assembly – Day 2, Canberra. In attendance was Mayor Bye and Cr Maher.
8 – 12 July	Annual Leave.
15 July	Attended MAV's Monthly Connect meeting.
16 July	Met with John Leslie Foundation trustees, Sale.
17 July	Met with Myli Chief Executive Officer, Leanne Williams, Sale.
18 July	Hosted a Citizenship Ceremony, Sale.
19 July	Met with Mr Tom McIntosh MP, Sale alongside Mayor Bye. Met with Bendigo Bank of Maffra, Mr Rob Christie.
22 July	Met with Maffra Vehicle Collection committee, Maffra.
24 – 26 July	Attended a Local Government Chief Executive Officers Group Conference, Kiama NSW.
30 July	Met with Minister Kilkenny and Minister D'Ambrosio, Melbourne. In attendance was Mayor Bye and South Gippsland Shire Council Mayor Clare Williams.

12.2. COUNCIL PERFORMANCE REPORT

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

PURPOSE

For Council to receive and note the June 2024 Council Performance Report.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive and note the June 2024 Council Performance Report as attached.

BACKGROUND

The June 2024 Council Performance Report comprises an interim overview of Council finances including an Income Statement, a Balance Sheet with commentary regarding any major variances, information on cash balances, the level of rates outstanding and a progress update on Council's Capital Works program.

Section 97(1) and (2) of the *Local Government Act 2020* requires that at least every three months, the Chief Executive Officer must ensure that a statement comparing budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to Council at a Council meeting which is open to the public.

ATTACHMENTS

1. Finance Report - June 24 [12.2.1 - 8 pages]

OPTIONS

Following consideration of the attached June 2024 Performance Report, Council can resolve to either:

1. Receive and note the June 2024 Council Performance Report; or
2. Not receive and note the June 2024 Council Performance Report and seek further information for consideration at a later Council meeting.

PROPOSAL

That Council receive and note the attached June 2024 Council Performance Report.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

Provision of a monthly financial report to the community facilitates accountability and transparency and ensures that Council and management are able to make informed decisions in a timely manner.

COMMUNICATION IMPACT

The Council Plan communicates Council's strategic direction to the community. The Council Plan can also be used by Council to communicate its vision and direction to other tiers of government, organisations, government agencies and funding bodies.

LEGISLATIVE IMPACT

Section 97(1) and (2) of the *Local Government Act 2020* requires that at least every three months, the Chief Executive Officer must ensure that a statement comparing budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to Council at a Council meeting which is open to the public.

COUNCIL POLICY IMPACT

The June 2024 Council Performance Report has been prepared in the context of existing Council policies.

COUNCIL PLAN IMPACT

The Council Plan 2021-25 Theme 4 "Services and Infrastructure" states the following strategic outcome:

Strategic Outcome 4.1: *"A financially sustainable, high performing organisation."*

This report supports the above Council Plan strategic outcome.

RESOURCES AND STAFF IMPACT

This impact has been assessed and there is no effect to consider at this time.

COMMUNITY IMPACT

This impact has been assessed and there is no effect to consider at this time.

ENVIRONMENTAL IMPACT

This impact has been assessed and there is no effect to consider at this time.

ENGAGEMENT IMPACT

This impact has been assessed and there is no effect to consider at this time.

RISK MANAGEMENT IMPACT

This impact has been assessed and there is no effect to consider at this time.



INTERIM JUNE 2024 QUARTERLY FINANCE SUMMARY

INCORPORATED IN PERFORMANCE REPORT

INTERIM OPERATING RESULT STATEMENT
For the period ending 30 June 2024

	YEAR TO DATE			FULL YEAR 2023-24		
	Actual	Adopted Budget	Variance	Forecast	Adopted Budget	Variance
	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's
Income						
Rates and charges	70,090	69,638	452	70,151	69,638	513
Statutory fees & fines	927	982	(55)	1,035	982	53
User fees	10,913	9,567	1,346	10,065	9,617	448
Grants - operating	9,432	21,545	(12,113)	28,536	21,545	6,991
Grants - capital	15,313	11,098	4,215	15,765	11,098	4,667
Contributions - operating (monetary)	1,033	380	653	841	380	461
Contributions - capital (monetary)	15	-	15	-	-	-
Contributions - non monetary	3,258	-	3,258	1,950	-	1,950
Other income	8,361	4,889	3,472	6,812	4,839	1,973
Total Income (Inc capital income)	119,342	118,099	1,243	135,155	118,099	17,055
Expenditure						
Employee costs	35,361	35,197	(164)	34,593	35,197	604
Materials and services	48,621	41,690	(6,931)	51,838	41,690	(10,148)
Bad and doubtful debts	94	15	(79)	13	15	2
Depreciation and amortisation	33,468	31,572	(1,896)	33,925	31,572	(2,353)
Borrowing costs	27	42	15	42	42	-
Finance cost leases	8	18	10	18	18	-
Other expenses	1,642	740	(902)	1,512	740	(772)
Net loss on disposal of property, infrastructure, plant & equipment	4,738	997	(3,741)	3,543	997	(2,546)
Total Expenditure	123,959	110,271	(13,688)	125,484	110,271	(15,212)
Surplus/(Deficit) for the year	(4,617)	7,828	(12,445)	9,671	7,828	1,843

Note: Council must report publicly against the original adopted budget on a quarterly basis. The following provides an explanation of the differences between the adopted budget and the interim results (as at 8 August 2024). These interim results have been produced to conform with all accounting standards and reporting obligations but are still subject to audit by Victorian Auditor General in August 2024. Subject to any final adjustments from the audit.

Surplus / (Deficit) Variance Commentary :

The interim result shows a deficit of (\$4.6M), which is \$12.4M less than forecasted. The primary reason for this shortfall is due to the first instalment of the 2024/25 Victorian Grants Commission funding (expected in FY2023/24), being paid from the Victorian Government to all Councils on 5 July 2024 (FY 2024/25).

The total Grant Funding of \$17.8M must now be recorded in the 2024/25 financial year in accordance with the requirements of the Australian Accounting Standard AASB 1058 Income of Not-for-Profit Entities.

Annual Summary - Actuals vs Adopted Budget

Council's 2023/24 deficit variance result (\$12.4 million) is made up of:

	<u>ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>
Operating	(\$19.4)	(\$2.7)	(\$16.7)
Capital	\$14.8	\$10.5	\$4.3
	(\$4.6)	\$7.8	(\$12.4)

Operationally, the major variances are:

Wellington Shire Council budgeted for an advance receipt of the 2024/25 Victoria Grants Commission funding as per historical trends. The first instalment was not received until July 2024. The \$17.8 million will be recognised in the 2024/25 year.	(\$17.8 million)
Higher other income mainly represents interest earned on investments and recognition of new assets	\$3.5 million
Higher fees earned from shared services and sustainability energy efficiency initiatives	\$1.3 million
Additional rates and charges raised from supplementary notices	\$0.5 million
Additional spending on contractors and materials expenses (mainly on infrastructure projects)	(\$2.7 million)
Increase in other expenses (mainly for landfill rehab discount rate adjustment and asset write off)	(\$1.5 million)
	(\$16.7 million)

Capital, the major variances are:

Additional capital grants received	\$4.2 million
Additional contributions (non monetary) - recognised towards new subdivision land assets	\$3.2 million
Capital adjustment (non -cash) relating to recognition/(derecognition) of assets	\$0.6 million
Net loss on disposal of PPE mainly due to higher written down value for assets replaced (roads and footpaths)	(\$3.7 million)
	\$4.3 million

Surplus/(Deficit) variance for the year

(\$12.4 million)

Note: Timing of capital works can often distort the comprehensive result/surplus of any Council. Positive surplus should always be cautiously assessed and reported in light of shifting project timelines.

A summary of major variances to budget for 2023/24 are:

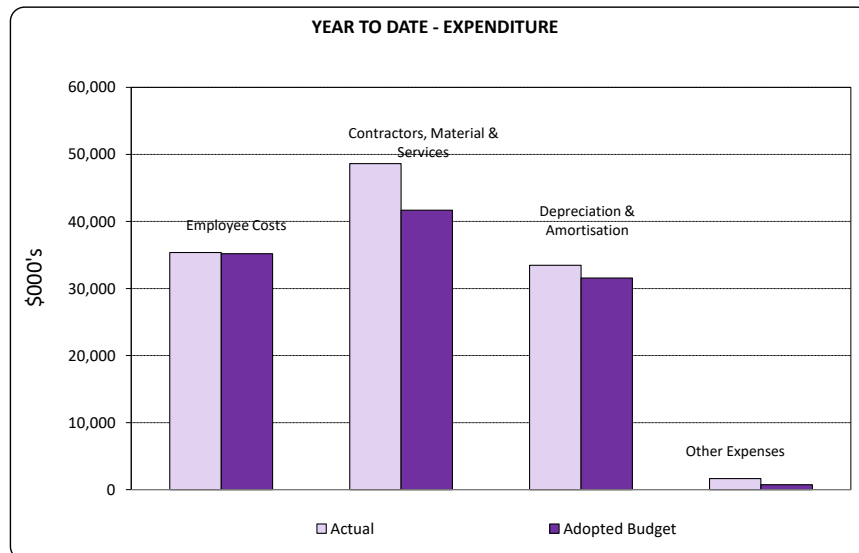
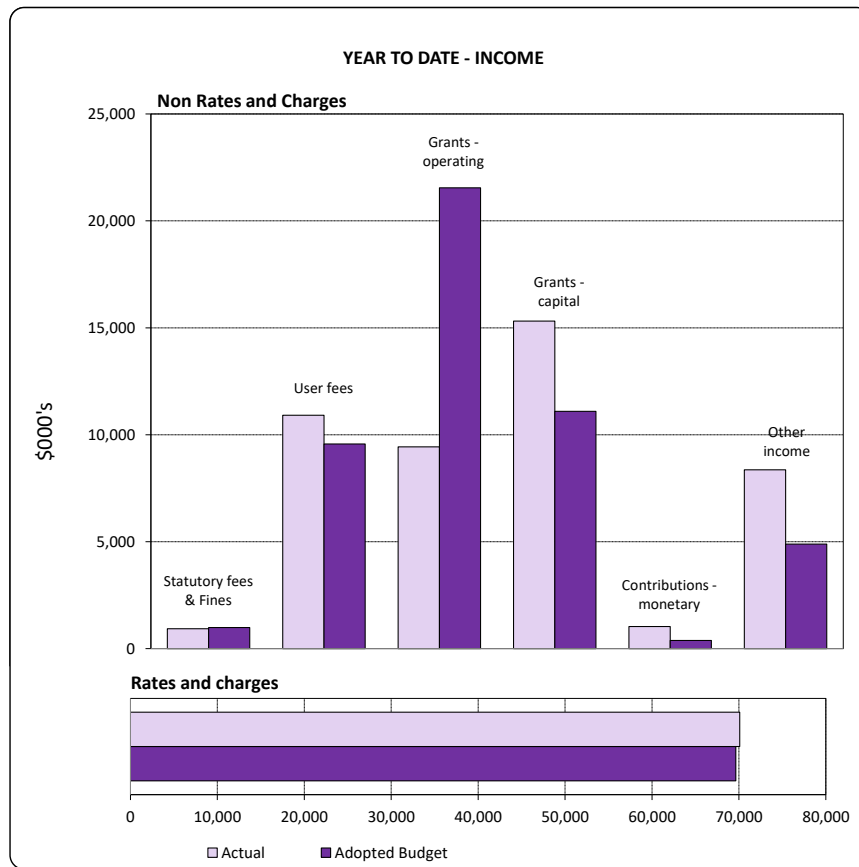
Income

- **\$1.35 million** **User fees** - Income raised from reimbursements for the year is higher than anticipated mainly for East Gippsland Shire Council shared services arrangements. Fees raised from leisure facilities for Aqua Energy and Gippsland Regional Sporting Complex were higher than the budget. This is due to the utilisation of the West Sale Pool for swim school programs and increased participation of school programs, social sports and new inflatable income at the GRSC.
- **(\$12.11 million)** **Grants (operating)** - The 2024/25 Victorian Grants Commission funding was budgeted to be received in 2023/24, but was received in July 2024, The \$17.8 million will be recognised as part of the 2024/25 financial year. Natural disaster funding expected by 30 June 2024 for past flood and storm events contributes \$4.0M, and a few claims that are pending will be accrued as part of the year end reporting.
- **\$4.22 million** **Grants (capital)** - This mainly relates to Aqua Energy Redevelopment multi year project funding been recognised and allocated in 2023/24 of \$2.8M above initial budget. Roads to recovery projects works carried forward from 2022/23 financial year were completed in 2023/24 of \$1.6M, offset by unsuccessful funding of projects (\$1.4M).
- **\$3.26 million** **Contributions - capital (non monetary)** - Gifted assets recognised during the year mainly for drainage, land, roads and footpaths.
- **\$3.47 million** **Other income** - \$2.3M interest earned on investments been greater than projected due to higher interest rates received from financial institutions over the past 12 months. New assets recognised during the year represents \$1.2M. The favourable variance is slightly offset by lower rental earned from caravan parks and commercial properties (\$0.2M).

Expenditure

- **(\$6.93 million)** **Contractors, materials and services variance includes:**
 - a. **(\$3.3M)** - Major community infrastructure projects such as York Street works and Great Southern Rail Trail Extension works were multi year projects and completed in 2023/24. The York Street works are completed and the Southern Rail Trail works will be finalised by December 2024 to account for the initial budget allocated in 2022/23.
 - b. **(\$3.2M)** - Contractor expenses associated with recovery and reconstruction work for recent storm and flood emergencies. The majority of the expenses will be claimable once the works are fully completed and lodged with the State.
 - c. **(\$0.35M)** - Insurance premiums incurred for the year 2023/24 were higher than expected due to inflationary factors and pressures on the insurance industry.
 - d. **\$0.9M** - Underspends in consultant payments on shared services, planning projects and parks initiatives.
- **(\$0.90 million)** **Other expenses** - This represents assets written off during the year for parks open space (York Street Central) and landfill rehabilitation impacted by non cash accounting adjustment for discount rate and CPI changes over the year ending 30 June 2024.
- **(\$3.74 million)** **Net gain on disposal of property, infrastructure, plant & equipment** - The variance is a combination of proceeds from plant and vehicle sales being higher than expected. And written down value for assets replaced been above budgeted (mainly for partial disposal of Aqua Energy indoor complex \$2.8M).

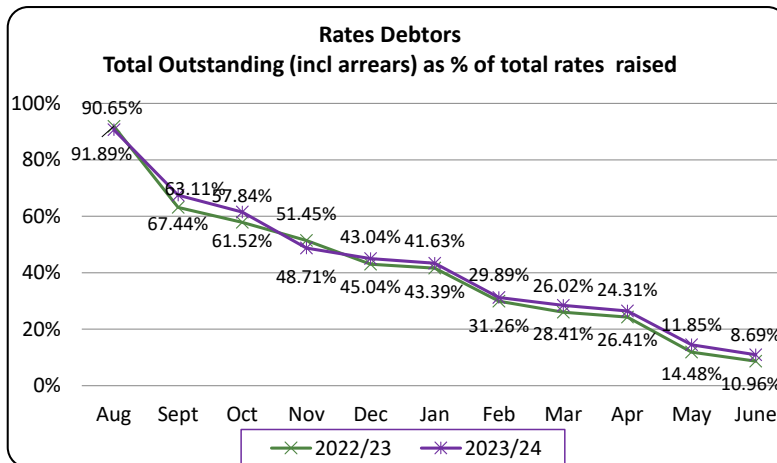
JUNE 2024 COMPONENTS AT A GLANCE



BALANCE SHEET

As at 30 June 2024

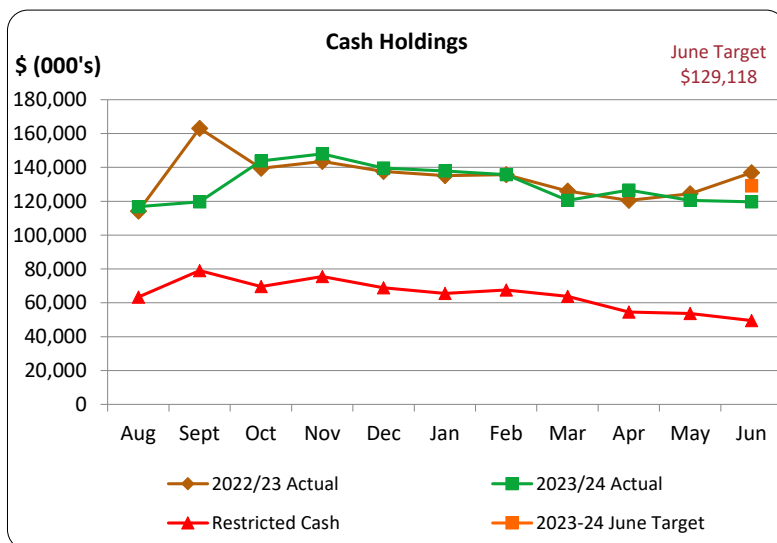
Actual		Actual	Forecast	Adopted Budget
June 23		June 24	June 24	June 24
\$000's		\$000's	\$000's	\$000's
Assets				
147,115	Total Current Assets	134,651	155,709	147,167
1,342,363	Total Non Current Assets	1,350,101	1,438,664	1,322,705
1,489,478	Total Assets	1,484,752	1,594,373	1,469,872
Liabilities				
34,562	Total Current Liabilities	28,414	29,058	41,444
14,638	Total Non Current Liabilities	20,646	24,796	18,784
49,199	Total Liabilities	49,062	53,854	60,228
1,440,279	Net Assets	1,435,690	1,540,519	1,409,644



The rate debtors outstanding at the end of June 2024 were \$8.3 million (10.96%) compared to June 2023 of \$6.3 million (8.69%).

\$0.5 million of rates were collected during the first week of July 2024, which mainly relates to 2023/24. Council is continuing its efforts on collection of outstanding rates through various measures including regular payment plans.

Overall an excellent effort to raise and collect over \$68.0 million in 2023/24 financial year.



Council cash holdings at the end of June 2024 are \$119.7M, lower than June 2023 of \$136.6M, due to delayed grant funding of \$17.8M (VGC) and above average expenditure for capital projects.

Current cash holdings include \$51.7M in restricted funds: \$11.0M to cover reserves, \$34.9M to cover provisions and trusts, \$4.3M associated with carried forwards.

The balance is generally working capital for ongoing operations.

Restricted cash is money that is reserved for specific purposes and therefore not available for general business use.

CAPITAL EXPENDITURE PROGRAM FOR THE YEAR ENDING 30 JUNE 2024

	FINANCIAL YEAR ENDING 30 JUNE 2024			
	Actual	Year End Forecast	Adopted Budget	Actual Variance to Adopted
	\$000's	\$000's	\$000's	\$000's
Property	8,573	7,503	6,760	1,813
Infrastructure	28,630	29,652	31,245	(2,615)
Plant and Equipment	5,326	4,368	4,264	1,062
Intangibles	581	585	425	156
Grand Total	43,110	42,108	42,694	416

	FINANCIAL YEAR ENDING 30 JUNE 2024			
	Actual	Year End Forecast	Adopted Budget	Variance to Adopted
	\$000's	\$000's	\$000's	\$000's
Renewal	30,311	28,658	25,650	4,661
Upgrade	4,977	5,721	8,063	(3,086)
Expansion	7,608	7,515	8,616	(1,008)
New Assets	214	214	365	(151)
Grand Total	43,110	42,108	42,694	416

Capital Works Summary - Financial Year Ending 30 June 2024

- A significant capital works program has been undertaken with many achievements and expenditure across the Shire of \$43.1 million. This figure includes \$3.3 million unbudgeted works in Natural Disaster Recovery works for Dargo High Plains Road, Wonnangatta Road and Jamieson - Licola Road being completed in the 2023/24 financial year. The Carried forward works into the 2024/25 financial year is \$8.1 million.
- The multi year Aqua Energy Sale - Redevelopment works commenced in July 2023. Stage 1 works are complete and foundations for the new pool are progressing.
- Great Southern Rail Trail Extension works were completed in June 2024 this included the construction of two bridges and trail works.
- Completion of Stratford Memorial Park Toilets and Port Albert Boat Ramp Toilets.
- Target Creek Road Licola Culvert Improvement works were completed.
- Sale - Toongabbie Roads stage 1 and stage 2 works were completed in the 2023/24 Financial year.
- Port of Sale Mooring Access project works continued in 2023/24 Financial year with expected completion to be in July 2024 after works were delayed due to natural disaster events.
- Special Charge schemes were completed in Park Street Cowwarr and Hodges Road Coongulla.
- Dargo Bushfire Recovery funded works were completed including the construction of a path, pedestrian bridge and street lighting upgrade.

CAPITAL EXPENDITURE PROGRAM FOR THE YEAR ENDING 30 JUNE 2024

The budgeted capital works not completed in 2023/24 of (\$10.4 million) largely results from:

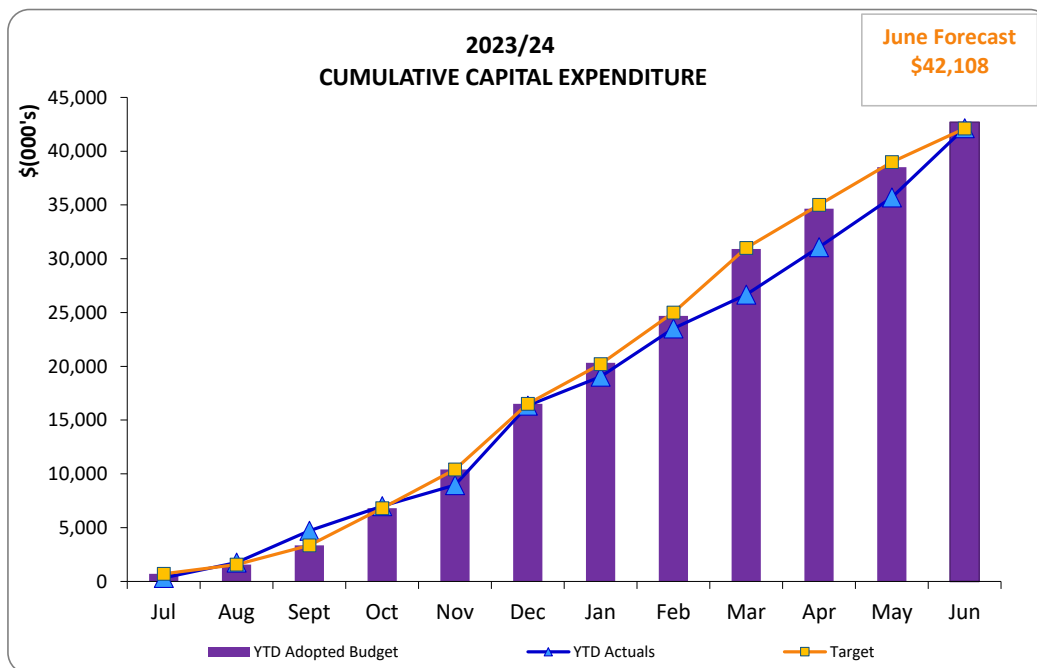
- 1) Projects delayed due to extended community consultation or liaison with other authorities, (\$7.1 million).
- 2) Unsuccessful grant applications, (\$2.3 Million).
- 3) Contractor and materials unavailability (\$1.0 million)

June 2024 Quarterly Highlights

- Gravel Path Renewal Program works and Urban Paths being completed in June 2024.
- Desailly and Macarthur Street Intersection works were completed in June 2024
- The Crest widening works at Nordens lane Maffra was completed in June 2024.
- Detailed Design Works commenced on the Sale Early Years - Gibson Road.
- Port Albert Mechanics Institute Hall rising damp rectification works were finalised in June 2024.

A number of delayed projects are being carried over into 2023/24. Overall, 5 projects are in preplanning and 5 projects are underway to be completed in the next financial year.

A total of 127 projects have reached completion for the 2023/24 financial year.



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 29 July to 11 August 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 29 July to 11 August 2024.

BACKGROUND

Section 80A of the *Local Government Act 1989* required a written record be kept of all assemblies of Councillors, stating the names of all Councillors and Council staff attending, matters considered and any conflict of interest disclosures made by a Councillor. These records were required to be reported at an ordinary meeting of the Council and recorded in the minutes. Under the new *Local Government Act 2020*, this requirement is no longer provided for however, under Council's good governance framework, Council will continue to provide records of assemblies of Councillors to ensure that the community are kept informed of Councillors activity and participation.

Following is a summary of all Assembly of Councillor records received for the period 29 July to 11 August 2024.

ATTACHMENTS

1. Assembly of Councillors 24 July 2024 - Aqua Energy Redevelopment Project Reference Group [13.1.1 - 1 page]
2. Assembly of Councillors 6 August 2024 - Council Workshop Day [13.1.2 - 1 page]

OPTIONS

Council has the following options:

1. Note and receive the attached assembly of Councillors records; or
2. Not receive the attached assembly of Councillors records.

PROPOSAL

That Council note and receive the attached assembly of Councillors records during the period 29 July to 11 August 2024.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

This impact has been assessed and there is no effect to consider at this time.

COMMUNICATION IMPACT

This impact has been assessed and there is no effect to consider at this time.

LEGISLATIVE IMPACT

The reporting of written records of assemblies of Councillors to the Council in the prescribed format complied with Section 80A of the *Local Government Act 1989* however, without prescription under the *Local Government Act 2020*, Council will continue to provide these records as part of Council's good governance framework.

COUNCIL POLICY IMPACT

This impact has been assessed and there is no effect to consider at this time.

COUNCIL PLAN IMPACT

This impact has been assessed and while it does not meet a specific Council Plan strategic outcome, it does align with Council's good governance framework.

RESOURCES AND STAFF IMPACT

This impact has been assessed and there is no effect to consider at this time.

COMMUNITY IMPACT

This impact has been assessed and there is no effect to consider at this time.

ENVIRONMENTAL IMPACT

This impact has been assessed and there is no effect to consider at this time.

ENGAGEMENT IMPACT

This impact has been assessed and there is no effect to consider at this time.

RISK MANAGEMENT IMPACT

This impact has been assessed and there is no effect to consider at this time.

ASSEMBLY OF COUNCILLORS - MEETING ORGANISED, HOSTED OR SUPPORTED BY COUNCIL

NAME OF MEETING	AQUA ENERGY REDEVELOPMENT PROJECT REFERENCE GROUP
DATE OF MEETING	24 JULY 2024

ASSEMBLY OF COUNCILLORS AND OFFICERS IN ATTENDANCE			
COUNCILLOR	ATTENDANCE	OFFICERS IN ATTENDANCE	
Cr Ian Bye	YES	Clem Gillings	General Manager Community & Culture
Cr Gayle Maher	NO	Ross McWhirter	Manager Leisure Services
Cr Carolyn Crossley	NO	Mark Benfield	Coordinator Community Facilities Planning
Cr Carmel Ripper	NO	Ray Weber	Project Officer
Cr John Tattersson	NO	Julie Baker	Executive Assistant
Cr Garry Stephens	NO	Nathan Sellings	Aquatic Operations Coordinator
Cr Jill Wood	NO	Moi Coleman	Digital Marketing Officer
Cr Marcus McKenzie	NO		
Cr Scott Rossetti	NO		
MATTERS CONSIDERED IN THE MEETING			
<ul style="list-style-type: none"> • Current Project Status provided along with construction photos • Update of the Communications around the project • Update of funding applications 			
CONFLICTS OF INTEREST NOTED*			
NIL			

* In accordance with Rule 18.5(1) of the Wellington Shire Council Governance Rules a Councillor who has a conflict of interest must not participate in discussion of matters that will come before Council for a decision, or if a decision will be made by a member of staff acting under delegation.

ASSEMBLY OF COUNCILLORS AND OFFICERS IN ATTENDANCE - COUNCIL DAY

COUNCIL WORKSHOPS – 6 AUGUST 2024			
COUNCILLOR	ATTENDANCE	OFFICERS IN ATTENDANCE	
Cr Ian Bye	YES	David Morcom	Chief Executive Officer
Cr John Tatterson	YES	Arthur Skipitaris	General Manager Organisational Performance and Governance
Cr Carolyn Crossley	YES (via Teams)	Andrew Pomeroy	General Manager Development
Cr Carmel Ripper	YES	Clem Gillings	General Manager Community and Culture
Cr Gayle Maher	NO (leave)	Chris Hastie	General Manager Built and Natural Environment
Cr Garry Stephens	YES		
Cr Jill Wood	YES		
Cr Marcus McKenzie	YES		
Cr Scott Rossetti	YES		
CONFLICTS OF INTEREST NOTED*			
NIL			

* In accordance with Rule 18.5 of the Wellington Shire Council Governance Rules a Councillor who has a conflict of interest must not participate in discussion of matters that will come before Council for a decision, or if a decision will be made by a member of staff acting under delegation.

WORKSHOP DETAILS – 6 AUGUST 2024		
ITEM NO.	WORKSHOP TITLE	PRESENTERS
1.1	DRAFT VICTORIAN TRANSMISSION GUIDELINES	<ul style="list-style-type: none"> Alistair Parker, Chief Executive Officer – DELWP, VicGrid Mitch Watson, Acting Executive Director Policy & Regulation – DEECA Kristie Cooper-Harvey, Senior Regional Engagement Officer Gippsland - DEECA Conflicts of Interest: NIL
1.2	SALE COLLEGE CAMPUS SALE OF LAND (COBAINS ROAD)	<ul style="list-style-type: none"> Daniel Gall, Coordinator Commercial Property Sam Pye, Manager Built and Natural Environment Conflicts of Interest: NIL
1.3	BUILT ENVIRONMENT UPDATE	<ul style="list-style-type: none"> Sam Pye, Manager Built and Natural Environment Conflicts of Interest: NIL

13.2. REMUNERATION COMMITTEE MINUTES

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

For Council to note and receive the minutes and endorse the actions of the Remuneration Committee meeting held on 6 August 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council:

- 1. Note and receive the minutes from the Remuneration Committee meeting held on 6 August 2024 as attached; and*
- 2. Endorse the actions from the Remuneration Committee meeting held on 6 August 2024 as detailed in the attached minutes*

ATTACHMENTS

1. Remuneration Committee minutes - 6 August 2024 [**13.2.1** - 2 pages]

OPTIONS

Council has the following options available:

1. Note and receive the minutes from the Remuneration Committee meeting held on 6 August 2024 and endorse the actions from the meeting; or
2. Not note and receive the minutes from the Remuneration Committee meeting held on 6 August 2024 or endorse the actions from the meeting and seek further information for consideration at a future Council meeting.

PROPOSAL

It is proposed that Council:

1. Note and receive the minutes from the Remuneration Committee meeting held on 6 August 2024 as attached; and
2. Endorse the actions from the Remuneration Committee meeting held on 6 August 2024 as detailed in the attached minutes.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

This impact has been assessed and there is no effect to consider at this time.

COMMUNICATION IMPACT

This impact has been assessed and there is no effect to consider at this time.

LEGISLATIVE IMPACT

This impact has been assessed and there is no effect to consider at this time.

COUNCIL POLICY IMPACT

The Remuneration Committee reviews councillor entitlements, expenses, reimbursements and gifts and ensures alignment with Council policy direction and governance in relation to councillor benefits.

COUNCIL PLAN IMPACT

This impact has been assessed and while it does not meet a specific Council Plan strategic outcome, it does align with Council's good governance framework.

RESOURCES AND STAFF IMPACT

This impact has been assessed and there is no effect to consider at this time.

COMMUNITY IMPACT

This impact has been assessed and there is no effect to consider at this time.

ENVIRONMENTAL IMPACT

This impact has been assessed and there is no effect to consider at this time.

ENGAGEMENT IMPACT

This impact has been assessed and there is no effect to consider at this time.

RISK MANAGEMENT IMPACT

This impact has been assessed and there is no effect to consider at this time.

**REMUNERATION COMMITTEE****Tuesday 6 August 2024 – 10.00am****MINUTES**

PRESENT: Councillor Ian Bye
Councillor Marcus McKenzie
Councillor John Tatterson
David Morcom (Chief Executive Officer)
Arthur Skipitaris (General Manager Corporate Services)

APOLOGIES: Nil

- 1. Declaration of Conflicts of Interest:**
No Conflicts of Interest were declared.
- 2. Minutes of Previous Meeting:**
The minutes of the previous meeting on 7 May 2024 were accepted.
- 3. Actions from previous minutes**
Nil.
- 4. Councillor Costs and Reimbursements**
Councillor Costs and Reimbursements spreadsheets were reviewed, discussed and accepted. A minor expense was queried and a response was provided via email following the meeting.
 - Councillor Expense Summary Report YTD – 30 June 2024 (Attachment 1)
- 5. Superannuation Overpayment Update**
Verbal update noted.
- 6. General Business**

The meeting closed at 10.15am

Attachment 1 – Councillor Expense Summary Report YTD – 30 June 2024

Councillor Expenses and Reimbursements - Period 01 July 2023 to 30 June 2024					
	2023/24 Actuals	Commitments	Left to spend/ receive after commitments	2023/24 Adopted Budget	2023/24 Adjusted Budget
Councillor and Mayoral Allowances	383,906.24	-	33,863.76	417,770.00	417,770.00
Other Councillor expenses	97,539.40	-	630.60	98,170.00	98,170.00
Grand Total	481,445.64	-	34,494.36	515,940.00	515,940.00

14. GENERAL MANAGER DEVELOPMENT

14.1. MONTHLY PLANNING DECISIONS - JUNE 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 June 2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 June and 30 June 2024.

BACKGROUND

Statutory Planners have delegated authority under the *Planning and Environment Act 1987* to make planning decisions in accordance with the *Planning and Environment Act 1987* and the Wellington Planning Scheme, including the issue of planning permits, amended permits, extensions of time, refusal of planning permits and notices of decision to grant a planning permit.

A copy of planning permit decisions made between 1 June and 30 June 2024 is included in Attachment, '*Planning Decisions Report - June 2024*'.

An overview of recent planning permit trends including decisions made, efficiency of decision making and the estimated value of approved development (derived from monthly planning permit activity reporting data) is included in Attachment '*Planning Trends Report - June 2024*'.

ATTACHMENTS

1. Planning Decisions Report - June 2024 [14.1.1 - 3 pages]
2. Planning Trends Report - June 2024 [14.1.2 - 3 pages]

OPTIONS

Council has the following options available:

1. Receive 1 June to 30 June 2024 Planning Decisions Report; or
2. Not receive 1 June to 30 June 2024 Planning Decisions Report and seek further information for consideration at a future Council meeting.

PROPOSAL

That Council note the report of recent planning permit trends and planning application determinations between 1 June and 30 June 2024.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

This impact has been assessed and there is no effect to consider at this time.

COMMUNICATION IMPACT

The monthly report communicates information about planning trends and determinations including the issue of planning permits, amended permits, refusal of planning permits, and notices of decision to grant a planning permit.

LEGISLATIVE IMPACT

All planning decisions have been processed and issued in accordance with the *Planning and Environment Act 1987* and the Wellington Planning Scheme.

COUNCIL POLICY IMPACT

All planning decisions have been issued after due consideration of relevant Council policy, including Council's Heritage Policy, and the requirements of the Planning Policy Framework in the Wellington Planning Scheme.

COUNCIL PLAN IMPACT

The Council Plan 2021-25 Theme 2 "Economy and Sustainable Growth" states the following strategic outcomes:

Strategic Outcome 2.1: *"A diverse economy that creates jobs and opportunities."*

Strategic Outcome 2.3: *"An increase in variety of housing choice to support equitable access to housing."*

This report supports the above Council Plan strategic outcomes.

RESOURCES AND STAFF IMPACT

This impact has been assessed and there is no effect to consider at this time.

COMMUNITY IMPACT

This impact has been assessed and there is no effect to consider at this time.

ENVIRONMENTAL IMPACT

Planning decisions are made in accordance with the relevant environmental standards to ensure that environmental impacts are minimised.

ENGAGEMENT IMPACT

This impact has been assessed and there is no effect to consider at this time.

RISK MANAGEMENT IMPACT

This impact has been assessed and there is no effect to consider at this time.

**PLANNING APPLICATION DETERMINATIONS
BETWEEN 1/06/2024 AND 30/06/2024**

Application No/Year	Date Received	Property Title & Address	Proposal	Status
346-5.00/2010	18/04/2024	Assessment No. 448324 LOT: A PS: 847902J 13 COBAINS RD SALE	Multi lot staged subdivision of the land.	Permit Issued by Delegate of Resp/Auth 6/06/2024
363-2.00/2015	9/11/2023	Assessment No. 204099 LOT: 4 PS: 428222V 56 NEWNHAM RD LONGFORD	2 Lot subdivision of the land (Change to building envelope plan).	Withdrawn 20/06/2024
362-2.00/2017	19/01/2024	Assessment No. 77941 CA: 12 SEC: 48 1 REDBANK CT STRATFORD	Subdivision of the Land in 26 Lots.	Permit Issued by Delegate of Resp/Auth 7/06/2024
542-2.00/2021	22/05/2024	Assessment No. 410050 CA: 114B SEC: 1 PRINCES HWY SALE	Multi lot residential subdivision.	Permit Issued by Delegate of Resp/Auth 17/06/2024
610-2.00/2021	30/04/2024	Assessment No. 190967 LOT: A PS: 845501P LYONS ST ROSEDALE	Staged s/b/d of land into 26 lots create new access to T2 & remove veg	Permit Issued by Delegate of Resp/Auth 17/06/2024
506-1.00/2022	10/11/2022	Assessment No. 106039 LOT: 2 PS: 401597A 678 SALE-HEYFIELD RD FULHAM	Use and Development of the land for a gravel extraction business.	Permit Issued by Delegate of Resp/Auth 18/06/2024
33-2.00/2023	6/06/2024	Assessment No. 200345 PCA: 16A SEC: B 616 GARRETTS RD LONGFORD	Use and development of the land for an industrial building.	Permit Issued by Delegate of Resp/Auth 13/06/2024
72-2.00/2023	7/06/2024	Assessment No. 450973 LOT: S2 PS: 324120J TYSON RD HEYFIELD	Multi lot subdivision of the land.	Permit Issued by Delegate of Resp/Auth 27/06/2024
98-1.00/2023	24/03/2023	Assessment No. 86850 LOT: 1 LP: 605360W 105 LIND AVE DARGO	6 Lot Subdivision of the Land and new driveway to TRZ2.	Permit Issued by Delegate of Resp/Auth 7/06/2024
196-2.00/2023	8/05/2024	Assessment No. 213454 LOT: 239 LP: 52647 6 AZURE AVE GOLDEN BEACH	B & W associated with the construction of a dwelling.	Permit Issued by Delegate of Resp/Auth 4/06/2024
371-1.00/2023	25/10/2023	Assessment No. 399303 LOT: 1 PS: 537575B 16 COBAINS RD SALE	Buildings & works associated with an extension to existing building.	Permit Issued by Delegate of Resp/Auth 6/06/2024

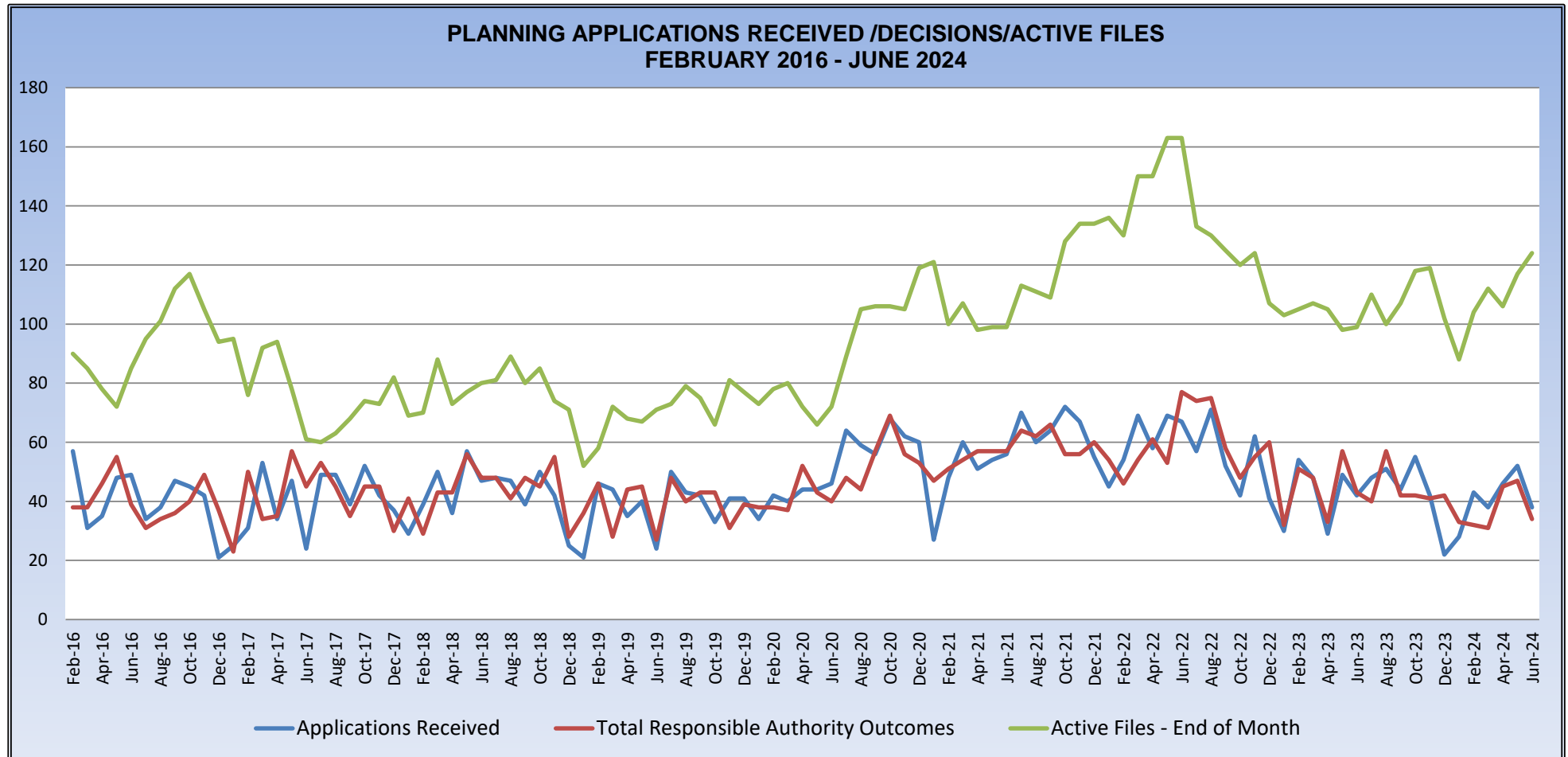
ATTACHMENT 14.1.1

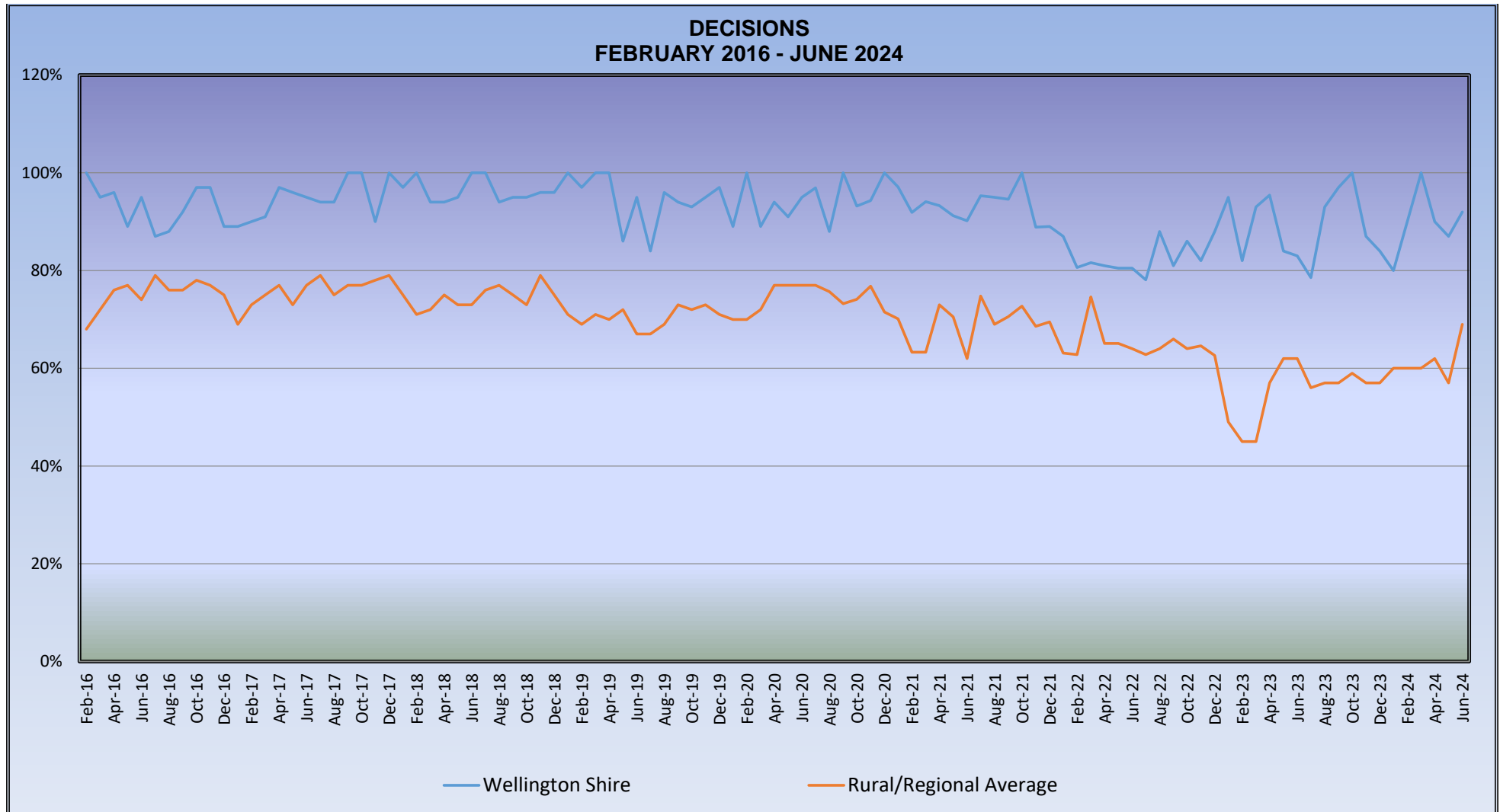
Application No/Year	Date Received	Property Title & Address	Proposal	Status
384-1.00/2023	3/11/2023	Assessment No. 277434 LOT: 2 PS: 128347 43 NAPIER ST PORT ALBERT	Buildings & works associated with alterations and additions.	Permit Issued by Delegate of Resp/Auth 3/06/2024
23-1.00/2024	1/02/2024	Assessment No. 400408 LOT: 1 PS: 545569A 90 THOMSON LANE SEATON	Buildings & works associated with the construction of a dwelling.	Permit Issued by Delegate of Resp/Auth 3/06/2024
51-1.00/2024	23/02/2024	Assessment No. 31625 LOT: 2 LP: 25586 202 STAWELL ST SALE	2 lot subdivision of the land.	Permit Issued by Delegate of Resp/Auth 20/06/2024
64-1.00/2024	5/03/2024	Assessment No. 1735 LOT: 2 PS: 613333E 28 COBAINS RD SALE	B & W associated with the construction of an industrial building.	Permit Issued by Delegate of Resp/Auth 5/06/2024
96-1.00/2024	4/04/2024	Assessment No. 225441 LOT: 337 LP: 50201 42 CAMPBELL ST LOCH SPORT	Buildings & works associated with the construction of a dwelling.	Permit Issued by Delegate of Resp/Auth 28/06/2024
99-1.00/2024	8/04/2024	Assessment No. 50252 PPC: 170877E 153-161 YORK ST SALE	Alterations of an existing liquor licence.	Permit Issued by Delegate of Resp/Auth 18/06/2024
103-1.00/2024	11/04/2024	Assessment No. 300269 LOT: 1 TP: 821692 8 GREENMOUNT RD YARRAM	Buildings & works associated with the construction of a farm shed.	Permit Issued by Delegate of Resp/Auth 13/06/2024
116-1.00/2024	16/04/2024	Assessment No. 333831 LOT: 1 TP: 522254T 33-35 RAILWAY PDE BRIAGOLONG	Buildings & works associated with the construction of a dwelling.	Permit Issued by Delegate of Resp/Auth 13/06/2024
121-1.00/2024	18/04/2024	Assessment No. 265108 LOT: 1 TP: 321053A 1,906 TARRA VALLEY RD TARRA VALLEY	Buildings and works associated with the construction of a shed.	Permit Issued by Delegate of Resp/Auth 14/06/2024
123-1.00/2024	23/04/2024	Assessment No. 357731 CA: A1 SEC: A BEN CRUACHAN RD MONOMAK	Use of the land for a motorcycle racing event.	Permit Issued by Delegate of Resp/Auth 7/06/2024
135-1.00/2024	1/05/2024	Assessment No. 291021 LOT: 1 TP: 3415R 351 COMMERCIAL RD YARRAM	Subdivision of the land into 2 lots.	Permit Issued by Delegate of Resp/Auth 18/06/2024
149-1.00/2024	9/05/2024	Assessment No. 202069 CA: 13B SEC: B JOHNSONS RD LONGFORD	Removal of native vegetation.	Permit Issued by Delegate of Resp/Auth 17/06/2024

ATTACHMENT 14.1.1

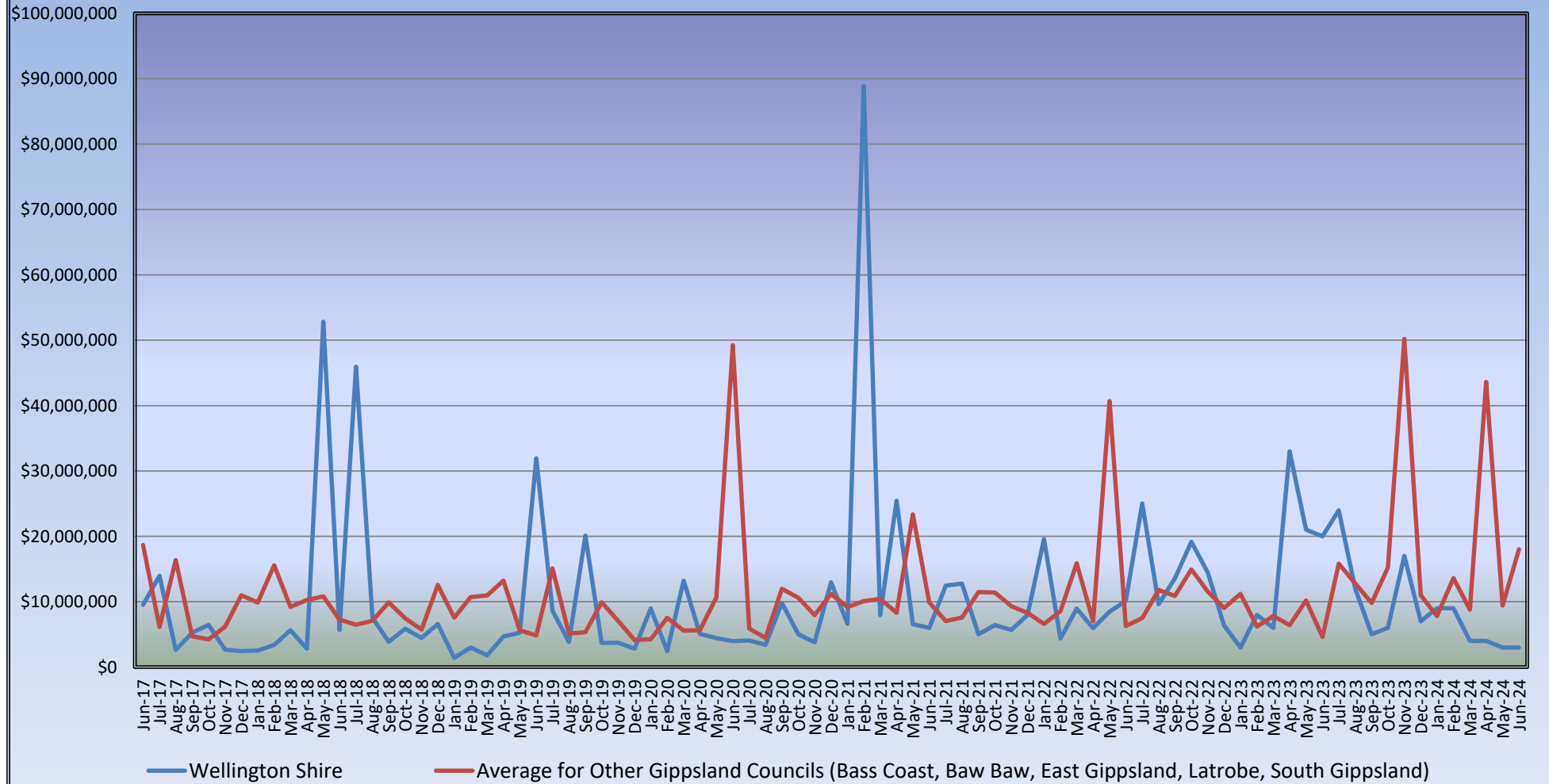
Application No/Year	Date Received	Property Title & Address	Proposal	Status
153-1.00/2024	16/05/2024	Assessment No. 396812 LOT: 34 PS: 527845E 29 EVELYN DR SALE	Variation to restrictive covenant/subdivision of the land into 2 lots.	Permit Issued by Delegate of Resp/Auth 27/06/2024
155-1.00/2024	17/05/2024	Assessment No. 378224 LOT: 5 PS: 536611F 5-7 RIVERSIDE DR WURRUK	B/W assoc with const of 3 industrial buildings & s/d of the land.	Permit Issued by Delegate of Resp/Auth 17/06/2024
166-1.00/2024	24/05/2024	Assessment No. 356485 LOT: 1 PS: 705863L 1A SALE RD MAFFRA	Buildings & works associated with extension to an existing building.	Permit Issued by Delegate of Resp/Auth 5/06/2024
172-1.00/2024	3/06/2024	Assessment No. 243089 LOT: 1317 LP: 58872 4 THRIPTOMENE ST LOCH SPORT	Buildings & works associated with the construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 13/06/2024
175-1.00/2024	4/06/2024	Assessment No. 272203 CA: 57B 271 WON WRON RD CALROSSIE	B & W associated with the construction of an agricultural building.	Permit Issued by Delegate of Resp/Auth 13/06/2024
178-1.00/2024	7/06/2024	Assessment No. 216457 PC: 366838K 24-26 ASTRO AVE GOLDEN BEACH	Buildings & works associated with the construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 18/06/2024
180-1.00/2024	7/06/2024	Assessment No. 348888 CA: A1 171 SMYTHS RD VALENCIA CREEK	B & W associated with the construction of a replacement dwelling.	Permit Issued by Delegate of Resp/Auth 19/06/2024
184-1.00/2024	12/06/2024	Assessment No. 394676 LOT: 1 PS: 433839W 309 CLYDEBANK RD AIRLY	B & W assoc with the construction of an outbuilding (home office).	No Permit Required 19/06/2024
185-1.00/2024	12/06/2024	Assessment No. 454066 LOT: 1 TP: 246120 103 WOODSIDE BEACH RD WOODSIDE	B & W assoc with the construction of an agricultural building.	Withdrawn 21/06/2024
187-1.00/2024	14/06/2024	Assessment No. 276584 LOT: 33 BLK: 4 LP: 3222 32 ALBERT ST PORT ALBERT	Buildings & works associated with the construction of an outbuilding.	Permit Issued by Delegate of Resp/Auth 24/06/2024

Total No of Decisions Made: 33





**ESTIMATED VALUE OF WORKS
JUNE 2017 - JUNE 2024**



14.2. PROPOSED SALE - (PART) COBAINS ROAD, SALE

ACTION OFFICER: MANAGER ECONOMIC DEVELOPMENT

PURPOSE

For Council to authorise the sale of land described as Proposed Lot 1 (PS905306F) Cobains Road, Sale.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council:

- 1. Resolve that the property described as Proposed Lot 1 (PS905306F) Cobains Road, Sale as shown on the plan within is not required for Council purposes.***
- 2. Authorise the Chief Executive Officer to offer the land for sale to the Victorian School Building Authority at the current market value and execute necessary documents.***
- 3. Note that the information contained in the confidential documents at Attachment 14.2.2 Valuation Report – Proposed Lot 1 (PS905306F) Cobains Road, Sale and Attachment 14.2.3 Heads of Agreement – Proposed Sale Proposed Lot 1 (PS905306F) Cobains Road, Sale are designated pursuant to section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Development on 9 August 2024 because they relate 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.***

BACKGROUND

Wellington Shire Council owns land situated on the corner of Gibsons Road and Cobains Road, Sale. The land was previously compulsorily acquired by Council in 2011 for the purpose of providing future sporting infrastructure.

In 2018 the land was recognised in the North Sale Development Plan as providing for future sporting uses (ovals) and for accommodating essential drainage required to support surrounding development.



Figure 1 – North Sale Development Plan (Figure 24 - Drainage p69)

In 2021–22 the Victorian State Government allocated a budget of \$3 million for the Victorian School Building Authority (VSBA) acting on behalf of the Department of Education to determine an optimal location for a new consolidated Sale College Campus.

Since this time the VSBA has been working with Sale College and Council where a site located on Cobains Road, Sale was selected as the preferred site.

An area of 8.583 hectares is proposed to be subdivided with Council retaining ownership of the balance of land – refer Figure 2.

The subject land comprises undeveloped vacant land and is not known to have supported any previous significant development. It has historically been used for grazing. The land is zoned Public Use Zone 6 – Local Government (PUZ6) and is subject to a Design Development Overlay (DDO6). The property is surrounded by Farm Zone with the Gippsland Regional Sports Complex (GRSC) to the south.

Following consideration of the VSBA’s request, the land has been assessed as being suitable to be considered for disposal to facilitate the location for the new school.

The request from VSBA has previously been discussed with Council at a Development Division update in 2023. Since this time, a valuation has been obtained and the VSBA has progressed other design details. The land will be sold at current market value where the Valuer General Victoria has received joint instruction from VSBA and Council to complete the assessment - refer to confidential attachment “Valuation Report – Proposed Lot 1 (PS905306F) Cobains Road Sale”.

Whilst budget for the construction of the new school has not yet been allocated, the VSBA has confirmed budget exists to complete the land purchase.

ATTACHMENTS

1. Confidential Header Proposed Sale Proposed Lot 1 PS905306F Cobains Road Sale [14.2.1 - 1 page]
2. CONFIDENTIAL REDACTED - Valuation Report – Proposed Lot 1 (PS905306F) Cobains Road Sale [14.2.2 - 65 pages]
3. CONFIDENTIAL REDACTED - Heads of Agreement - Proposed Sale Proposed Lot 1 (PS905306F) Cobains Road, Sale [14.2.3 - 15 pages]

OPTIONS

Council has the following options available:

1. Progress the sale; or
2. Not progress any sale at this time.

PROPOSAL

That:

1. Council resolve that property described as Proposed Lot 1 (PS905306F) Cobains Road, Sale as shown on the plan within is not required for Council purposes.
2. Council authorise the Chief Executive Officer to offer for sale the land to the Victorian School Building Authority at the current market value and execute necessary documents.
3. Note that the information contained in the confidential documents at Attachment 14.2.2 Valuation Report – Proposed Lot 1 (PS905306F) Cobains Road, Sale and Attachment 14.2.3 Heads of Agreement – Proposed Sale Proposed Lot 1 (PS905306F) Cobains Road, Sale were designated confidential under Section 3(1) Confidential Information of the *Local Government Act 2020* by the General Manager Development on 9 August 2024 because they relate 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.

CONFLICT OF INTEREST

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

FINANCIAL IMPACT

This report recommends a sale of property at market value. Completing the sale will result in a positive financial impact for Council.

It is noted there will be some minor costs associated with the sale including legal.

Following completion of the sale, Council has the ability to direct proceeds towards identified road related projects including the widening of sections of Cobains Road and construction of a new intersection at Gibsons and Cobains Road. Budgeting for this will be included (or updated) in Council's capital works budget as required.

COMMUNICATION IMPACT

In accordance with s114 and s116 of *Local Government Act 2020*, Council is not required to provide public notice of its intention to sell land when the sale is to another (government) authority.

LEGISLATIVE IMPACT

The sale of this property is required to comply with relevant legislative requirements including Section 116 of the *Local Government Act 2020* (Vic).

COUNCIL POLICY IMPACT

Wellington Shire Council's Policy for the Sale, Exchange and Acquisition of Land accords with best practice guidelines. It states that transactions should be in the best interests of the community and provide the best result (financial and non-financial) for Council and the community.

COUNCIL PLAN IMPACT

The Council Plan 2021-25 Theme 2 "Economy and Sustainable Growth" states the following strategic outcomes:

Strategic Outcome 2.1: *"A diverse economy that creates jobs and opportunities."*

Strategic Outcome 2.2: *"A community that has the capacity and skills to meet our economic needs."*

The Council Plan 2021-25 Theme 3 "Liveability and Wellbeing" states the following strategic outcome:

Strategic Outcome 3.4: *"Improved access to and participation in support services focussing on those who are vulnerable including: young children, youth, people living with a disability and seniors."*

This report supports the above Council Plan strategic objectives and strategies.

RESOURCES AND STAFF IMPACT

This matter is being addressed within the existing resources of the Economic Development Business Unit.

COMMUNITY IMPACT

Progressing this sale will support current and future education services within Sale and districts in addition to ensuring future development can occur where drainage and sporting infrastructure outcomes are maintained.

ENVIRONMENTAL IMPACT

This impact has been assessed and there are no immediate environmental impacts associated with the sale of this land.

ENGAGEMENT IMPACT

Council requested VSBA consult with the Department of Defence noting the proximity to RAAF Base East Sale.

Council has been advised that VSBA has completed this engagement and incorporated relevant aspects into their project.

Due to the nature of negotiations and at VSBA's request there has been no broad community engagement related to the specific details of this land transaction.

RISK MANAGEMENT IMPACT

The recommendation within this report is considered to have addressed any risk management impacts.



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

**ORDINARY COUNCIL MEETING
20 AUGUST 2024**

On this day, Friday 9 August 2024, in accordance with Section 3(1) of the *Local Government Act 2020*; I, Andrew Pomeroy, General Manager Development declare that the information contained in the attached documents **Valuation Report – Proposed Lot 1 (PS905306F) Cobains Road, Sale and Heads of Agreement – Proposed Lot 1 (PS905306F) Cobains Road, Sale** are confidential because they relate to the following grounds under Section 3(1) of the *Local Government Act 2020*:

- (g) (ii) private commercial information, being information by a business, commercial or financial undertaking that - if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**

ANDREW POMEROY, GENERAL MANAGER DEVELOPMENT

15. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

15.1. ESTABLISH TRUST FOR NATURE COVENANT ON COUNCIL PROPERTY - NEILS ROAD, TARRAVILLE

ACTION OFFICER: MANAGER NATURAL ENVIRONMENT AND PARKS

PURPOSE

To recommend that Council consider protection for a high value vegetation community on a parcel of Council freehold land at Neils Road, Tarraville, through a Trust for Nature covenant.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council authorise the Chief Executive Officer to progress the registration of a Trust for Nature covenant over the Council land at Neils Road, Tarraville, Standard Parcel Identifier 21C\PP3557, for the purposes of conservation protection.

BACKGROUND

In October 2022, Wellington Shire Council was approached by Trust for Nature Victoria (TfN) regarding the parcel of land at Neils Road, Tarraville (SPI 21C\PP3557, Title Number 2403\569). TfN proposed the establishment of a protective covenant to protect the high environmental values of the land, having identified the property while assessing adjacent private landholdings.

The land was subsequently assessed by Council's Land and Natural Resources Coordinator recognising the land having very high environmental value. The land realises a contiguous patch of vegetation across adjoining privately managed conservation holdings, warranting consideration for permanent protection for ecological value.

Key stakeholders within Council were consulted to determine any strategic interests in the land parcel. The land is considered of marginal agricultural value and has negligible development potential.

Establishing a Trust for Nature Covenant

Trust for Nature functions under the State Government legislation: *Victorian Conservation Trust Act 1972*. This function assists protection of environmental values on private land in Victoria.

The process involves placing a covenant on the title of the land, which has the effect of permanently protecting the ecological values of the land from any possible negative land uses into perpetuity.

For the Neils Road property, TfN has offered to

- Develop and process all legal documents required to establish the covenant.
- Develop a management plan for the site, linked to the covenant to ensure the high ecological values are maintained.
- Cover all costs associated with establishing the covenant, at no fee to Council.

The benefits of establishing a TfN covenant on title at the Neils Road property include:

- Permanent protection of the environmental values on site;
- Contribution to a broader landscape scale conservation effort;
- Alignment with Council strategic direction through a proactive conservation effort;
- No cost to Council to establish the covenant;
- No additional on-going management costs.

Neils Road Site – Ecological Significance

The vegetation on the block is of high ecological importance. It contains two Ecological Vegetation Classes (EVC) being Coastal Saltmarsh and Swamp Scrub.

Swamp Scrub is classified as Endangered under the Australian Government's *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Coastal Saltmarsh vegetation provides many important ecological functions such as;

- Protecting shorelines from extreme weather events (acts as a buffer preventing erosion);
- Providing feeding grounds for migratory birds (both Australian natives and international migrators);
- Providing nursery grounds for a multitude of marine species;
- Providing a parcel of important habitat for retreating of species in the event of changing sea levels as it is susceptible to changing sea levels arising from climate change.

Significant Flora and Fauna observations have been recorded in close vicinity to the site, including the following two bird species:

- Curlew Sandpiper (*Calidris ferruginea*) is listed as Critically Endangered (EPBC Act 1999) and has been recorded approximately 500m from the site.
- Red Knot (*Calidris canutus*) is listed as Vulnerable (EPBC Act 1999) has been recorded less than 400m from the site.

Both the Red Knot and Curlew Sandpiper are migratory birds which breed and spend most of their life around the Arctic Circle, seasonally migrating to the southern coast of Australia to forage in wetland environments.

The *EPBC Act 1999* lists several plant species found at the site as significant flora.

- Beaded Glasswort (*Salicornia quinqueflora*) - Vulnerable.
- Tiny Arrowgrass (*Triglochin minutissima*) - Rare
- Grey Mangrove (*Avicennia marina*) - Rare

Establishing a TfN covenant on this land will strengthen the conservation efforts attained in the surrounding landscape, contributing to broader landscape conservation efforts.

- The site is flanked on its eastern edge by the RAMSAR listed Corner Inlet Wetland. RAMSAR is an international convention that recognises wetlands of international significance.
- The property to the south is private freehold land that is protected by an established Trust for Nature Covenant.

This opportunity to protect the Neils Road property environmental values aligns directly with Strategic Direction 1 of the Council Plan 2021-2025 – Environment and Climate Change. The protection of this site through a Trust for Nature covenant demonstrates Council's commitment to being an environmental steward in valuing and protecting the natural environment.

Site Management Considerations

Current management costs associated with the land are minimal due to the excellent condition of the site.

Management tasks involve an annual inspection for weeds, and to ensure that perimeter fencing is intact. Over recent years, there has been no requirement for maintenance activities due to

- the high quality of the vegetation (lack of weeds) on this land and surrounding areas.
- effective livestock exclusion fencing on surrounding property boundaries; and
- the relative inaccessibility of the site to the public.

The management plan that forms part of the proposed covenant will not increase the management requirements for the site. The requirements are anticipated to be limited to maintaining existing weed levels and continuing to exclude stock.

There is no anticipated impact to Council operating costs through the enactment of the covenant and associated management plan. Current land management requirements are resourced through existing operational budgets.

Next Steps

If the recommendation is adopted, TfN will be notified of the approval to proceed with development of the site management plan and to commence the process for placing a covenant on title.

CONFLICT OF INTEREST

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

ATTACHMENTS

1. Neils Road Tarraville - Property Location Map [**15.1.1** - 1 page]

OPTIONS

Council has the following options available:

1. That Council authorise the Chief Executive Officer to progress the registration of a Trust for Nature covenant over the Council land at Neils Road, Tarraville, SPI 21C\PP3557, for the purposes of conservation protection.
2. Council rejects the proposal to register a Trust for Nature covenant over the Council land at Neils Road, Tarraville, and continue to manage the parcel as is as Council freehold land.

PROPOSAL

That Council authorise the Chief Executive Officer to progress the registration of a Trust for Nature covenant over the Council land at Neils Road, Tarraville, SPI 21C\PP3557, for the purposes of conservation protection.

FINANCIAL IMPACT

There is no anticipated impact to Council operating costs through the enactment of the covenant and associated management plan. Current land management requirements are resourced through existing operational budgets. There is no cost to Council to establish the covenant and no additional on-going management costs.

COMMUNICATION IMPACT

The protection of this site through a Trust for Nature covenant demonstrates Council's commitment to being an environmental steward in valuing and protecting the natural environment. The action to protect the Neils Road property and its environmental values is a demonstration of Council delivering on Strategic Direction 1 of the Council Plan 2021-2025 – Environment and Climate Change.

LEGISLATIVE IMPACT

A Trust for Nature covenant over the Council land at Neils Road, Tarraville, for the purposes of conservation protection in perpetuity is issued under State Government legislation being the *Victorian Conservation Trust Act 1972*. This function assists protection of environmental values on private land in Victoria.

COUNCIL POLICY IMPACT

This opportunity to protect the Neils Road property environmental values aligns directly with Strategic Direction 1 of the Council Plan 2021-2025 – Environment and Climate Change. Key stakeholders within Council were consulted to determine any strategic interests in the land parcel. The land is considered of marginal agricultural value and has negligible development potential.

COUNCIL PLAN IMPACT

The Council Plan 2021-25 Strategic Direction 1 "Environment and Climate Change" states the following outcomes:

Strategic Outcome 1.3: *"The natural environment is valued, protected and accessible."*

Strategic Outcome 1.4: *"Council is an environmental steward with a reducing carbon footprint."*

This report supports the above Council Plan strategic outcomes.

RESOURCES AND STAFF IMPACT

Current management costs associated with the land are minimal due to the excellent condition of the site. There is no anticipated impact to Council operating costs through the enactment of the covenant and associated management plan. Current land management requirements are resourced through existing operational budgets.

COMMUNITY IMPACT

The protection of this site through a Trust for Nature covenant demonstrates Council's commitment to being an environmental steward in valuing and protecting the natural environment. The action identifies Council's delivery on the Council Plan 2021-2025 that the natural environment is valued, protected and accessible developed to deliver on the community's vision. The land is assessed as of marginal agricultural value and has negligible development potential when considering other community uses.

ENVIRONMENTAL IMPACT

This impact has been assessed and there are only positive effects to the environment achieved through this proposal. The vegetation on the block is of high ecological importance. It contains two Ecological Vegetation Classes (EVC) being Coastal Saltmarsh and Swamp Scrub. Significant Flora and Fauna observations have been recorded in close vicinity to the site. Establishing a TfN covenant on this land will strengthen the conservation efforts attained in the surrounding landscape, contributing to broader landscape conservation efforts.

ENGAGEMENT IMPACT

Surrounding properties are sparsely distributed and will experience no change to the land's management as a result of the addition of a conservation covenant.

RISK MANAGEMENT IMPACT

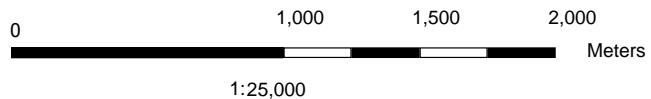
The proposal is considered of minimal risk. Conservation of high value environmental values is considered the highest order priority for the parcel of land. Ensuring effective management of the parcel to the covenanted status carries obligations which can be met through Council's standard operating budget assigned for such purposes. Given the location of the land parcel for alternative use and purpose that maybe foregone, it is assessed as of marginal agricultural value, has negligible development potential and is intertidal land subject to coastal inundation.



Council Property - Neils Road, Tarraville



Property Title Identifiers: SPI 21C\PP3557, Title Number 2403\569



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Print Date: 9/08/2024 10:24:03 AM

15.2. ASPHALT PROGRAM URBAN STREETS SALE AND HEYFIELD 2024/25

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

For Council to consider entering a 2024/25 contract for asphalt re-sheeting of urban streets in Sale and Heyfield. This is part of the asphalt program that occurs on an annual basis for various locations throughout the shire.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council:

- 1. Adopt the recommendations contained in the attached confidential Tender Contract 2025 – 004 Evaluation Report for the Asphalt Program Urban Streets, Heyfield and Sale 2024/25; and***
- 2. Note that the information contained in the confidential attachment Tender Contract 2025 – 004 Evaluation Report for the Asphalt Program Urban Streets, Heyfield and Sale 2024/25, was designated confidential by the General Manager Built and Natural Environment on 9 August 2024 because it contains confidential information as defined in section 3(1) of the Local Government Act 2020;
(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;
except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

The Asphalt Program for Urban Streets is an annual program targeted at highly trafficked streets, carparks or reserves where a spray sealing treatment is not cost effective. The works comprise, but are not limited to major patching, asphalt resurfacing and linemarking of the resurfaced pavement.

Accordingly, a tender was advertised for these works and has been evaluated and a contract has now been prepared for Council's consideration.

ATTACHMENTS

1. Confidential Header Asphalt Program Urban Streets, Sale and Heyfield 2024/25 [15.2.1 - 1 page]
2. CONFIDENTIAL REDACTED - Tender Contract 2025-004 Evaluation Report for Asphalt Program Urban Streets, Sale and Heyfield 2024/25 [15.2.2 - 5 pages]

OPTIONS

Council has the following options available:

1. Adopt the recommendations contained in the attached confidential Tender Contract 2025 – 004 Evaluation Report for the Asphalt Program Urban Streets, Heyfield and Sale 2024/25;
2. Not enter into a contract and not proceed with these works at this time.

PROPOSAL

That Council adopt the recommendations contained in the attached confidential Tender Contract 2025 – 004 Evaluation Report for the Asphalt Program Urban Streets, Heyfield and Sale 2024/25.

CONFLICT OF INTEREST

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

COLLABORATION

Pursuant to section 109(2) of the *Local Government Act 2020*, no collaborative opportunities have been identified for this one-off project.

FINANCIAL IMPACT

These works have been budgeted for under the 2024-2025 capital works program.

COMMUNICATION IMPACT

This impact has been assessed and there is no effect to consider at this time.

LEGISLATIVE IMPACT

Wellington Shire Council is committed to ensuring the Contract tendering process complies with the *Local Government Act 2020* and the Best Practice Procurement Guidelines for Victorian Local Government.

COUNCIL POLICY IMPACT

These works are in line with Council's policies of maintaining and enhancing Council's infrastructure.

COUNCIL PLAN IMPACT

The Council Plan 2021-25 Theme 4 "Services and Infrastructure" states the following strategic outcome:

Strategic Outcome 4.2: *"Services deliver operating efficiencies and best value."*

This report supports the above Council Plan strategic outcome.

RESOURCES AND STAFF IMPACT

This project will be undertaken with the resources of the Assets and Projects unit.

COMMUNITY IMPACT

There will be minor impact on the community in delivering this project. There will be some short term impact to road users while the works are in progress, however the long term benefits will be positive with upgraded road surfaces resulting in increased amenity and safer roads.

ENVIRONMENTAL IMPACT

This impact will have minimal environmental impact, with the contractors providing an Environmental Management Plan which will be strictly monitored.

ENGAGEMENT IMPACT

Wellington Shire Council's standard consultation practices will be implemented on this project.

RISK MANAGEMENT IMPACT

It is considered that the proposed contract works will not expose Wellington Shire Council to any significant risks. All Occupational Health and Safety risks will be discussed with the contractor and allocated to the party in the best position to manage each risk.



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

**ORDINARY COUNCIL MEETING
20 AUGUST 2024**

I declare that the information contained in the attached document **TENDER CONTRACT 2025 – 004 EVALUATION REPORT** relating to **ASPHALT PROGRAM URBAN STREETS, SALE AND HEYFIELD 2024/25** is confidential because it contains confidential information as defined in section 3(1) of the *Local Government Act 2020*;

(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released

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[CHRIS HASTIE
General Manager Built and Natural Environment
9/08/2024

15.3. MILLS STREET RECONSTRUCTION WORKS HEYFIELD

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

For Council to consider entering a contract for the reconstruction of a section of Mills Street in Heyfield.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council:

- 1. Adopt the recommendations contained in the attached confidential Tender Contract 2025 – 005 Evaluation Report for Mills Street Reconstruction Works, Heyfield; and***
- 2. Note that the information contained in the confidential attachment Tender Contract 2025 – 005 Evaluation Report for Mills Street Reconstruction Works, Heyfield, was designated confidential by the General Manager Built and Natural Environment on 9 August 2024 because it contains confidential information as defined in section 3(1) of the Local Government Act 2020; (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; except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

Mills Street in Heyfield is beginning to fail in several locations and kerb and channel is at the end of its life and beyond maintenance intervention. The works under this contract involve the replacement of kerb and channel, construction of footpaths where they do not currently exist and reconstruction of the entire length between Tyson and Weir Roads.

Accordingly, designs have been completed and a tender advertised for these works, which allowed for options with the pavement design. The submitted tenders have now been evaluated and a contract has been prepared for Council's consideration.

ATTACHMENTS

1. Confidential Header Mills Street Reconstruction Works, Heyfield [15.3.1 - 1 page]
2. CONFIDENTIAL REDACTED - Tender Contract 2025-005 Evaluation Report for Mills Street Reconstruction Works, Heyfield [15.3.2 - 5 pages]

OPTIONS

Council has the following options available:

1. Adopt the recommendations contained in the attached confidential Tender Contract 2025 – 005 Evaluation Report for Mills Street Reconstruction Works Heyfield;
2. Not enter into a contract and not proceed with these works at this time.

PROPOSAL

That Council adopt the recommendations contained in the attached confidential Tender Contract 2025 – 005 Evaluation Report for Mills Street Reconstruction Works, Heyfield.

CONFLICT OF INTEREST

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

COLLABORATION

Pursuant to section 109(2) of the *Local Government Act 2020*, no collaborative opportunities have been identified for this one-off project.

FINANCIAL IMPACT

These works have been budgeted for under the 2024/25 capital works program.

COMMUNICATION IMPACT

This impact has been assessed and there is no effect to consider at this time.

LEGISLATIVE IMPACT

Wellington Shire Council is committed to ensuring the Contract tendering process complies with the *Local Government Act 2020* and the Best Practice Procurement Guidelines for Victorian Local Government.

COUNCIL POLICY IMPACT

These works are in line with Council's policies of maintaining and enhancing Council's infrastructure.

COUNCIL PLAN IMPACT

The Council Plan 2021-25 Theme 4 "Services and Infrastructure" states the following strategic outcome:

Strategic Outcome 4.2: *"Services deliver operating efficiencies and best value."*

This report supports the above Council Plan strategic outcome.

RESOURCES AND STAFF IMPACT

This project will be undertaken with the resources of the Assets and Projects unit.

COMMUNITY IMPACT

These works will have a positive community impact by ensuring roads that are the responsibility of Wellington Shire Council are maintained and kept in a good condition.

ENVIRONMENTAL IMPACT

This impact will have minimal environmental impact, with the contractors providing an Environmental Management Plan which will be strictly monitored.

ENGAGEMENT IMPACT

Wellington Shire Council's standard consultation practices will be implemented on this project.

RISK MANAGEMENT IMPACT

It is considered that the proposed contract works will not expose Wellington Shire Council to any significant risks. All Occupational Health and Safety risks will be discussed with the contractor and allocated to the party in the best position to manage each risk.



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SHIRE COUNCIL

The Heart of Gippsland

**ORDINARY COUNCIL MEETING
20 AUGUST 2024**

I declare that the information contained in the attached document **TENDER CONTRACT 2025 – 005 EVALUATION REPORT** relating to **MILLS STREET RECONSTRUCTION WORKS, HEYFIELD** is confidential because it contains confidential information as defined in section 3(1) of the *Local Government Act 2020*;

(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released

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[CHRIS HASTIE
General Manager Built and Natural Environment
9/08/2024

15.4. VELORE ROAD RECONSTRUCTION WORKS NAMBROK

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

For Council to consider entering a contract for the reconstruction of a section of Velore Road in Nambrok.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council:

- 1. Adopt the recommendations contained in the attached confidential Tender Contract 2025 – 006 Evaluation Report for Velore Road Reconstruction, Nambrok; and***
- 2. Note that the information contained in the confidential attachment Tender Contract 2025 – 006 Evaluation Report for Velore Road Reconstruction, Nambrok, was designated confidential by the General Manager Built and Natural Environment on 09 August 2024 because it contains confidential information as defined in section 3(1) of the Local Government Act 2020; (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; except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

BACKGROUND

Velore Road is beginning to fail in several locations and these locations are beyond maintenance intervention. The works under this contract involve the reconstruction of a 3.67km section of Velore Road between Sale-Heyfield and Sale Cowwarr Roads in the Nambrok Area. The works involve reconstructing and sealing the pavement to a width of 4.0 metres.

Accordingly, designs have been completed and a tender advertised for these works, which allowed for options with the pavement design. The submitted tenders have now been evaluated and a contract has been prepared for Council's consideration.

ATTACHMENTS

1. Confidential Header Velore Road Reconstruction Works, Nambrok [**15.4.1** - 1 page]
2. CONFIDENTIAL REDACTED - Tender Contract 2025-006 Evaluation Report for Velore Road Reconstruction Works, Nambrok [**15.4.2** - 5 pages]

OPTIONS

Council has the following options available:

1. Adopt the recommendations contained in the attached confidential Tender Contract 2025 – 006 Evaluation Report for Velore Road Reconstruction, Nambrok;
2. Not enter into a contract and not proceed with these works at this time.

PROPOSAL

That Council adopt the recommendations contained in the attached confidential Tender Contract 2025 – 006 Evaluation Report for Velore Road Reconstruction, Nambrok.

CONFLICT OF INTEREST

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

COLLABORATION

Pursuant to section 109(2) of the *Local Government Act 2020*, no collaborative opportunities have been identified for this one-off project.

FINANCIAL IMPACT

These works have been budgeted for under the 2024-2025 capital works program.

COMMUNICATION IMPACT

This impact has been assessed and there is no effect to consider at this time.

LEGISLATIVE IMPACT

Wellington Shire Council is committed to ensuring the Contract tendering process complies with the *Local Government Act 2020* and the Best Practice Procurement Guidelines for Victorian Local Government.

COUNCIL POLICY IMPACT

These works are in line with Council's policies of maintaining and enhancing Council's infrastructure.

COUNCIL PLAN IMPACT

The Council Plan 2021-25 Theme 4 "Services and Infrastructure" states the following strategic outcome:

Strategic Outcome 4.2: *"Services deliver operating efficiencies and best value."*

This report supports the above Council Plan strategic outcome.

RESOURCES AND STAFF IMPACT

This project will be undertaken with the resources of the Assets and Projects unit.

COMMUNITY IMPACT

These works will have a positive community impact by ensuring roads that are the responsibility of Wellington Shire Council are maintained and kept in a good condition.

ENVIRONMENTAL IMPACT

This impact will have minimal environmental impact, with the contractors providing an Environmental Management Plan which will be strictly monitored.

ENGAGEMENT IMPACT

Wellington Shire Council's standard consultation practices will be implemented on this project.

RISK MANAGEMENT IMPACT

It is considered that the proposed contract works will not expose Wellington Shire Council to any significant risks. All Occupational Health and Safety risks will be discussed with the contractor and allocated to the party in the best position to manage each risk.



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**ORDINARY COUNCIL MEETING
20 AUGUST 2024**

I declare that the information contained in the attached document **TENDER CONTRACT 2025 – 006 EVALUATION REPORT** relating to **VELORE ROAD RECONSTRUCTION, NAMBROK** is confidential because it contains confidential information as defined in section 3(1) of the *Local Government Act 2020*;

(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released

.....
[CHRIS HASTIE
General Manager Built and Natural Environment
9/08/2024

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 –

FURTHER GALLERY COMMENTS –

Meeting declared closed at:

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

17. 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

COUNCILLOR

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