



LATROBE CITY COUNCIL

MINUTES FOR THE COUNCIL MEETING

HELD VIA AUDIO-VISUAL LINK
AT 6.00PM ON 04 APRIL 2022
CM576

PRESENT:

Councillors:	Cr Kellie O'Callaghan, Mayor	East Ward
	Cr Dan Clancey, Deputy Mayor	East Ward
	Cr Darren Howe	East Ward
	Cr Dale Harriman	East Ward
	Cr Tracie Lund	Central Ward
	Cr Graeme Middlemiss	Central Ward
	Cr Brad Law	West Ward
	Cr Sharon Gibson	West Ward
Officers:	Steven Piasente	Chief Executive Officer
	Gail Gatt	General Manager Community Health & Wellbeing
	Jody Riordan	General Manager City Planning & Assets
	Kendrea Pope	Acting Executive Manager Office of the CEO
	Matthew Rogers	Acting General Manager Organisational Performance
	Tim Ellis	General Manager Regional City Strategy and Transition
	Kaitlyn Boram	Governance Officer
Apologies:	Cr Melissa Ferguson	

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Resolutions in this minutes document should be read in conjunction with the published agenda for the 04 April 2022 Council Meeting.

COUNCILLOR AND PUBLIC ATTENDANCE

PLEASE NOTE

To ensure local government decision-making can continue during the coronavirus pandemic, mechanisms for virtual Council meetings have been introduced into the *Local Government Act 2020*.

Pursuant to section 394 of the *Local Government Act 2020*, a Councillor may attend this Council Meeting remotely by electronic means of communication; and

Pursuant to section 395 of the *Local Government Act 2020* this Council Meeting may be closed to in person attendance by members of the public provided the Meeting is available through live stream on Council's internet site.

1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

The Mayor read the acknowledgement of the traditional owners of the land.

2. THE PRAYER

The Mayor read the opening prayer.

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Ferguson put in an apology.

4. DECLARATION OF INTERESTS

Nil

5. ADOPTION OF MINUTES

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

That Council confirm the minutes of the Council Meeting held on 7 March 2022.

CARRIED UNANIMOUSLY

6. ACKNOWLEDGEMENTS

Nil

7. PUBLIC PARTICIPATION TIME

Public Questions on Notice

Nil

Public Speakers

Nil

8. QUESTIONS ON NOTICE

Nil reports

9. NOTICES OF MOTION

9.1 2022/02 VISITOR INFORMATION

Cr Sharon Gibson

RESOLUTION

Moved: Cr Gibson

Seconded: Cr Law

That Council receive a report at the June 2022 Council meeting which considers the benefits and disadvantages of:

- 1. Retaining only the (one) current visitor information service for the City; and**
- 2. Managing the operation of a single visitor information centre at either the east or western end of the municipality; and**
- 3. The option of having two centres servicing visitors to the east and west of the municipality.**

CARRIED UNANIMOUSLY

Attachments

Nil

10. ITEMS FOR TABLING

Agenda Item: 10.1

Agenda Item: CCP 2021-2 Councillor Conduct Panel Determination and Statement of Reasons for Decision

Sponsor: Chief Executive Office

Council Plan Objective: SMART

Status: For Information

RESOLUTION

Moved: Cr Howe

Seconded: Cr Clancey

That Council:

Receive and note the decision and statement of reasons presented in the Councillor Conduct Panel Report (CCP2021-2) of an application by Councillors Darren Howe, Brad Law, Tracie Lund and Dan Clancey concerning Councillor Melissa Ferguson.

For Crs Clancey, O'Callaghan, Law, Middlemiss, Howe and Lund

Against: Nil

Abstained: Crs Harriman and Gibson

Carried

Attachments – Refer to Agenda

1. Councillor Conduct Panel Determination and Statement of Reasons for Decision

11. CORRESPONDENCE

Nil reports

12. PRESENTATION OF PETITIONS

Agenda Item: 12.1

Agenda Item: Petition for Support for a Public Toilet in Morwell North CBD

Sponsor: General Manager, Regional City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Information

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Lund

That Council:

- 1. In accordance with the *Council Meetings Policy*, agrees to lay the petition requesting *Support for a Public Toilet in Morwell North CBD*, on the table until the Council Meeting to be held on 2 May 2022;**
- 2. Requests a report be prepared for the 2 May 2022 Council Meeting detailing (but not limited to) the implications, issues and options surrounding the request and details of the petition; and**
- 3. Advises the head petitioner of this decision in relation to the petition.**

CARRIED UNANIMOUSLY

Attachments

- 1. Petition Submissions for Support for a public toilet in Morwell North CBD (Published Separately)**

This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. Petition contains contact details of individuals

13. REGIONAL CITY STRATEGY AND TRANSITION

Nil reports

14. REGIONAL CITY PLANNING AND ASSETS

Agenda Item: 14.1

Agenda Item: CEO Delegation to award contracts for Gippsland Logistics Precinct

Sponsor: General Manager, Regional City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Decision

RESOLUTION

Moved: Cr Gibson

Seconded: Cr Middlemiss

That Council delegates to the Chief Executive Officer (CEO) the power to award contracts related to the Gippsland Logistic Precinct for up to \$1,600,000 including GST where the Tenders comply with the Procurement Policy and available grant funding.

CARRIED UNANIMOUSLY

Attachments

1. Attachment 1 - Tenders applicable to requested CEO delegation (Published Separately)

This attachment is designated as confidential under subsection (a) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. Includes internal cost estimates for future public tenders.

15. COMMUNITY HEALTH AND WELLBEING

Agenda Item: 15.1

**Agenda Item: Tourism and Major Events Advisory Committee
Recommendations December 2021 & February 2022**

Sponsor: General Manager, Community Health and Wellbeing

Council Plan Objective: CREATIVE

Status: For Decision

RESOLUTION

Moved: Cr Howe
Seconded: Cr Gibson

That Council:

- 1. Adopts the recommendations of the Tourism and Major Events Advisory Committee and authorises officers to enter into a suitable agreement to fund the following events through the annual Major Events Attraction budget;**
 - Victorian Open Lawn Bowls - \$25,000 for year 1 Date 25/03/23 to 2/04/23**
 - Badminton Victoria U13 & U17 Silver Tournament - \$5,000 plus Venue In Kind (VIK) hire, for year 1 Date 03/09/22 to 04/09/22**

Funding for subsequent years pending Council endorsement of the budget for those financial years.
- 2. Notes the decision to approve the recommendation of the Tourism and Major Events Advisory Committee, to fund the Inline Hockey Australasian Club Championship (15-18 April 2022) for \$10,000 through the Major Events Attraction budget (2021/22) allocation.**

CARRIED UNANIMOUSLY

Attachments

- 1. Victorian Open Lawn Bowls Event Assessment (Published Separately)**

This attachment is designated as confidential under subsection (a) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. The attached document provides information on Council's negotiations that could unfairly prejudice Council if released.

2. Badminton Victoria Event Assessment (Published Separately)

This attachment is designated as confidential under subsection (a) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. The attached document provides information on Council's negotiations that could unfairly prejudice Council if released.

3. Inline Hockey Australasian Club Championship (Published Separately)

This attachment is designated as confidential under subsection (a) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. The attached document provides information on Council's negotiations that could unfairly prejudice Council if released.

16. ORGANISATIONAL PERFORMANCE

Agenda Item: 16.1

**Agenda Item: Proposed Sale of Land - Keegan Street Reserve,
Morwell**

Sponsor: General Manager, Organisational Performance

Council Plan Objective: SUSTAINABLE

Status: For Decision

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

That Council:

- 1. Advises the Department of Environment, Land, Water and Planning (“DELWP”) of its consent to excise part of the Keegan Street Reserve Morwell measuring 760 square metres (“the land”) from the Reserve to enable it to be sold to Morwell Bowls Club & Recreation Centre Inc. (“MBC”); and**
- 2. Authorises the Chief Executive Officer to enter into a lease to MBC of the land on such terms as are agreeable to MBC and DELWP until such time as the sale of the land is completed.**

CARRIED UNANIMOUSLY

Attachments – Refer to Agenda

- 1. DELWP Request to Revoke**

Agenda Item: 16.2

Agenda Item: Proposed Sale of Land - 23 Bunyip Court, Morwell

Sponsor: General Manager, Organisational Performance

Council Plan Objective: SUSTAINABLE

Status: For Decision

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Lund

That Council:

- 1. Gives public notice of the proposed sale of an estimated 190 square metres of vacant land (“the land”) within a Council reserve located between Nindoo Drive, Morwell and Airlie Bank Road, adjoining 23 Bunyip Court, Morwell, by private treaty, and invites public comment on the proposal; and**
- 2. Considers any submissions received that are opposed to the proposed sale of the land at a future Council Meeting; or**
- 3. If no submissions opposed to the sale of the land are received, authorised the Chief Executive Officer to sell the land at no less than the current market value as assessed by independent valuation and to sign and seal any documents required to facilitate the transfer of land.**

CARRIED UNANIMOUSLY

Attachments – Refer to Agenda

- 1. 23 Bunyip Court, Morwell**
- 2. PS 427750Y**

Agenda Item: 16.3

Agenda Item: 2022/23 Draft Budget

Sponsor: General Manager, Organisational Performance

Council Plan Objective: SUSTAINABLE

Status: For Decision

RESOLUTION

Moved: Cr Law

Seconded: Cr Clancey

That Council:

- 1. Confirms the proposed 2022/2023 Budget (including proposed fees and charges) annexed to this report as being the budget prepared by Council for the purposes of section 94 of the *Local Government Act 2020* (“the Budget”);**
- 2. Authorises the Chief Executive Officer to:**
 - a. give public notice of the preparation of the draft Budget in accordance with Council’s Community Engagement Policy;**
 - b. make the draft Budget available for inspection at Council Headquarters, Service Centres and on Council’s website;**
- 3. Hears any submissions in relation to the draft Budget at an Unscheduled Meeting of Council to be held on Monday 16 May 2022; and**
- 4. Gives notice of its intention to adopt the Budget at the Meeting of Council to be held on Monday 6 June 2022 at the Corporate Headquarters, Morwell.**

CARRIED UNANIMOUSLY

Attachments – Refer to Agenda

- 1. 2022/23 Draft Budget (fees & charges)**

17. URGENT BUSINESS

Nil Reports

18. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION

Section 66 of the *Local Government Act 2020* enables Council to close the meeting to the public to consider *confidential information* as defined in that Act.

RESOLUTION

Moved: Cr Gibson

Seconded: Cr Middlemiss

That Council pursuant to section 66(1) and 66(2)(a) of the *Local Government Act 2020* (the Act) close the Council Meeting to the public to consider the following items containing confidential information as defined in section 3(1) of the Act:

18.1 Social & Affordable Housing Strategy - Stage 1 - Potentially Surplus Council Land - Update of Organisations to be Provided List

This item is confidential as it contains land use planning information, being information that if prematurely released is likely to encourage speculation in land values (section 3 (1)(c)). This ground applies because the list of potentially surplus sites may lead to community speculation on land values

CARRIED UNANIMOUSLY

The Meeting closed to the public at 6:51pm.

There being no further business the meeting was declared closed at 6:56pm.

I certify that these minutes have been confirmed.

Mayor: _____

Date: _____