



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

**RESOLUTIONS IN BRIEF
ORDINARY MEETING**

To be read in conjunction with the Council Meeting Agenda 1 June 2021

COUNCILLORS PRESENT

Cr Garry Stephens (Mayor)
Cr Scott Rossetti (Deputy Mayor)
Cr Ian Bye
Cr Carolyn Crossley
Cr Marcus McKenzie
Cr Gayle Maher
Cr Carmel Ripper
Cr John Tattersson
Cr Jill Wood

OFFICERS PRESENT

David Morcom, Chief Executive Officer
Denise Teo, Governance Officer

**ORDINARY MEETING OF COUNCIL
TABLE OF CONTENTS**

- 0.1. TABLE OF CONTENTS**
- 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
- 4. BUSINESS ARISING FROM PREVIOUS MEETINGS**
- 5. ACCEPTANCE OF LATE AND URGENT ITEMS**
- 6. NOTICE/S OF MOTION**
- 7. RECEIVING OF PETITION OR JOINT LETTERS**
 - 7.1. OUTSTANDING PETITIONS
- 8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS**
- 9. QUESTION/S ON NOTICE**
 - 9.1. OUTSTANDING QUESTION/S ON NOTICE
- 10. DELEGATES REPORT**
- 11. CHIEF EXECUTIVE OFFICER**
 - 11.1. REVIEW CEO APPOINTMENT TO THE BOARD OF DESTINATION GIPPSLAND LTD
- 12. GENERAL MANAGER CORPORATE SERVICES**
 - 12.1. ASSEMBLY OF COUNCILLORS
 - 12.2. APPROVAL OF AMENDED APPOINTMENT OF COMMITTEES & DELEGATES 2020/21
 - 12.3. ADOPTION OF THE 2021 PROPERTY REVALUATION
 - 12.4. ADOPTION OF THE REVENUE AND RATING PLAN 2021-2024
 - 12.5. APPROVAL TO ADVERTISE THE REVIEW OF MAYORAL AND COUNCILLOR ALLOWANCES FOR PUBLIC SUBMISSIONS
- 13. GENERAL MANAGER DEVELOPMENT**

13.1. RESOLUTION OF LONG STANDING NINETY MILE BEACH INAPPROPRIATE SUBDIVISION

13.2. 2020 PLANNING CUSTOMER SATISFACTION SURVEY RESULTS

13.3. PROPOSED SALE - 511 BENGWORDEN ROAD, COBAINS

14. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

14.1. HODGES ROAD, COONGULLA SPECIAL CHARGE SCHEME - INTENTION TO DECLARE

14.2. A WARMER POOL FOR YARRAM PROJECT – MEMBRANE COVERED STRUCTURE

15. FURTHER GALLERY AND ONLINE COMMENTS

16. IN CLOSED SESSION

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: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To adopt the minutes of the Ordinary Council Meeting of 18 May 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 18 May 2021.

COUNCILLOR BYE / COUNCILLOR WOOD

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 18 May 2021.

CARRIED

4. BUSINESS ARISING FROM PREVIOUS MEETINGS

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

5. ACCEPTANCE OF LATE AND URGENT ITEMS

NIL

6. NOTICE/S OF MOTION

NIL

7. RECEIVING OF PETITION OR JOINT LETTERS

7.1. OUTSTANDING PETITIONS

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

COUNCILLOR RIPPER acknowledged the Wellington Shire shop owners currently trading and encouraged locals to continue to shop local and support these businesses while they're doing it tough during another lockdown.

9. QUESTION/S ON NOTICE

9.1. OUTSTANDING QUESTION/S ON NOTICE

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

10. DELEGATES REPORT

COUNCILLOR MCKENZIE: Star of the South – Community Advisory Group Meeting # 5 - Toora Recreation Reserve 24 May 2021

Some time ago, the Victorian Government assigned Wellington Shire as one of a number of renewable energy hubs in the “Future Renewable World” hence the interest by various companies ranging from solar, hydrogen to wind and other sources of renewables wishing to locate and set up in the region. One of those companies is Star of the South and as the delegate representing Wellington Shire, I recently attended their fifth community advisory group meeting that was held at the Toora Recreation Reserve on 24 May 2021.

As stated earlier, there have been five community group meetings with the first being in Yarram then Traralgon, Sale, Lakes Entrance and now Toora. The community advisory group meets every two months and the Toora meeting attracted around 12 community influencers and a further eight via zoom. Representing the Star of the South was the Chief Executive Officer (CEO), Casper Frost Thorhauge, and Chief Development Officer (CDO), Erin Coldham, who provided an update on what has happened since the last meeting such as:

- a range of community events and project updates occurred in March – April;

- two new members have been appointed to the Yarram Office that show their commitment to not only the project but to the area;
- they continue to engage with 45 key land stakeholders in providing updates on various matters that will influence the success of the project; and
- attended and spoke at various corporate, government and business bodies such as Clean Energy, Wellington Shire Council and the Wind Farm Australian Energy Group.

Each meeting is designed to provide an update on how the project is progressing and what activities have occurred.

We also heard from Casper about the intricacies of a turbine from its origins that date back to 1887, what capacity the blades have for providing power, what determines the size of the turbines to maximise the generation of power such as wind profile, seabed conditions and local environmental conditions. We were then provided with details on how a turbine foundation is selected, the design layout of the wind farm, the construction process and inevitable decommissioning.

The project is still very much in its infancy as they are still in the data gathering phase and once Star of the South have all the data, a submission to Government will then be made to its viability as this is the first wind farm that will be offshore in Australia. We are in a new frontier as far as renewables are concerned.

As a footnote I would like to make the following observations.

From the start, the Star of the South management and staff have been transparent and inclusive of the community. They have engaged, listened, and become part of the fabric of our Shire. They continue to be a presence by maintaining an office in Yarram so that any community member can come in and ask a question. They have had community advisory meetings in the region – they have come to us, not the other way around.

This openness and transparency has resulted in having a community that feels engaged, that feel they are being heard, that feel there are no surprises and to that end, other organisations within the renewable space that are looking at this region could learn from the way Star of the South has engaged the community. Other potential players in the renewable space need to embrace the community, obtain their trust, take them on the journey and everyone will benefit.

Finally, at the last Council day, the CDO of the Star of the South presented to Council and informed us that they had recently purchased an electric car and commended the Council on having a recharge station at the Port of Sale that they could top up at before going back to Melbourne. Wellington Proud!!

11. CHIEF EXECUTIVE OFFICER

11.1. REVIEW CEO APPOINTMENT TO THE BOARD OF DESTINATION GIPPSLAND LTD

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

PURPOSE

That Council review the appointment of the Chief Executive Officer (CEO), Mr David Morcom, as a Director of the Board of Destination Gippsland Ltd.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council approve the continuation of the appointment of the Chief Executive Officer (CEO), Mr David Morcom, as a Director of the Board of Destination Gippsland Ltd.

COUNCILLOR MAHER / COUNCILLOR BYE

That Council approve the continuation of the appointment of the Chief Executive Officer (CEO), Mr David Morcom, as a Director of the Board of Destination Gippsland Ltd.

CARRIED

12. GENERAL MANAGER CORPORATE SERVICES

12.1. ASSEMBLY OF COUNCILLORS

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

OBJECTIVE

To report on all assembly of Councillor records received for the period 10 May 2021 to 23 May 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 10 May 2021 to 23 May 2021.

COUNCILLOR RIPPER / COUNCILLOR WOOD

That Council note and receive the attached Assembly of Councillor records for the period 10 May 2021 to 23 May 2021.

CARRIED

12.2. APPROVAL OF AMENDED APPOINTMENT OF COMMITTEES & DELEGATES 2020/21

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

To formally appoint Councillors to the vacancies left by the recent passing of Councillor Malcolm Hole on the following Committees:

- Council Advisory Committees;
- Committees of Other Organisations; and
- Community Asset Committees;

as highlighted in the updated committee register as attached.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Councillors be formally appointed to the vacant Council Committees in accordance with the updated register as attached.

COUNCILLOR BYE / COUNCILLOR MAHER

That Councillors be formally appointed to the vacant Council Committees in accordance with the updated register as attached.

CARRIED

12.3. ADOPTION OF THE 2021 PROPERTY REVALUATION

ACTION OFFICER: MANAGER CORPORATE FINANCE

PURPOSE

To adopt the total valuation of all properties within the Shire as at the return date of 1 January 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the following valuation figures as at the return date of 1 January 2021.

	SITE VALUE	CAPITAL IMPROVED VALUE	NET ANNUAL VALUE
RATEABLE	\$6,128,461,100	\$12,840,324,100	\$718,277,945
NON-RATEABLE	\$136,014,000	\$268,757,000	\$14,623,050
TOTAL VALUATION	\$6,264,475,100	\$13,109,081,100	\$732,900,995

COUNCILLOR MAHER / COUNCILLOR BYE

That Council adopt the following valuation figures as at the return date of 1 January 2021.

	SITE VALUE	CAPITAL IMPROVED VALUE	NET ANNUAL VALUE
RATEABLE	\$6,128,461,100	\$12,840,324,100	\$718,277,945
NON-RATEABLE	\$136,014,000	\$268,757,000	\$14,623,050
TOTAL VALUATION	\$6,264,475,100	\$13,109,081,100	\$732,900,995

CARRIED

12.4. ADOPTION OF THE REVENUE AND RATING PLAN 2021-2024

ACTION OFFICER: MANAGER CORPORATE FINANCE

PURPOSE

To consider and adopt the Revenue and Rating Plan 2021-2024.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the Revenue and Rating Plan 2021-2024 as attached.

COUNCILLOR CROSSLEY / COUNCILLOR MAHER

That Council adopt the Revenue and Rating Plan 2021-2024 as attached.

CARRIED

12.5. APPROVAL TO ADVERTISE THE REVIEW OF MAYORAL AND COUNCILLOR ALLOWANCES FOR PUBLIC SUBMISSIONS

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

PURPOSE

For Council to resolve to advertise the review of the Mayoral and Councillor allowances in accordance with Section 74(1) of the *Local Government Act 1989* and seek public submissions in accordance with Section 223 of the *Local Government Act 1989*.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

1. ***Provide public notice that it has reviewed the Mayoral and Councillor allowances in accordance with Section 74(1) of the Local Government Act 1989, and is proposing that the following allowances initially set by the Victorian Government, continue until the Remuneration Tribunal makes its first determination on allowances:***
 - a) ***the Mayoral allowance for a Category 2 Council, is at \$81,204 plus the equivalent percentage for the superannuation guarantee;***
 - b) ***the Councillor allowance for a Category 2 Council, is at \$26,245 plus the equivalent percentage for the superannuation guarantee;***
2. ***Also invite public submissions relating to the reviewed Mayoral and Councillor allowances commencing immediately and closing on Tuesday 29 June 2021 at 5:00pm;***
3. ***Consider submissions on the proposed Mayoral and Councillor allowances at a Council meeting on Tuesday 6 July 2021 at 3:00pm; and***
4. ***Meet on Tuesday 20 July 2021 at 6:00pm to consider the formal adoption of the Mayoral and Councillor allowances, until the Victorian Independent Remuneration Tribunal make its first determination.***

COUNCILLOR RIPPER / COUNCILLOR MCKENZIE

That Council:

1. ***Provide public notice that it has reviewed the Mayoral and Councillor allowances in accordance with Section 74(1) of the Local Government Act 1989, and is proposing that the following allowances initially set by the Victorian Government, continue until the Remuneration Tribunal makes its first determination on allowances:***
 - a) ***the Mayoral allowance for a Category 2 Council, is at \$81,204 plus the equivalent percentage for the superannuation guarantee;***
 - b) ***the Councillor allowance for a Category 2 Council, is at \$26,245 plus the equivalent percentage for the superannuation guarantee;***
2. ***Also invite public submissions relating to the reviewed Mayoral and Councillor allowances commencing immediately and closing on Tuesday 29 June 2021 at 5:00pm;***

- 3. Consider submissions on the proposed Mayoral and Councillor allowances at a Council meeting on Tuesday 6 July 2021 at 3:00pm; and**
- 4. Meet on Tuesday 20 July 2021 at 6:00pm to consider the formal adoption of the Mayoral and Councillor allowances, until the Victorian Independent Remuneration Tribunal make its first determination.**

CARRIED

13. GENERAL MANAGER DEVELOPMENT

13.1. RESOLUTION OF LONG STANDING NINETY MILE BEACH INAPPROPRIATE SUBDIVISION

ACTION OFFICER: MANAGER LAND USE PLANNING

PURPOSE

To endorse a letter to the Minister for Energy, Environment and Climate Change (and other relevant Ministers) relating to the resolution of the long standing Ninety Mile Beach Inappropriate Subdivisions.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY
NIL

RECOMMENDATION

That Council endorse the attached letter to the Minister for Energy, Environment and Climate Change (and other relevant Ministers) relating to the resolution of the long standing Ninety Mile Beach Inappropriate Subdivisions.

COUNCILLOR CROSSLEY / COUNCILLOR MAHER

That Council endorse the attached letter to the Minister for Energy, Environment and Climate Change (and other relevant Ministers) relating to the resolution of the long standing Ninety Mile Beach Inappropriate Subdivisions.

CARRIED

13.2. 2020 PLANNING CUSTOMER SATISFACTION SURVEY RESULTS

ACTION OFFICER: MANAGER LAND USE PLANNING

PURPOSE

To provide Council with the results of the 2020 statutory planning applicant and objector customer satisfaction survey.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY
NIL

RECOMMENDATION

That Council note the results of the 2020 statutory planning applicant and objector survey as attached.

COUNCILLOR WOOD / COUNCILLOR BYE

That Council note the results of the 2020 statutory planning applicant and objector survey as attached.

CARRIED

13.3. PROPOSED SALE - 511 BENGWORDEN ROAD, COBAINS

ACTION OFFICER: MANAGER BUSINESS DEVELOPMENT

PURPOSE

For Council to authorise the sale of property assessed as surplus to requirements located at 511 Bengworden Road, Cobains.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council resolve that property described as 511 Bengworden Road, Cobains as shown on the plan within and more specifically referred as Lot 1 LP94951 Volume 08929 Folio 040 and Crown Allotment 6B TP350590H Volume 05866 Folio 119 is not required for Council purposes.***
- 2. Council advertises its intention to sell the property at or above market value on the open market, subject to the provisions of sections 189 and 223 of the Local Government Act 1989, including calling for submissions in relation to the proposed sale.***
- 3. The information contained in the confidential documents at:
Item 15.6.2 Valuation Report – 511 Bengworden Road, Cobains
Item 15.6.3 Sale Process
Item 15.6.4 General Property Information
and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Development on 21 May 2021 because they relate to the following grounds: (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released
be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020.***

COUNCILLOR CROSSLEY / COUNCILLOR WOOD

That:

- 1. Council resolve that property described as 511 Bengworden Road, Cobains as shown on the plan within and more specifically referred as Lot 1 LP94951 Volume 08929 Folio 040 and Crown Allotment 6B TP350590H Volume 05866 Folio 119 is not required for Council purposes.***
- 2. Council advertises its intention to sell the property at or above market value on the open market, subject to the provisions of sections 189 and 223 of the Local Government Act 1989, including calling for submissions in relation to the proposed sale.***
- 3. The information contained in the confidential documents at:
Item 15.6.2 Valuation Report – 511 Bengworden Road, Cobains
Item 15.6.3 Sale Process
Item 15.6.4 General Property Information
and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Development on 21 May 2021 because they relate to the following grounds: (a) Council business***

***information, being information that would prejudice the Council's position in commercial negotiations if prematurely released
be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020.***

CARRIED

14. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

14.1. HODGES ROAD, COONGULLA SPECIAL CHARGE SCHEME - INTENTION TO DECLARE

ACTION OFFICER: MANAGER BUILT ENVIRONMENT

PURPOSE

The purpose of this report is for Council to consider its intention to declare the proposed Hodges Road (CH00 - CH200) Special Charge Street Construction Scheme Number 2101 as a Special Charge Scheme for its construction at Coongulla.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council commence the statutory process under the Local Government Act 1989 (the Act) to declare a Special Charge Scheme (Proposed Scheme) for the purposes of constructing Hodges Road (CH00 – CH200) in Coongulla and providing driveway crossings and culverts (from road edge to building line); and***
- 2. Council in accordance with sections 163(1A) and 163B(3) of the Act, direct that a public notice be given in the Gippsland Times newspaper and on Council's website of the intention of Council to declare the scheme at its ordinary meeting to be held on 17 August 2021 in accordance with the Proposed Declaration of Special Charge Scheme Number 2101; and***
- 3. Council direct that in accordance with section 163(1C) of the Act, separate letters enclosing a copy of the public notice be sent to the owners of the properties referred to and set out in the schedule of properties forming a part of the Proposed Declaration of Special Charge, advising of the intention of Council to declare the Special Charge at its ordinary meeting to be held on 17 August 2021, the basis of the calculation and distribution of the Special Charge and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Charge will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act; and***
- 4. Council appoint three Councillors as determined by Council plus an alternative representative to form the 'Hodges Road Special Charge Scheme Submissions Committee' that is established by Council under section 223(1)(b)(i) of the Act, to consider written submissions/objections and to hear any persons who in their written submissions under Section 223 of the Act have requested that they are heard in support of their submissions; and***
- 5. The Chief Executive Officer or the person for the time being acting in that position, be authorised to give public notice of the Proposed Declaration of Special Charge in accordance with Sections 163B and 223 of the Local Government Act 1989; and***
- 6. The Chief Executive Officer, the General Manager Built and Natural Environment or the Manager Built Environment (or any person for the time being acting in any of those positions), each be authorised to carry out any and all other administrative procedures necessary to enable Council to carry***

out its functions under section 163A and sections 163(1A), (1B) and (1C) and sections 163B and 223 of the Act.

COUNCILLOR RIPPER / COUNCILLOR WOOD

That:

- 1. Council commence the statutory process under the Local Government Act 1989 (the Act) to declare a Special Charge Scheme (Proposed Scheme) for the purposes of constructing Hodges Road (CH00 – CH200) in Coongulla and providing driveway crossings and culverts (from road edge to building line); and**
- 2. Council in accordance with sections 163(1A) and 163B(3) of the Act, direct that a public notice be given in the Gippsland Times newspaper and on Council's website of the intention of Council to declare the scheme at its ordinary meeting to be held on 17 August 2021 in accordance with the Proposed Declaration of Special Charge Scheme Number 2101; and**
- 3. Council direct that in accordance with section 163(1C) of the Act, separate letters enclosing a copy of the public notice be sent to the owners of the properties referred to and set out in the schedule of properties forming a part of the Proposed Declaration of Special Charge, advising of the intention of Council to declare the Special Charge at its ordinary meeting to be held on 17 August 2021, the basis of the calculation and distribution of the Special Charge and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Charge will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act; and**
- 4. Council appoint the following three Councillors; Councillor Ripper, Councillor Bye and Councillor Tatterson and an alternative representative, Councillor Crossley, to form the 'Hodges Road Special Charge Scheme Submissions Committee' that is established by Council under section 223(1)(b)(i) of the Act, to consider written submissions/objections and to hear any persons who in their written submissions under Section 223 of the Act have requested that they are heard in support of their submissions; and**
- 5. The Chief Executive Officer or the person for the time being acting in that position, be authorised to give public notice of the Proposed Declaration of Special Charge in accordance with Sections 163B and 223 of the Local Government Act 1989; and**
- 6. The Chief Executive Officer, the General Manager Built and Natural Environment or the Manager Built Environment (or any person for the time being acting in any of those positions), each be authorised to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and sections 163(1A), (1B) and (1C) and sections 163B and 223 of the Act.**

CARRIED

14.2. A WARMER POOL FOR YARRAM PROJECT – MEMBRANE COVERED STRUCTURE

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to consider entering into a contract for the construction of a fabric covered shade structure at the Yarram Pool as part of the Warmer Pools Project.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2021-042A Yarram Warmer Pools Sunshade Shelter; and***
- 2. The information contained in the confidential attachment Contract 2021-042A Yarram Warmer Pools Sunshade Shelter and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 12 May 2021 because it relates to the following grounds: (g) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

COUNCILLOR MAHER / COUNCILLOR MCKENZIE

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2021-042A Yarram Warmer Pools Sunshade Shelter; and***
- 2. The information contained in the confidential attachment Contract 2021-042A Yarram Warmer Pools Sunshade Shelter and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 12 May 2021 because it relates to the following grounds: (g) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage be designated confidential information under Section 3(1) Confidential Information of the Local Government Act 2020, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

CARRIED

The Mayor announced the successful tenderer as Shade N Sails.

15. FURTHER GALLERY AND ONLINE COMMENTS

Gallery comments are an opportunity for members of the public to raise any particular matter they wish. This allows those in the gallery to speak directly to Councillors but is not a forum designed for open discussion or debate. We will listen respectfully to what you have to say and make the commitment that if your query requires a written response, we will advise you that a response will be forthcoming, and a copy of that response will be circulated to all Councillors.

This is not a forum for members of the public to lodge complaints against individuals, including Councillors and staff, particularly as that individual gets no public right of reply to any matter raised. We take complaints seriously, and in line with the guidance from the Victorian Ombudsman and the local Government Inspectorate, we request that any specific complaint against an individual be put in writing. This way, your concern can be properly dealt with while ensuring fairness to all parties concerned.

If you wish to speak, we remind you that this part of the meeting is being recorded and broadcast on our website. Council's official Minutes will record that you have spoken to Council and the subject you spoke to Council about but will not record specific comments. We ask you to state your name in full, where you are from, and you have three minutes.

ONLINE COMMENTS – NIL

FURTHER GALLERY COMMENTS – NIL

Meeting declared closed at: 3:49pm

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

16. 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.