



**WELLINGTON**  
SHIRE COUNCIL

*The Heart of Gippsland*

## **RESOLUTIONS IN BRIEF ORDINARY MEETING**

**To be read in conjunction with the Council Meeting Agenda 18 October 2022**

### **COUNCILLORS PRESENT**

Cr Ian Bye (Mayor)  
Cr Carolyn Crossley  
Cr Gayle Maher  
Cr Carmel Ripper  
Cr Scott Rossetti  
Cr Garry Stephens  
Cr John Tatterson  
Cr Jill Wood

### **OFFICERS PRESENT**

David Morcom, Chief Executive Officer  
Arthur Skipitaris, General Manager Corporate Services  
Brent McAlister, General Manager Development  
Clem Gillings, General Manager Community and Culture  
Denise Teo, Coordinator Governance and Council Business  
Kimberley Salleh, Acting Coordinator Communications and Media

### **APOLOGIES**

Cr Marcus McKenzie (Deputy Mayor)

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## 1. APOLOGIES

Councillor Marcus McKenzie

## 2. DECLARATION OF CONFLICT/S OF INTEREST

Councillor Crossley declared a general conflict of interest at Item 16.1 Community Assistance Grants – August 2022.

Councillor Stephens declared a general conflict of interest at Item 16.1 Community Assistance Grants – August 2022.

## 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 4 October 2022.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

#### RECOMMENDATION

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 4 October 2022.*

**COUNCILLOR WOOD / COUNCILLOR RIPPER**

*That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 4 October 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

COUNCILLOR BYE acknowledged Race 1 of the Shimano MTB Grand Prix held at the Blores Hill Mountain Bike Park on Saturday 15 October 2022 which he noted was a Middle of Everywhere supported event.

It was a great day with beautiful weather and a perfect track. The Mayor specifically acknowledged the huge effort from the Parks Victoria team (of which there are only nine of them) for the maintenance and presentation of the track not only for this event but in general.

With the addition of fantastic entertainment, it was a great day all around.

## 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 - SEPTEMBER 2022

**ACTION OFFICER: COUNCILLOR IAN BYE**

#### **RECOMMENDATION**

*That the Mayor and Councillors report be noted.*

**COUNCILLOR ROSSETTI / COUNCILLOR MAHER**

*That the Mayor and Councillors report be noted.*

**CARRIED**

## 11. DELEGATES REPORT

COUNCILLOR ROSSETTI presented a report on his attendance at the MAV State Council on Friday 14 October 2022.

I attended MAV State Council last Friday as the Wellington Shire Delegate.

A motion was brought up by Maribyrnong City Council to ask the State Government to bring forward the date of cessation of native forestry in Victoria. You will be aware that our council has sought to understand the costs and benefits of ceasing native forestry to understand the best environmental option with the least cost. This is why we were vitally interested in the science behind the decision by the State Government to end native forestry.

The motion referred to 'a practice which has severe environmental impacts, including threatening endangered species'. Our Council spent approximately \$50,000 on Freedom of Information requests over a two year period to find out the scientific and environmental basis of the phaseout decision. From the minimal relevant information received, there was no mention of environmental concerns or data – after two years of asking and \$50,000 spent!

We simply do not know that this course of action is the best and can only guess that the lack of evidence provided by the State is evidence of a lack of evidence in the first place, which is very disappointing.

Unfortunately, those advocating at the MAV for bringing forward the date to cease native forestry also failed to provide any evidence or empirical argument to back up the motion and their support for it – they simply quoted 'climate change' as the reason without making the connection between their motion and any positive climate change outcome.

The motion was defeated 49% to 51% but the result reversed to 51/49 when a division was called – I am guessing that a council was happy to vote "no" but when division was called, and the council votes would therefore be officially recorded, one of them voted the other way.

One interesting element here is that the Metro councils had two votes each compared to one vote each for the Rural councils - this likely influenced the result. I note though that after a long review process and many, many arguments, the MAV will become one vote per council once Governor assent is achieved – hopefully prior to State Government caretaker mode.

We put up a good argument and spoke to the negative effects of stopping native logging which will primarily be borne by rural communities but also by the environment itself, AND the increased costs of bringing forward the date to end logging.

I spoke about the significant job losses – the timber industry generates \$1.4 billion in sales/output, of which \$432 million was direct value-added for the regions. It employs 21,000 jobs across the State.

It will seriously increase exposure to bushfire - the current native timber industry provides crucial resources and skills for bushfire management. An early phaseout would leave regional communities seriously exposed to bushfires (along with native flora and fauna), given replacement planning has not been done.

On top of this, there will be inadequate transition time, it will increase the gap for replacement softwood plantations and increase imports which may, in fact, increase global emissions.

Finally an early end to the phaseout would result in a quicker transition to steel, which has a greater carbon 'footprint'.

Mayor Michael Leaney from Baw Baw Shire also spoke about the circular economy and how native forestry worked in this space. We all realise that there are some forestry practices that were not aligned with positive environmental outcomes – but banning the whole industry means that we are throwing the baby out with the bathwater.

These arguments fell on many deaf ears - people just could not see the forest for the trees. This is quite frustrating because so many things are being blamed on the need to combat climate change, but often there is no evidence proffered to show how the supposed solution at hand will actually achieve that end – simply saying *"it's for climate change"* seems to be all many need to say to support all sorts of solutions with no backing evidence, which in my view cheapens the quality work that so many are doing to define outcomes, investigate options and then choose the best cause of action to achieve positive environmental outcomes (like the Gippsland Climate Change Network).

As Tony Blair said of his son; *"Leo always says to me, 'Don't go there, Dad. There are feelings and there are facts, but right now feelings are more important.'"*

I am pleased to be part of a council that is always driven by data and science and not primarily by feelings – to be driven by the empirical not the ideological. Hopefully more in our communities go back to looking for facts, data and evidence rather than feelings and ideology.

## 12. CHIEF EXECUTIVE OFFICER

### 12.1. CHIEF EXECUTIVE OFFICER'S REPORT - SEPTEMBER 2022

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

**RECOMMENDATION**

*That the Chief Executive Officer's report be received.*

**COUNCILLOR CROSSLEY / COUNCILLOR WOOD**

*That the Chief Executive Officer's report be received.*

**CARRIED**

### 12.2. SEPTEMBER 2022 COUNCIL PERFORMANCE REPORT

**ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

**PURPOSE**

For Council to receive and note the September 2022 Council Performance Report.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

**RECOMMENDATION**

*That Council receive and note the September 2022 Council Performance Report as attached.*

**COUNCILLOR STEPHENS / COUNCILLOR MAHER**

*That Council receive and note the September 2022 Council Performance Report as attached.*

**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 26 September 2022 to 9 October 2022.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

**RECOMMENDATION**

*That Council note and receive the attached Assembly of Councillor records for the period 26 September 2022 to 9 October 2022.*

**COUNCILLOR MAHER / COUNCILLOR CROSSLEY**

*That Council note and receive the attached Assembly of Councillor records for the period 26 September 2022 to 9 October 2022.*

**CARRIED**

### 13.2. BIENNIAL AUDIT & RISK COMMITTEE UPDATE

**ACTION OFFICER: GENERAL MANAGER CORPORATE SERVICES**

**PURPOSE**

To provide Council with an overview of the activities of Council's Audit & Risk Committee, including findings and recommendations, for the period April 2022 – October 2022.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

**RECOMMENDATION**

*That Council receive the biennial report on the Audit & Risk Committee's activities, findings and recommendations for the period April 2022 – October 2022, as attached.*

**COUNCILLOR STEPHENS / COUNCILLOR ROSSETTI**

*That Council receive the biennial report on the Audit & Risk Committee's activities, findings and recommendations for the period April 2022 – October 2022, as attached.*

**CARRIED**

## 14. GENERAL MANAGER DEVELOPMENT

### 14.1. QUARTERLY BUILDING REPORT - APRIL TO JUNE 2022

**ACTION OFFICER: MANAGER REGULATORY SERVICES**

**PURPOSE**

To provide a report to Council on building permits issued in the Wellington Shire during the quarter 1 April 2022 to 30 June 2022, for information.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

NIL

**RECOMMENDATION**

*That Council note the report of building permits issued from 1 April 2022 to 30 June 2022.*

**COUNCILLOR MAHER / COUNCILLOR TATTERSON**

*That Council note the report of building permits issued from 1 April 2022 to 30 June 2022.*

**CARRIED**

### 14.2. MONTHLY PLANNING DECISIONS (AUGUST 2022)

**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 August 2022.

**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 August and 31 August 2022.*

**COUNCILLOR MAHER / COUNCILLOR ROSSETTI**

*That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 August and 31 August 2022.*

**CARRIED**

### 14.3. QUARTERLY STRATEGIC LAND USE PLANNING UPDATE - Q3 2022

#### **ACTION OFFICER: MANAGER LAND USE PLANNING**

#### **PURPOSE**

To update Council on the strategic land use planning work program for the third quarter July to September 2022.

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

NIL

#### **RECOMMENDATION**

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

#### **COUNCILLOR MAHER / COUNCILLOR WOOD**

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

**CARRIED**

## 15. GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT

### 15.1. NAMBROK RECREATION RESERVE MULTI-PURPOSE COURTS CONSTRUCTION

#### ACTION OFFICER: MANAGER ASSETS AND PROJECTS

#### PURPOSE

The purpose of this report is for Council to consider entering into a contract for the redevelopment of the Nambrok tennis courts including constructing one multi-use court.

#### 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 2023-020 Nambrok Tennis and Multi-Purpose Court Renewal; and*
2. *The information contained in the confidential attachment Contract 2023-020 Nambrok Tennis and Multi-Purpose Court Renewal and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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; 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 MAHER

##### *That:*

1. *Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2023-020 Nambrok Tennis and Multi-Purpose Court Renewal; and*
2. *The information contained in the confidential attachment Contract 2023-020 Nambrok Tennis and Multi-Purpose Court Renewal and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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; 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 Clint Kelly Excavations Pty Ltd*

## 15.2. GREAT SOUTHERN RAIL TRAIL CONSTRUCTION

### 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 21 km of the pavement for the Great Southern Rail Trail between Welshpool and Alberton.

#### 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 2023-017 Great Southern Rail Trail Pavement Construction Works; and***
- 2. The information contained in the confidential attachment Contract 2023-017 Great Southern Rail Trail Pavement Construction Works and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 07 October 2022 because it relates 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; 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 WOOD / COUNCILLOR MAHER**

***That:***

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2023-017 Great Southern Rail Trail Pavement Construction Works; and***
- 2. The information contained in the confidential attachment Contract 2023-017 Great Southern Rail Trail Pavement Construction Works and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 07 October 2022 because it relates 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; 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 Maffra Trenching and Boring Pty Ltd*

### 15.3. GREAT SOUTHERN RAIL TRAIL BRIDGE REPLACEMENT PACKAGE 1 - SMALL

#### ACTION OFFICER: MANAGER ASSETS AND PROJECTS

#### PURPOSE

The purpose of this report is for Council to consider entering into a contract for the replacement of the small bridges for the Great Southern Rail Trail between Welshpool and Alberton.

#### 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 2023-015 Great Southern Rail Trail Bridge Replacement Package 1 – Smaller Bridges; and***
- 2. The information contained in the confidential attachment Contract 2023-015 Great Southern Rail Trail Bridge Replacement Package 1 – Smaller Bridges and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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; 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 WOOD / COUNCILLOR MAHER**

***That:***

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2023-015 Great Southern Rail Trail Bridge Replacement Package 1 – Smaller Bridges; and***
- 2. The information contained in the confidential attachment Contract 2023-015 Great Southern Rail Trail Bridge Replacement Package 1 – Smaller Bridges and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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; 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 Teleo Pty Ltd*

#### **15.4. GREAT SOUTHERN RAIL TRAIL BRIDGE REPLACEMENT PACKAGE 2 - LARGE**

##### **ACTION OFFICER: MANAGER ASSETS AND PROJECTS**

##### **PURPOSE**

The purpose of this report is for Council to consider entering into a contract for the rehabilitation or replacement of the larger bridges on the Great Southern Rail Trail between Welshpool and Alberton.

##### **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 2023-016 Great Southern Rail Trail Bridge Replacement Package 2 – Large Bridges; and***
- 2. The information contained in the confidential attachment Contract 2023-016 Great Southern Rail Trail Bridge Replacement Package 2 – Large Bridges and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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; 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 WOOD / COUNCILLOR CROSSLEY**

**CARRIED**

*The Mayor announced the successful tenderer as Teleo Pty Ltd*

## 15.5. UNSEALED ROADS EASTERN MAINTENANCE AREA

### ACTION OFFICER: MANAGER ASSETS AND PROJECTS

#### PURPOSE

The purpose of this report is for Council to consider entering into a contract for the reconstruction of unsealed roads in the Eastern Maintenance Area.

#### 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 2023-012 Unsealed Roads Reconstruction Eastern Maintenance Area; and***
- 2. The information contained in the confidential attachment Contract 2023-012 Unsealed Roads Reconstruction Eastern Maintenance Area and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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; 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 TATTERSON / COUNCILLOR ROSSETTI

***That:***

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2023-012 Unsealed Roads Reconstruction Eastern Maintenance Area; and***
- 2. The information contained in the confidential attachment Contract 2023-012 Unsealed Roads Reconstruction Eastern Maintenance Area and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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; 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 East Gippsland Road Maintenance Pty Ltd*



## 15.6. UNSEALED ROAD RECONSTRUCTION WESTERN MAINTENANCE AREA

### ACTION OFFICER: MANAGER ASSETS AND PROJECTS

#### PURPOSE

The purpose of this report is for Council to consider entering into a contract for the reconstruction of unsealed roads in the Western Maintenance Area.

#### 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 2023-011 Unsealed Roads Reconstruction Works Western Maintenance Area; and**
- 2. The information contained in the confidential attachment Contract 2023-011 Unsealed Roads Reconstruction Works Western Maintenance Area and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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;  
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 TATTERSON / COUNCILLOR ROSSETTI

**That:**

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2023-011 Unsealed Roads Reconstruction Works Western Maintenance Area; and**
- 2. The information contained in the confidential attachment Contract 2023-011 Unsealed Roads Reconstruction Works Western Maintenance Area and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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;  
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 Whelans Group Investments Pty Ltd*

## 15.7. UNSEALED ROAD RECONSTRUCTION - SOUTHERN AND URBAN MAINTENANCE AREAS

### ACTION OFFICER: MANAGER ASSETS AND PROJECTS

#### PURPOSE

The purpose of this report is for Council to consider entering into a contract for the reconstruction of unsealed roads in the Southern and Urban Maintenance Areas.

#### 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 2023-013 Unsealed Roads Reconstruction Works Southern & Urban Areas; and***
- 2. The information contained in the confidential attachment Contract 2023-013 Unsealed Roads Reconstruction Works Southern & Urban Areas and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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;***  
***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 TATTERSON / COUNCILLOR ROSSETTI**

***That:***

- 1. Council adopt the recommendations contained in the attached confidential Tender Evaluation Report of the Council Meeting Agenda for Contract 2023-013 Unsealed Roads Reconstruction Works Southern & Urban Areas; and***
- 2. The information contained in the confidential attachment Contract 2023-013 Unsealed Roads Reconstruction Works Southern & Urban Areas and designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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;***  
***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 Bairnsdale Road Services Pty Ltd*

## 15.8. MATERIALS SUPPLY PANEL TENDER AWARD

### ACTION OFFICER: MANAGER BUILT ENVIRONMENT

#### PURPOSE

The purpose of this report is for Council to consider entering into a Schedule of Rates panel Contract 2022-088 Material Supply for Road Maintenance.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

#### RECOMMENDATION

***That:***

- 1. Council receive and consider this report and all attachments pertaining to this report; and***
- 2. Council accept the Schedule of Rates for Material Supply for Road Maintenance 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:***
  - Whelans Group Investments Pty Ltd***
  - A1 Asphalt Supplies***
  - SAMI Bitumen Technologies Pty Ltd***
  - Bairnsdale Road Services***
  - Macalister Earthmoving***
  - Bairnsdale Quarries***
  - RP&JM Orchard***
  - Yarram Quarries Pty Ltd***
  - Olsson Sand & Gravel Supplies Pty Ltd***
  - K&RJ Matthews Quarries Pty Ltd***
  - JP Suppliers***
  - Granite Rock Quarry***
- 3. The information contained in the confidential attachment Contract 2022-088 Tender Evaluation Material Supply for Road Maintenance 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 7 October 2022 as it relates 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; 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 STEPHENS**

***That:***

- 1. Council receive and consider this report and all attachments pertaining to this report; and**
- 2. Council accept the Schedule of Rates for Material Supply for Road Maintenance 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:**
  - Whelans Group Investments Pty Ltd**
  - A1 Asphalt Supplies**
  - SAMI Bitumen Technologies Pty Ltd**
  - Bairnsdale Road Services**
  - Macalister Earthmoving**
  - Bairnsdale Quarries**
  - RP&JM Orchard**
  - Yarram Quarries Pty Ltd**
  - Olsson Sand & Gravel Supplies Pty Ltd**
  - K&RJ Matthews Quarries Pty Ltd**
  - JP Suppliers**
  - Granite Rock Quarry**
- 3. The information contained in the confidential attachment Contract 2022-088 Tender Evaluation Material Supply for Road Maintenance 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 7 October 2022 as it relates 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; 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**

## 15.9. PLANT AND EQUIPMENT SUPPLY TENDER AWARD

### ACTION OFFICER: MANAGER BUILT ENVIRONMENT

#### PURPOSE

The purpose of this report is for Council to consider entering into a Schedule of Rates panel contract for the Plant and Equipment Supply, Contract 2022-087.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

#### RECOMMENDATION

##### *That Council:*

- 1. *Receives and considers this report and all attachments pertaining to this report; and***
- 2. *Accepts the Schedule of Rates for Plant and Equipment Supply for Road Maintenance 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 as submitted by:***
  - *Environmental Services Group Pty Ltd***
  - *Patriot Environmental Management***
  - *Eastern Constructions Pty Ltd***
  - *Bairnsdale Road Services***
  - *Whelans Group Investments***
  - *Fowlers Asphalting Pty Ltd***
  - *McInnes Earthmoving Pty Ltd***
  - *Maffra Trenching & Boring Pty Ltd***
  - *Gippsland Directional Drilling and Trenching***
  - *RP&JM Orchard***
  - *LSC Services and Excavation***
  - *Macalister Earthmoving***
  - *LSK Contracting***
  - *The Mining Pty Ltd***
  - *Conways Earthmoving***
  - *Olsson Sand and Gravel Supplies Pty Ltd***
  - *MJ Kiernan Tilt Tray Services; and***
- 3. *The information contained in the confidential attachment Contract 2022-087 Tender Evaluation Plant and Equipment Supply is designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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;***

*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 CROSSLEY**

**That Council:**

- 1. Receives and considers this report and all attachments pertaining to this report; and**
- 2. Accepts the Schedule of Rates for Plant and Equipment Supply for Road Maintenance 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 as submitted by:**
  - **Environmental Services Group Pty Ltd**
  - **Patriot Environmental Management**
  - **Eastern Constructions Pty Ltd**
  - **Bairnsdale Road Services**
  - **Whelans Group Investments**
  - **Fowlers Asphaltting Pty Ltd**
  - **McInnes Earthmoving Pty Ltd**
  - **Maffra Trenching & Boring Pty Ltd**
  - **Gippsland Directional Drilling and Trenching**
  - **RP&JM Orchard**
  - **LSC Services and Excavation**
  - **Macalister Earthmoving**
  - **LSK Contracting**
  - **The Mining Pty Ltd**
  - **Conways Earthmoving**
  - **Olsson Sand and Gravel Supplies Pty Ltd**
  - **MJ Kiernan Tilt Tray Services; and**
- 3. The information contained in the confidential attachment Contract 2022-087 Tender Evaluation Plant and Equipment Supply is designated confidential under Section 3(1) Confidential Information of the Local Government Act 2020 by the General Manager Built and Natural Environment on 7 October 2022 because it relates 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; 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**

## 16. GENERAL MANAGER COMMUNITY AND CULTURE

### 16.1. COMMUNITY ASSISTANCE GRANTS - AUGUST 2022

#### **ACTION OFFICER: MANAGER COMMUNITIES, FACILITIES AND EMERGENCIES**

#### **PURPOSE**

For Council to approve the allocation of Community Assistance Grants August 2022 round, as detailed in *Attachment 1 – CAG Aug 2022 Recommendations* – and applicants being notified of the outcome of their applications.

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

#### **RECOMMENDATION**

***That Council approve the allocation of Community Assistance Grants August 2022 funds, as detailed in Attachment 1 – CAG Aug 2022 Recommendations – and applicants being notified of the outcome of their applications.***

*Councillor Stephens and Councillor Crossley have both declared a general conflict of interest at Item 16.1 Community Assistance Grants - August 2022 due to conflicts of duty.*

*Both Councillors left the chamber at: 6:37pm*

*Both Councillors returned to the chamber at: 6:39pm*

#### **COUNCILLOR ROSSETTI / COUNCILLOR RIPPER**

***That Council approve the allocation of Community Assistance Grants August 2022 funds, as detailed in Attachment 1 – CAG Aug 2022 Recommendations – and applicants being notified of the outcome of their applications.***

**CARRIED**



## 17. FURTHER GALLERY AND ONLINE COMMENTS

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

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

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

ONLINE COMMENTS –

NIL

FURTHER GALLERY COMMENTS –

NIL

Meeting declared closed at: 6:40pm

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



## **18. IN CLOSED SESSION**

### **COUNCILLOR**

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

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

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**IN CLOSED SESSION**

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### **COUNCILLOR**

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