



**WELLINGTON**  
SHIRE COUNCIL

*The Heart of Gippsland*

## **RESOLUTIONS IN BRIEF ORDINARY MEETING**

**To be read in conjunction with the Council Meeting Agenda 6 July 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**

Arthur Skipitaris, Acting Chief Executive Officer  
Denise Teo, Governance Officer

### **APOLOGIES**

David Morcom, Chief Executive 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.	GENERAL MANAGER CORPORATE SERVICES .....
11.1.	ASSEMBLY OF COUNCILLORS.....
11.2.	CONSIDERATION OF PUBLIC SUBMISSIONS RELATING TO THE REVIEWED MAYORAL AND COUNCILLOR ALLOWANCES .....
11.3.	APPROVAL OF DRAFT WELLINGTON 2031 COMMUNITY VISION, COUNCIL PLAN 2021-25, FINANCIAL PLAN AND ASSET PLAN FOR EXHIBITION .....
11.4.	APPROVAL OF INSTRUMENTS AND DELEGATIONS RELATING TO THE NEW ENVIRONMENT PROTECTION ACT 2017 .....
12.	GENERAL MANAGER DEVELOPMENT.....
12.1.	STRATEGIC LAND USE PLANNING WORK PROGRAM 2021/22.....
12.2.	STRATEGIC LAND USE PLANNING QUARTERLY REPORT - APRIL TO JUNE 2021 .....

13. **GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT .....**
  - 13.1. PLACE NAMES COMMITTEE MINUTES .....
  - 13.2. URBAN AND RURAL TREE MANAGEMENT 2021-2023 SCHEDULE OF RATES -  
PANEL TENDER - 2021-077 .....
  - 13.3. VEGETATION MANAGEMENT WORKS 2021-2023 SCHEDULE OF RATES -  
PANEL TENDER – 2021-078 .....
  - 13.4. LANDSCAPE CONSTRUCTION SERVICES 2021-2023 SCHEDULE OF RATES -  
PANEL TENDER – 2021-079 .....
  - 13.5. MEMORANDUM OF UNDERSTANDING PRINCES HIGHWAY IMPROVEMENTS  
PROJECT .....
  - 13.6. STREETLIGHT LED REPLACEMENT PROJECT - PHASE 2 - HARDWARE  
PROCUREMENT .....
14. **FURTHER GALLERY AND ONLINE COMMENTS.....**
15. **IN CLOSED SESSION .....**

## 1. APOLOGIES

DAVID MORCOM, CHIEF EXECUTIVE OFFICER

## 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 15 June 2021.

#### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

#### **RECOMMENDATION**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 15 June 2021.*

**COUNCILLOR BYE / COUNCILLOR WOOD**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 15 June 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
Bus Stop Safety Issue - Hillcrest Estate/Boisdale Street, Maffra	15 June 2021	Petition is currently being considered and a response being prepared by the Built Environment team.	Manager Built Environment

## 8. INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS

**MAYOR STEPHENS** acknowledged 4 to 11 July as NAIDOC week. He noted the number of events taking place around the Shire, with an event held at art gallery yesterday. He also hoped that everyone taking part in NAIDOC week celebrations will receive a benefit and a better understanding of our First Nations people.

## 9. QUESTION/S ON NOTICE

### 9.1. OUTSTANDING QUESTION/S ON NOTICE

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

## 10. DELEGATES REPORT

NIL

## 11. GENERAL MANAGER CORPORATE SERVICES

### 11.1. ASSEMBLY OF COUNCILLORS

**ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES**

**OBJECTIVE**

To report on all assembly of Councillor records received for the period 7 June 2021 to 27 June 2021.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

**RECOMMENDATION**

*That Council note and receive the attached Assembly of Councillor records for the period 7 June 2021 to 27 June 2021.*

**COUNCILLOR RIPPER / COUNCILLOR BYE**

*That Council note and receive the attached Assembly of Councillor records for the period 7 June 2021 to 27 June 2021.*

**CARRIED**

### 11.2. CONSIDERATION OF PUBLIC SUBMISSIONS RELATING TO THE REVIEWED MAYORAL AND COUNCILLOR ALLOWANCES

**ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES**

**PURPOSE**

For Council to receive and consider public submissions relating to the reviewed Mayoral and Councillor allowances.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

**RECOMMENDATION**

*That Council receive and consider the one public submission that was received in response to the public exhibition of the reviewed Mayoral and Councillor allowances as attached.*

**COUNCILLOR WOOD / COUNCILLOR CROSSLEY**

*That Council receive and consider the one public submission that was received in response to the public exhibition of the reviewed Mayoral and Councillor allowances as attached.*

**CARRIED**

### **11.3. APPROVAL OF DRAFT WELLINGTON 2031 COMMUNITY VISION, COUNCIL PLAN 2021-25, FINANCIAL PLAN AND ASSET PLAN FOR EXHIBITION**

#### **ACTION OFFICER: GENERAL MANAGER DEVELOPMENT**

#### **PURPOSE**

For Council to resolve to advertise the following draft documents, which have been developed under sections 88, 90, 91 and 92 of the *Local Government Act 2020*, for public review and submission: Wellington 2031 Community Vision (as attached), Council Plan 2021-25 (as attached), Financial Plan 2021/22 to 2030/31 (as attached) and Asset Plan 2021 (as attached).

#### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

#### **RECOMMENDATION**

***That Council resolve to advertise the following draft documents, which have been developed under sections 88, 90, 91 and 92 of the Local Government Act 2020, for the second stage of Council's consultation process:***

- ***Wellington 2031 Community Vision (as attached)***
- ***Council Plan 2021-25 (as attached)***
- ***Financial Plan 2021/22 to 2030/31 (as attached) and***
- ***Asset Plan 2021 (as attached)***

***for a period of four weeks starting 7July to 4 August 2021.***

#### **COUNCILLOR CROSSLEY / COUNCILLOR WOOD**

***That Council resolve to advertise the following draft documents, which have been developed under sections 88, 90, 91 and 92 of the Local Government Act 2020, for the second stage of Council's consultation process:***

- ***Wellington 2031 Community Vision (as attached)***
- ***Council Plan 2021-25 (as attached)***
- ***Financial Plan 2021/22 to 2030/31 (as attached) and***
- ***Asset Plan 2021 (as attached)***

***for a period of four weeks starting 7July to 4 August 2021.***

**CARRIED**

## 11.4. APPROVAL OF INSTRUMENTS AND DELEGATIONS RELATING TO THE NEW ENVIRONMENT PROTECTION ACT 2017

**ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES**

### **PURPOSE**

For Council to approve the attached S2 Council Resolution and S5 and S18 Instruments of Delegation due to the release of the new *Environment Protection Act 2017* and Environment Protection Regulations 2021 on 1 July 2021.

### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

### **RECOMMENDATION**

***That Council approve the attached Instruments of Delegation:***

- 1. S2 Council Resolution – Delegation to CEO thereby authorising the S5 Instrument of Delegation – Council to CEO;***
- 2. S5 Instrument of Delegation – Council to CEO thereby authorising the CEO to exercise their powers, duties and functions as detailed in the Schedule to the Instrument; and***
- 3. S18 Instrument of Sub Delegation under the Environment Protection Act 2017 thereby authorising the new provisions under the Act.***

**COUNCILLOR MAHER / COUNCILLOR WOOD**

***That Council approve the attached Instruments of Delegation:***

- 1. S2 Council Resolution – Delegation to CEO thereby authorising the S5 Instrument of Delegation – Council to CEO;***
- 2. S5 Instrument of Delegation – Council to CEO thereby authorising the CEO to exercise their powers, duties and functions as detailed in the Schedule to the Instrument; and***
- 3. S18 Instrument of Sub Delegation under the Environment Protection Act 2017 thereby authorising the new provisions under the Act.***

**CARRIED**



## 12. GENERAL MANAGER DEVELOPMENT

### 12.1. STRATEGIC LAND USE PLANNING WORK PROGRAM 2021/22

#### ACTION OFFICER: MANAGER LAND USE PLANNING

#### PURPOSE

To seek Council's support for the *'Residential Land Stocktake Charrette - Implementation of Findings'* and the preparation of a Wellington Shire, *'Growth Management and Economic Development Strategy'*, to be the two top priority projects for the 2021/22 Strategic Land Use Planning Work Program and to note other current strategic planning work priorities.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

#### RECOMMENDATION

##### ***That Council:***

- 1. Endorse the 'Residential Land Stocktake Charrette – Implementation of Findings' and preparation of a Wellington Shire, 'Growth Management and Economic Development Strategy', projects as outlined in the report, as the priority projects for the 2021/22 Strategic Land Use Planning Work Program.***
- 2. Note the secondary Strategic Land Use Planning priorities, as outlined in this report.***

##### **COUNCILLOR MAHER / COUNCILLOR TATTERSON**

##### ***That Council:***

- 1. Endorse the 'Residential Land Stocktake Charrette – Implementation of Findings' and preparation of a Wellington Shire, 'Growth Management and Economic Development Strategy', projects as outlined in the report, as the priority projects for the 2021/22 Strategic Land Use Planning Work Program.***
- 2. Note the secondary Strategic Land Use Planning priorities, as outlined in this report.***

**CARRIED**

## **12.2. STRATEGIC LAND USE PLANNING QUARTERLY REPORT - APRIL TO JUNE 2021**

**ACTION OFFICER: MANAGER LAND USE PLANNING**

### **PURPOSE**

To update Council on the strategic land use planning work program for the second quarter (April – June) 2021.

### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

### **RECOMMENDATION**

*That Council receive the second quarterly update on the strategic land use planning work program (included in Attachment 'Planning Project and Amendments', to this report).*

**COUNCILLOR MAHER / COUNCILLOR BYE**

*That Council receive the second quarterly update on the strategic land use planning work program (included in Attachment 'Planning Project and Amendments', to this report).*

**CARRIED**

## 13. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

### 13.1. PLACE NAMES COMMITTEE MINUTES

#### ACTION OFFICER: MANAGER ASSETS AND PROJECTS

#### PURPOSE

The purpose of this report is for Council to receive and consider the minutes of the Place Names Committee meeting held on 12 May 2021.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

#### RECOMMENDATION

##### *That:*

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 12 May 2021; and*
- 2. That the name BOOTH, in recognition of Denis Booth's sporting achievements and community service to the Stratford area, be added to the Council Approved Road Name Register for consideration in future naming proposals; and*
- 3. The park between Krista Court and Mark Avenue, Sale, be named DJAMBIES PARK; and*
- 4. The name WIGGINS AVENUE be approved for the subdivision at 238 Boisdale Street, Maffra, in recognition of Colin Wiggins who was a Maffra Shire Engineer and his achievements in and contribution to local cricket; and*
- 5. The name MALLETT, in recognition of the Mallett family as early settlers of Sale and their services to the Sale Fire Brigade, be added to the Council Approved Road Name Register for consideration in future naming proposals, subject to compliance with the duplicate name rule.*

#### COUNCILLOR ROSSETTI / COUNCILLOR WOOD

##### *That:*

- 1. Council receive and note the minutes of the Place Names Committee meeting held on 12 May 2021; and*
- 2. That the name BOOTH, in recognition of Denis Booth's sporting achievements and community service to the Stratford area, be added to the Council Approved Road Name Register for consideration in future naming proposals; and*
- 3. The park between Krista Court and Mark Avenue, Sale, be named DJAMBIES PARK; and*
- 4. The name WIGGINS AVENUE be approved for the subdivision at 238 Boisdale Street, Maffra, in recognition of Colin Wiggins who was a Maffra Shire Engineer and his achievements in and contribution to local cricket; and*
- 5. The name MALLETT, in recognition of the Mallett family as early settlers of Sale and their services to the Sale Fire Brigade, be added to the Council Approved Road Name Register for consideration in future naming proposals, subject to compliance with the duplicate name rule.*

**CARRIED**

## **13.2. URBAN AND RURAL TREE MANAGEMENT 2021-2023 SCHEDULE OF RATES - PANEL TENDER - 2021-077**

**ACTION OFFICER: MANAGER NATURAL ENVIRONMENT AND PARKS**

### **PURPOSE**

The purpose of this report is for Council to consider entering into a Schedule of Rates panel contract for the Urban and Rural Tree Management 2021-2023 Contract 2021-077.

### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

### **RECOMMENDATION**

#### ***That Council:***

- 1. Receives and considers this report and all attachments pertaining to this report.***
- 2. Accepts the Schedule of Rates for Rural Tree Management 2021-2023 for a two-year term with two extension options of twelve months to be made available solely at Council's discretion as outlined in the Confidential Attachment and as submitted by:***
  - ASAP Tree Services***
  - Batt Brothers Vegetation Management***
  - Benson Group Contractors***
  - ENSPEC***
  - Flemings Tree Services***
  - Regal Tree Services***
  - Roots 2 Leaves; and***
- 3. The information contained in the confidential attachment Contract 2021-077 Tender Evaluation Tree Management 2021-2023 Schedule of Rates and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 15 June 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.***

#### **COUNCILLOR TATTERSON / COUNCILLOR WOOD**

#### ***That Council:***

- 1. Receives and considers this report and all attachments pertaining to this report.***
- 2. Accepts the Schedule of Rates for Rural Tree Management 2021-2023 for a two-year term with two extension options of twelve months to be made available solely at Council's discretion as outlined in the Confidential Attachment and as submitted by:***
  - ASAP Tree Services***

- ***Batt Brothers Vegetation Management***
  - ***Benson Group Contractors***
  - ***ENSPEC***
  - ***Flemings Tree Services***
  - ***Regal Tree Services***
  - ***Roots 2 Leaves; and***
3. ***The information contained in the confidential attachment Contract 2021-077 Tender Evaluation Tree Management 2021-2023 Schedule of Rates and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 15 June 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.***

**CARRIED**

### **13.3. VEGETATION MANAGEMENT WORKS 2021-2023 SCHEDULE OF RATES - PANEL TENDER – 2021-078**

**ACTION OFFICER: MANAGER NATURAL ENVIRONMENT AND PARKS**

#### **PURPOSE**

The purpose of this report is for Council to consider entering into a Schedule of Rates panel contract for the Vegetation Management Works 2021-2023 Contract 2021-078.

#### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

#### **RECOMMENDATION**

***That Council:***

1. ***Receives and considers this report and all attachments pertaining to this report.***
2. ***Accepts the Schedule of Rates for Vegetation Management Works 2021-2023 for a two-year term with two extension options of twelve months to be made available solely at Council's discretion as outlined in the Confidential Attachment and as submitted by:***
  - ***Batt Brothers Vegetation Management***
  - ***Benson Group Contractors Pty Ltd***
  - ***Eastern Vegetation Contracting***
  - ***Envite Environment***
  - ***Gippsland Land Services***
  - ***Habitat Creations***

- *Hedley Range Services Pty Ltd*
  - *Indigenous Design Environmental Management*
  - *K.L. & J. Murray*
  - *LSC Services & Excavation*
  - *Regal Trees*
  - *Roots 2 Leaves Tree Services Pty Ltd*
  - *Two Harvs Contracting, Gippsland Pty Ltd; and*
3. *The information contained in the confidential attachment Contract 2021-078 Tender Evaluation Report Vegetation Management Works 2021-2023 Schedule of Rates and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 09 June 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.*

**COUNCILLOR TATTERSON / COUNCILLOR RIPPER**

**That Council:**

1. *Receives and considers this report and all attachments pertaining to this report.*
2. *Accepts the Schedule of Rates for Vegetation Management Works 2021-2023 for a two-year term with two extension options of twelve months to be made available solely at Council's discretion as outlined in the Confidential Attachment and as submitted by:*
  - *Batt Brothers Vegetation Management*
  - *Benson Group Contractors Pty Ltd*
  - *Eastern Vegetation Contracting*
  - *Envite Environment*
  - *Gippsland Land Services*
  - *Habitat Creations*
  - *Hedley Range Services Pty Ltd*
  - *Indigenous Design Environmental Management*
  - *K.L. & J. Murray*
  - *LSC Services & Excavation*
  - *Regal Trees*
  - *Roots 2 Leaves Tree Services Pty Ltd*
  - *Two Harvs Contracting, Gippsland Pty Ltd; and*
3. *The information contained in the confidential attachment Contract 2021-078 Tender Evaluation Report Vegetation Management Works 2021-2023 Schedule of Rates and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General*

*Manager Built and Natural Environment on 09 June 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.*

**CARRIED**

#### **13.4. LANDSCAPE CONSTRUCTION SERVICES 2021-2023 SCHEDULE OF RATES - PANEL TENDER – 2021-079**

**ACTION OFFICER: MANAGER NATURAL ENVIRONMENT AND PARKS**

##### **PURPOSE**

The purpose of this report is for Council to consider entering into a Schedule of Rates panel contract for the Landscape Construction Services 2021-2023 Contract 2021-079.

##### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

##### **RECOMMENDATION**

***That Council:***

- 1. Receives and considers this report and all attachments pertaining to this report;***
- 2. Accepts the Schedule of Rates for Landscape Construction Services 2021-2023 for a two-year term with two extension options of twelve months to be made available solely at Council's discretion as outlined in the Confidential Attachment and as submitted by:***
  - All Round Landscapes***
  - K.L & J Murray***
  - Liz Filmer Landscaping***
  - Maffra Irrigation & Garden Supplies***
  - Newry Water Cartage***
  - R & C Coleman Excavations; and***
- 3. The information contained in the confidential attachment 2021-079 Tender Evaluation Landscape Construction Services 2021-2023 Schedule of Rates and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 9 June 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.***

**COUNCILLOR TATTERSON / COUNCILLOR BYE**



***That Council:***

- 1. Receives and considers this report and all attachments pertaining to this report;***
- 2. Accepts the Schedule of Rates for Landscape Construction Services 2021-2023 for a two-year term with two extension options of twelve months to be made available solely at Council's discretion as outlined in the Confidential Attachment and as submitted by:***
  - All Round Landscapes***
  - K.L & J Murray***
  - Liz Filmer Landscaping***
  - Maffra Irrigation & Garden Supplies***
  - Newry Water Cartage***
  - R & C Coleman Excavations; and***
- 3. The information contained in the confidential attachment 2021-079 Tender Evaluation Landscape Construction Services 2021-2023 Schedule of Rates and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 9 June 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.***

**CARRIED**

### **13.5. MEMORANDUM OF UNDERSTANDING PRINCES HIGHWAY IMPROVEMENTS PROJECT**

#### **ACTION OFFICER: MANAGER BUILT ENVIRONMENT**

#### **PURPOSE**

To seek Council approval for a Memorandum of Understanding to be created between Wellington Shire Council and the Department of Transport for the delivery of specific components of the broader Revitalising our Region Package of Works being the Cunninghame Street Signals and Princes Highway Through Lane Pavement Upgrade.

#### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

#### **RECOMMENDATION**

***That, to support the implementation of the Princes Highway Improvements Package and the Cunninghame Street Signalisation Package of Councils Revitalising our Region package of works, as described in this report, Council;***

- 1. Authorise the Chief Executive Officer to finalise a Memorandum of Understanding with the Department of Transport in relation to the delivery of the Cunninghame Street Signals and Princes Highway Through Lane***



***Pavement Upgrade component of the Revitalising our Region Package of Works; and***

- 2. Subject to finalising the Memorandum of Understanding referred to in Recommendation 1, authorise the Chief Executive Officer to make payments to the Department of Transport or their nominated agent for the completion of works described; and***
- 3. That the information contained in the confidential attachment MOU Princes Highway Improvements and Princes Highway / Cunninghame Intersection Signalisation projects and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 21 June 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.***

**COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY**

***That, to support the implementation of the Princes Highway Improvements Package and the Cunninghame Street Signalisation Package of Councils Revitalising our Region package of works, as described in this report, Council;***

- 1. Authorise the Chief Executive Officer to finalise a Memorandum of Understanding with the Department of Transport in relation to the delivery of the Cunninghame Street Signals and Princes Highway Through Lane Pavement Upgrade component of the Revitalising our Region Package of Works; and***
- 2. Subject to finalising the Memorandum of Understanding referred to in Recommendation 1, authorise the Chief Executive Officer to make payments to the Department of Transport or their nominated agent for the completion of works described; and***
- 3. That the information contained in the confidential attachment MOU Princes Highway Improvements and Princes Highway / Cunninghame Intersection Signalisation projects and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 21 June 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.***

**CARRIED**

### **13.6. STREETLIGHT LED REPLACEMENT PROJECT - PHASE 2 - HARDWARE PROCUREMENT**

**ACTION OFFICER: MANAGER NATURAL ENVIRONMENT AND PARKS**

#### **PURPOSE**

The purpose of this report is for Council to authorise the procurement of low energy streetlighting hardware (luminaires) for the Streetlight LED Changeover Project – Phase 2 under the Municipal Association of Victoria (MAV) Preferred Supplier Panel SL9311.

#### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

#### **RECOMMENDATION**

*That Council adopt the recommendations contained in the attached confidential Supplier Evaluation Report of the Council Meeting Agenda for the supply of approved LED streetlights through the Municipal Association of Victoria Preferred Supplier Panel SL9311.*

#### **COUNCILLOR CROSSLEY / COUNCILLOR MAHER**

*That Council adopt the recommendations contained in the attached confidential Supplier Evaluation Report of the Council Meeting Agenda for the supply of approved LED streetlights through the Municipal Association of Victoria Preferred Supplier Panel SL9311.*

**CARRIED**

## 14. 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 –

**Comment from Pauline Mullett:** The Kurnai people would support the Council to the removal of Angus Macmillan name from memorial. To honour Angus Macmillan would not be accepted.

The Acting CEO noted that a response will be provided and a copy of the response circulated to all Councillors.

**Question from Moira Deeming:** Under Victorian law, is it legal for Local Government Councils to provide sex based/targeted services and facilities separately to gender identity based/targeted services and facilities? If not, why not? For example, can we legally put signs on a set of public toilets declaring that one is for biological males (including males with an intersex condition), one is for biological females (including biological females with an intersex condition) and one is for people with transgender identities (of any biological sex)? If not, why not?.

The Acting CEO noted that Council are unable to answer the question as to whether it is legal or provide a legal opinion as each Council service operates under different legal and regulatory frameworks. Council also gives due consideration to the *Gender Equality Act 2020*, the *Equal Opportunity Act 2010* and the *Sex Discrimination Act 2013* in the delivery of its services. Therefore, a simple answer to such a broad question is not possible however a response will be provided and a copy of the response circulated to all Councillors.

### FURTHER GALLERY COMMENTS – NIL

Meeting declared closed at: 3:43pm

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

## 15. IN CLOSED SESSION

**COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY**

*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:*

*f) Personal information*

**CARRIED**

---

**IN CLOSED SESSION**

---

**COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY**

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

**CARRIED**