



WELLINGTON
SHIRE COUNCIL
The Heart of Gippsland

Resolutions In Brief

Virtual Council Meeting via Skype

To be read in conjunction with the Council Meeting Agenda 1 September 2020

COUNCILLORS PRESENT

Alan Hall (Mayor)

Gayle Maher (Deputy Mayor)

Ian Bye

Carolyn Crossley

Malcolm Hole

Darren McCubbin

Carmel Ripper

Scott Rossetti

Gary Stephens

**ORDINARY MEETING OF COUNCIL – 1 SEPTEMBER 2020
RESOLUTIONS IN BRIEF**

	ITEM	PAGE NUMBER
A	PROCEDURAL	
A1	ACKNOWLEDGEMENT OF COUNTRY AND PRAYER	
A2	APOLOGIES <i>NIL</i>	
A3	DECLARATION OF CONFLICT/S OF INTEREST <i>NIL</i>	
A4	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING	
A5	BUSINESS ARISING FROM PREVIOUS MEETING/S <i>NIL</i>	
A6	ACCEPTANCE OF LATE ITEMS <i>NIL</i>	
A7	NOTICES OF MOTION <i>NIL</i>	
A8	RECEIVING OF PETITIONS OR JOINT LETTERS ITEM A8(1) OUTSTANDING PETITIONS ITEM A8(2) RESPONSE TO PETITION: REQUEST TO SEAL COMMERCIAL STREET, YARRAM ITEM A8(3) RESPONSE TO PETITION: REQUEST FOR A BIKE TRACK/PUMP TRACK, GORMANDALE	
A9	INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS <i>NIL</i>	
A10	QUESTIONS ON NOTICE <i>NIL</i>	
B	REPORT OF DELEGATES <i>NIL</i>	
C	OFFICERS' REPORT	
	C1 CHIEF EXECUTIVE OFFICER ITEM C1.1 COUNCIL'S RESPONSE TO COVID-19 AND MUNICIPAL RECOVERY UPDATE	
	C2 GENERAL MANAGER CORPORATE SERVICES ITEM C2.1 ASSEMBLY OF COUNCILLORS	

	ITEM	PAGE NUMBER
	ITEM C2.2 REMUNERATION COMMITTEE MINUTES ITEM C2.3 MAV MICROSOFT ENTERPRISE AGREEMENT - 3 YEAR RENEWAL ITEM C2.4 ADOPTION OF GOVERNANCE RULES AND LOCAL LAW NO 1 ITEM C2.5 ADOPTION OF COUNCIL EXPENSE AND ADMINISTRATION POLICY ITEM C2.6 ADOPTION OF PUBLIC TRANSPARENCY POLICY ITEM C2.7 ADOPTION OF AUDIT AND RISK COMMITTEE AND CHARTER ITEM C2.8 APPROVAL OF C6 INSTRUMENTS OF DELEGATION - COMMUNITY ASSET COMMITTEES	
	C3 GENERAL MANAGER DEVELOPMENT ITEM C3.1 JUNE 2020 PLANNING DECISIONS	
	C4 GENERAL MANAGER BUILT AND NATURAL ENVIRONMENT ITEM C4.1 REVITALISING OUR REGION PROJECT	
	C5 GENERAL MANAGER COMMUNITY AND CULTURE ITEM C5.1 AQUA ENERGY REDEVELOPMENT CONCEPT AND COST PLAN APPROVAL ITEM C5.2 MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES	
D	URGENT BUSINESS	
E	FURTHER GALLERY AND CHAT ROOM COMMENTS	
F	CONFIDENTIAL ATTACHMENT/S ITEM F1.1 MAV MICROSOFT ARRANGEMENT TENDER EVALUATION RECOMMENDATION REPORT - CONTRACT NPN 2.17-3	
G	IN CLOSED SESSION	

ITEM A4

ADOPTION OF MINUTES OF PREVIOUS MEETING/S

OBJECTIVE

To adopt the minutes of the Ordinary Council Meeting of 18 August 2020.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 18 August 2020.

COUNCILLOR BYE / COUNCILLOR MAHER

That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 18 August 2020.

CARRIED

ITEM A5

BUSINESS ARISING FROM PREVIOUS MEETING/S

NIL

ITEM A6

ACCEPTANCE OF LATE ITEMS

NIL

ITEM A7

NOTICES OF MOTION

NIL

ITEM A8(1)

OUTSTANDING PETITIONS

ITEM	FROM MEETING	COMMENTS	ACTION BY
NIL			

ITEM A8(2)**RESPONSE TO PETITION: REQUEST TO SEAL COMMERCIAL STREET IN YARRAM****OBJECTIVE**

The purpose of this report is for Council to consider a petition received at the Ordinary Council meeting of 4 August 2020 requesting sealing of Commercial Street, Yarram.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council authorise the Chief Executive Officer to write to the head petitioner advising that Council will commence engagement with property owners on Commercial Street, Yarram, to progress a street upgrade project through a special charge scheme in line with Council's Residential Road and Street Construction Plan.

COUNCILLOR STEPHENS / COUNCILLOR MAHER

That Council authorise the Chief Executive Officer to write to the head petitioner advising that Council will commence engagement with property owners on Commercial Street, Yarram, to progress a street upgrade project through a special charge scheme in line with Council's Residential Road and Street Construction Plan.

CARRIED

ITEM A8(3)**RESPONSE TO PETITION: REQUEST FOR A BIKE TRACK/PUMP TRACK, GORMANDALE****OBJECTIVE**

The purpose of this report is for Council to consider a petition received at the Ordinary Council meeting of 4 August 2020 requesting the construction of a bike track/pump track in Gormandale.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council;

- 1. Decline the request for a bike track/pump track to be constructed in Gormandale on the basis that it does not fit Councils provision guidelines for bike tracks/pump tracks; and*
- 2. Authorise the Chief Executive Officer to write to the head petitioner to advise them of Council's decision.*

COUNCILLOR MAHER / COUNCILLOR CROSSLEY

That Council;

- 1. Decline the request for a bike track/pump track to be constructed in Gormandale on the basis that it does not fit Councils provision guidelines for bike tracks/pump tracks; and*

2. Authorise the Chief Executive Officer to write to the head petitioner to advise them of Council's decision.

CARRIED

**ITEM A9 INVITED ADDRESSES, PRESENTATIONS OR
ACKNOWLEDGEMENTS**

NIL

ITEM A10 QUESTIONS ON NOTICE

NIL

ITEM B DELEGATES REPORTS

NIL

**ITEM C1.1 COUNCIL'S RESPONSE TO COVID-19 AND MUNICIPAL
RECOVERY UPDATE**

OBJECTIVE

To provide Council with an update on Council's response to COVID-19, specifically the outcomes of multi-agency pandemic emergency response exercises that have been recently undertaken.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council's response to COVID-19, specifically the outcomes of multi-agency pandemic emergency response exercises that have been recently undertaken, be noted.

COUNCILLOR CROSSLEY / COUNCILLOR BYE

That Council's response to COVID-19, specifically the outcomes of multi-agency pandemic emergency response exercises that have been recently undertaken, be noted.

CARRIED

ITEM C2.1**ASSEMBLY OF COUNCILLORS****OBJECTIVE**

To report on all assembly of Councillor records received for the period 10 August 2020 to 23 August 2020.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council note and receive the attached Assembly of Councillor records for the period 10 August 2020 to 23 August 2020.

COUNCILLOR BYE / COUNCILLOR RIPPER

That Council note and receive the attached Assembly of Councillor records for the period 10 August 2020 to 23 August 2020.

CARRIED

ITEM C2.2**REMUNERATION COMMITTEE MINUTES****OBJECTIVE**

For Council to note and receive the minutes and endorse the actions of the Remuneration Committee meeting held on 4 August 2020.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That:

- 1. Council note and receive the minutes from the Remuneration Committee meeting held on 4 August 2020 as attached; and**
- 2. Council endorse the actions from the Remuneration Committee meeting held on 4 August 2020 as detailed in the attached minutes.**

COUNCILLOR HOLE / COUNCILLOR STEPHENS

That:

- 1. Council note and receive the minutes from the Remuneration Committee meeting held on 4 August 2020 as attached; and**
- 2. Council endorse the actions from the Remuneration Committee meeting held on 4 August 2020 as detailed in the attached minutes.**

CARRIED

ITEM C2.3**MAV MICROSOFT ENTERPRISE AGREEMENT - 3 YEAR RENEWAL****OBJECTIVE**

The purpose of this report is for Council to consider the renewal of our Microsoft Enterprise Agreement for a period of (3) three years, as per the Municipal Association of Victoria's (MAV) Microsoft Arrangement Tender and Procurement contract NPN 2.17-3.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION***That Council:***

- 1. Adopt recommendations contained in confidential attachment Item F1.1 Municipal Association of Victoria's (MAV) Microsoft Arrangement Tender Evaluation Recommendation Report - Contract NPN 2.17-3;***
- 2. Approve the renewal of our Microsoft Enterprise Agreement for a period of (3) three years; and***
- 3. Note the information contained in confidential attachment Item F1.1 MAV Microsoft Arrangement Tender Evaluation Recommendation Report - Contract NPN 2.17-3 and particularly the reports designated under Section 66 Clause (2)(a) of the Local Government Act 2020 which is deemed confidential by the General Manager Corporate Services, on the following grounds under Section 3(1) g) ii) of the Local Government Act 2020, as it contains private commercial information which, if released, would unreasonably expose the business to disadvantage by disclosing financial information to competitors, except that once this recommendation has been adopted the name of the successful tenderer can be made public.***

COUNCILLOR ROSSETTI / COUNCILLOR CROSSLEY***That Council:***

- 1. Adopt recommendations contained in confidential attachment Item F1.1 Municipal Association of Victoria's (MAV) Microsoft Arrangement Tender Evaluation Recommendation Report - Contract NPN 2.17-3;***
- 2. Approve the renewal of our Microsoft Enterprise Agreement for a period of (3) three years; and***
- 3. Note the information contained in confidential attachment Item F1.1 MAV Microsoft Arrangement Tender Evaluation Recommendation Report - Contract NPN 2.17-3 and particularly the reports designated under Section 66 Clause (2)(a) of the Local Government Act 2020 which is deemed confidential by the General Manager Corporate Services, on the following grounds under Section 3(1) g) ii) of the Local Government Act 2020, as it contains private commercial information which, if released, would unreasonably expose the business to disadvantage by disclosing financial information to competitors, 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 Crayon Group Australia Pty Ltd

ITEM C2.4

ADOPTION OF GOVERNANCE RULES AND LOCAL LAW NO 1

OBJECTIVE

That Council approve the amended Local Law No 1 and new Governance Rules which include Council's Election Period Policy, as attached.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council approve the amended Local Law No 1 and new Governance Rules, which include Council's Election Period Policy as attached.

COUNCILLOR MCCUBBIN / COUNCILLOR BYE

That Council approve the amended Local Law No 1 and new Governance Rules, which include Council's Election Period Policy as attached.

CARRIED

ITEM C2.5

ADOPTION OF COUNCIL EXPENSE AND ADMINISTRATION POLICY

OBJECTIVE

To approve the updated Council Expense and Administration Policy, as attached, having been revised as required under section 57 of the new *Local Government Act 2020* (the Act).

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council approve the updated Council Expense and Administration Policy, as attached, having been revised as required under section 57 of the new Local Government Act 2020 (the Act).

COUNCILLOR MAHER / COUNCILLOR RIPPER

That Council approve the updated Council Expense and Administration Policy, as attached, having been revised as required under section 57 of the new Local Government Act 2020 (the Act).

CARRIED

ITEM C2.6**ADOPTION OF PUBLIC TRANSPARENCY POLICY****OBJECTIVE**

To approve the new Public Transparency Policy, as attached, and as required under section 57 of the new *Local Government Act 2020* (the Act).

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council approve the new Public Transparency Policy, as attached, and as required under section 57 of the new Local Government Act 2020.

COUNCILLOR MAHER / COUNCILLOR RIPPER

That Council approve the new Public Transparency Policy, as attached, and as required under section 57 of the new Local Government Act 2020.

CARRIED

ITEM C2.7**ADOPTION OF AUDIT AND RISK COMMITTEE AND CHARTER****OBJECTIVE**

As per the new *Local Government Act 2020* (the Act), Council:

1. endorse the continuation of its existing Audit and Risk Committee which meets the requirements of section 53 of the Act; and
2. approve the adoption of an updated Audit and Risk Committee Charter, as attached, which meets the requirements of section 54 of the Act and has been updated to include the correct references to the Act.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council, as per the new Local Government Act 2020 (the Act):

1. *endorse the continuation of its existing Audit and Risk Committee which meets the requirements of section 53 of the Act and;*
2. *approve the adoption of an updated Audit and Risk Committee Charter, as attached, which meets the requirements of section 54 of the Act and has been updated to include the correct references to the Act.*

COUNCILLOR STEPHENS / COUNCILLOR CROSSLEY

That Council, as per the new Local Government Act 2020 (the Act):

1. *endorse the continuation of its existing Audit and Risk Committee which meets the requirements of section 53 of the Act and;*
2. *approve the adoption of an updated Audit and Risk Committee Charter, as attached, which meets the requirements of section 54 of the Act and has been updated to include the correct references to the Act.*

CARRIED

ITEM C2.8

**APPROVAL OF C6 INSTRUMENTS OF DELEGATION -
COMMUNITY ASSET COMMITTEES**

OBJECTIVE

To transition the current Council Section 86 Committees of Management that were established under the *Local Government Act 1989* to "Community Asset Committees" to meet compliance with the requirements of section 65 of the new *Local Government Act 2020* (the Act).

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council;

- 1. Revoke the Instruments of Delegation and Section 86 Committees of Management as previously established under section 86 of the Local Government Act 1989;***
- 2. Approve the Instruments of Delegation, as attached, to establish and appoint the Community Asset Committees under Section 65 of the Local Government Act 2020; and***
- 3. Delegate the power to approve future committee member appointments to these Community Asset Committees to the Chief Executive Officer.***

COUNCILLOR CROSSLEY / COUNCILLOR RIPPER

That Council;

- 1. Revoke the Instruments of Delegation and Section 86 Committees of Management as previously established under section 86 of the Local Government Act 1989;***
- 2. Approve the Instruments of Delegation, as attached, to establish and appoint the Community Asset Committees under Section 65 of the Local Government Act 2020; and***
- 3. Delegate the power to approve future committee member appointments to these Community Asset Committees to the Chief Executive Officer.***

CARRIED

ITEM C3.1

JUNE 2020 PLANNING DECISIONS

OBJECTIVE

To provide a report to Council on recent planning permit trends and planning decisions made under delegation by Statutory Planners during the month of June 2020.

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 June and 30 June 2020.

COUNCILLOR MAHER / COUNCILLOR MCCUBBIN

That Council note the report on recent Planning Permit trends and Planning Application determinations between 1 June and 30 June 2020.

CARRIED

ITEM C4.1**REVITALISING OUR REGION PROJECT****OBJECTIVE**

To seek approval from Council to apply for funding through the Department of Infrastructure, Transport, Regional Development and Communications to support the Revitalising our Region package of works as defined in this report.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That, in response to an announcement by Darren Chester MP, Federal Member for Gippsland, allocating \$8 million towards the multiyear \$14 million Wellington Shire Council Revitalising our Region package of works as described in this report, Council;

- 1. Authorise the Chief Executive Officer to finalise application(s) and agreement(s) for Federal Government funding of at least \$8M to contribute towards the Revitalising our Region package of works;***
- 2. Note that initial funding of \$4.25M to support the Revitalising our Region package of works has been allocated in the adopted 2020/21 budget; and***
- 3. Approve the additional funding of \$1.75M already allocated across the 2021/22 and 2022/23 forward capital works budgets to support the Revitalising our Region package of works.***

COUNCILLOR MCCUBBIN / COUNCILLOR CROSSLEY

That, in response to an announcement by Darren Chester MP, Federal Member for Gippsland, allocating \$8 million towards the multiyear \$14 million Wellington Shire Council Revitalising our Region package of works as described in this report, Council;

- 1. Authorise the Chief Executive Officer to finalise application(s) and agreement(s) for Federal Government funding of at least \$8M to contribute towards the Revitalising our Region package of works;***
- 2. Note that initial funding of \$4.25M to support the Revitalising our Region package of works has been allocated in the adopted 2020/21 budget; and***
- 3. Approve the additional funding of \$1.75M already allocated across the 2021/22 and 2022/23 forward capital works budgets to support the Revitalising our Region package of works.***

CARRIED

ITEM C5.1**AQUA ENERGY REDEVELOPMENT CONCEPT AND COST PLAN APPROVAL****OBJECTIVE**

The purpose of this report is to recommend, for formal adoption by Council, the concept design presented at the Council Workshop on 21 July 2020 for the redevelopment of Aqua Energy (Attachment 1) in accordance with the funding strategy presented in this Council report enabling community engagement to proceed to finalise the schematic design and to enable application for external funding contributions.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council adopts the concept design presented at the Council Workshop on 21 July 2020 for redevelopment of Aqua Energy (Attachment 15.1.1) in accordance with the funding strategy presented in this Council report enabling community engagement to proceed to finalise the schematic design and to enable application for external funding contributions.

COUNCILLOR BYE / COUNCILLOR MCCUBBIN

That Council adopts the concept design presented at the Council Workshop on 21 July 2020 for redevelopment of Aqua Energy (Attachment 15.1.1) in accordance with the funding strategy presented in this Council report enabling community engagement to proceed to finalise the schematic design and to enable application for external funding contributions.

CARRIED**ITEM C5.2****MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT MINUTES****OBJECTIVE**

For Council to receive the minutes from the Maffra Recreation Reserve Committee of Management's General Meeting held on 6 July 2020.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

NIL

RECOMMENDATION

That Council receive the minutes of the Maffra Recreation Reserve Committee of Management's General Meeting held on 6 July 2020.

COUNCILLOR RIPPER / COUNCILLOR HOLE

That Council receive the minutes of the Maffra Recreation Reserve Committee of Management's General Meeting held on 6 July 2020.

CARRIED

ITEM D

URGENT BUSINESS

NIL

ITEM E

FURTHER GALLERY AND CHAT ROOM COMMENTS

CHAT ROOM – NIL

GALLERY COMMENTS – NIL

Meeting declared closed at: 3:42pm

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