



WELLINGTON
SHIRE COUNCIL

The Heart of Gippsland

RESOLUTIONS IN BRIEF ORDINARY MEETING VIA MS TEAMS

To be read in conjunction with the Council Meeting Agenda 15 February 2022

COUNCILLORS PRESENT

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

OFFICERS PRESENT

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

APOLOGIES

Cr Gayle Maher
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.	MAYOR AND COUNCILLORS REPORT.....
11.	DELEGATES REPORT.....
12.	CHIEF EXECUTIVE OFFICER.....
12.1.	CHIEF EXECUTIVE OFFICERS REPORT
12.2.	DECEMBER 2021 COUNCIL PERFORMANCE REPORT.....
12.3.	LOCAL GOVERNMENT CULTURE PROJECT
13.	GENERAL MANAGER CORPORATE SERVICES
13.1.	ASSEMBLY OF COUNCILLORS.....
14.	GENERAL MANAGER DEVELOPMENT.....
14.1.	FULHAM SOLAR FARM - SUBMISSION TO PLANNING PERMIT APPLICATION ...
14.2.	MONTHLY PLANNING DECISIONS (NOVEMBER AND DECEMBER 2021)
15.	GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

- 15.1. SOLDIERS ROAD, NAMBROK REHABILITATION.....
- 16. FURTHER GALLERY AND ONLINE COMMENTS.....
- 17. IN CLOSED SESSION.....

1. APOLOGIES

COUNCILLOR GAYLE MAHER
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 1 February 2022.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 1 February 2022.

COUNCILLOR WOOD / COUNCILLOR RIPPER

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 1 February 2022.

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

NIL

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

ACTION OFFICER: COUNCILLOR IAN BYE

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

11. DELEGATES REPORT

NIL

12. CHIEF EXECUTIVE OFFICER

12.1. CHIEF EXECUTIVE OFFICERS REPORT

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

RECOMMENDATION

That the Chief Executive Officer's report be received.

COUNCILLOR RIPPER / COUNCILLOR WOOD

That the Chief Executive Officer's report be received.

CARRIED

12.2. DECEMBER 2021 COUNCIL PERFORMANCE REPORT

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

PURPOSE

For Council to receive and note the December 2021 Council Performance Report and endorse the CEO's advice that a revised 2021/22 budget is not required.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council:

- 1. Receive and note the December 2021 Council Performance Report as attached; and*
- 2. Endorse the CEO's advice that a revised 2021/22 budget is not required.*

COUNCILLOR STEPHENS / COUNCILLOR CROSSLEY

That Council:

- 1. Receive and note the December 2021 Council Performance Report as attached; and*
- 2. Endorse the CEO's advice that a revised 2021/22 budget is not required.*

CARRIED

12.3. LOCAL GOVERNMENT CULTURE PROJECT

ACTION OFFICER: CHIEF EXECUTIVE OFFICER

PURPOSE

The Local Government Culture Project aims to better understand the factors influencing councillor culture and conduct. A Discussion Paper (previously provided to Councillors), was released for public consultation on how the local government sector can work towards creating a safer, more diverse and representative local government sector.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council provides a submission to Local Government Victoria on the basis of the information contained within this report.

COUNCILLOR MCKENZIE / COUNCILLOR STEPHENS

That Council provides a submission to Local Government Victoria on the basis of the information contained within this report.

CARRIED

13. GENERAL MANAGER CORPORATE SERVICES

13.1. ASSEMBLY OF COUNCILLORS

ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES

OBJECTIVE

To report on all assembly of Councillor records received for the period 24 January 2022 to 6 February 2022.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 24 January 2022 to 6 February 2022.

COUNCILLOR TATTERSON / COUNCILLOR ROSSETTI

That Council note and receive the attached Assembly of Councillor records for the period 24 January 2022 to 6 February 2022.

CARRIED

14. GENERAL MANAGER DEVELOPMENT

14.1. FULHAM SOLAR FARM - SUBMISSION TO PLANNING PERMIT APPLICATION

ACTION OFFICER: MANAGER LAND USE PLANNING

PURPOSE

For Council to endorse a submission to the State Government's public notification of the Fulham Solar Farm Planning Permit Application (PA2101365).

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council endorse the attached submission to the Fulham Solar Farm Planning Permit Application.

COUNCILLOR CROSSLEY / COUNCILLOR TATTERSON

That Council endorse the attached submission to the Fulham Solar Farm Planning Permit Application.

CARRIED

14.2. MONTHLY PLANNING DECISIONS (NOVEMBER AND DECEMBER 2021)

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 months of November and December 2021.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 November 2021 and 31 December 2021.

COUNCILLOR TATTERSON / COUNCILLOR WOOD

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 November 2021 and 31 December 2021.

CARRIED

15. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

15.1. SOLDIERS ROAD, NAMBROK REHABILITATION

ACTION OFFICER: MANAGER ASSETS AND PROJECTS

PURPOSE

The purpose of this report is for Council to consider entering into a contract for the rehabilitation of Soldiers Road, Nambrok.

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 2022-061 Soldiers Road Rehabilitation Works Nambrok; and***
- 2. The information contained in the confidential attachment Contract 2022-061 Soldiers Road Rehabilitation Works Nambrok and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 27 January 2022 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 RIPPER / COUNCILLOR WOOD

That:

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2022-061 Soldiers Road Rehabilitation Works Nambrok; and***
- 2. The information contained in the confidential attachment Contract 2022-061 Soldiers Road Rehabilitation Works Nambrok and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 27 January 2022 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 Fowlers Asphaltting Pty Ltd.

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 - NIL

FURTHER GALLERY COMMENTS - NIL

Meeting declared closed at: 6:18pm

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.