



LATROBE CITY COUNCIL

MINUTES FOR THE COUNCIL MEETING

**HELD IN NAMBUR WARIGA MEETING ROOM
CORPORATE HEADQUARTERS, MORWELL
AT 6.00PM ON 06 JUNE 2022
CM579**

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 Graeme Middlemiss	Central Ward
	Cr Melissa Ferguson	South Ward
	Cr Brad Law	West Ward
Officers:	Steven Piasente	Chief Executive Officer
	Gail Gatt	General Manager Community Health & Wellbeing
	Jody Riordan	General Manager Regional City Planning & Assets
	Tim Ellis	General Manager Regional City Strategy & Transition
	Greg Drumm	General Manager Organisational Performance
	Kendrea Pope	Acting Executive Manager Office of the CEO
	Kaitlyn Boram	Governance Officer
Apologies:	Cr Sharon Gibson, Cr Tracie Lund	

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Resolutions in this minutes document should be read in conjunction with the published agenda for the 06 June 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 prayer.

3. APOLOGIES AND LEAVE OF ABSENCE

Councillors Lund and Gibson were apologies for the meeting.

4. DECLARATION OF INTERESTS

Cr Clancey has a declaration of a general conflict of interest at item 17.2.

Cr Middlemiss declared an interest in item 14.2 but is not a conflict.

Cr O'Callaghan declared an interest but not a conflict in item 17.4.

5. ADOPTION OF MINUTES

RESOLUTION

Moved: Cr Law

Seconded: Cr Howe

That Council confirm the minutes of the Council Meeting held on 2 May 2022 and Unscheduled Council Meeting held on 16 May 2022.

CARRIED UNANIMOUSLY

6. ACKNOWLEDGEMENTS

The Mayor acknowledged the significant contribution of Ms Gail Gatt, General Manager Community Health and Wellbeing who is leaving Latrobe after many years of service.

Cr Law acknowledged the sad and sudden passing of Mr Nathan Jones who was a well-known local motorcross rider and father. Cr Law paid his respects and offered his condolences to Mr Jones' family.

7. PUBLIC PARTICIPATION TIME

Public Questions on Notice

In accordance with the *Governance Rules*, members of the public were able to lodge a question on notice before 12 noon Friday 3 June 2022 in order for the question to be answered at the meeting. There were no questions on notice.

Public Speakers

Members of the public who registered before 12 noon were invited to speak to an item on the agenda. There were three public speakers.

- Andrew Purdie - Owner/Developer - Bennett Williams
- Craig Trembarth - Project Manager/Construction Supervisor - Bennett Williams
- Graham Tairnage – Barktown Rd
- Rob de Souza – Daw - Member of Churchill District Community Association

8. QUESTIONS ON NOTICE

Nil reports

9. NOTICES OF MOTION

Nil reports

**ITEMS REFERRED BY
THE COUNCIL TO THIS
MEETING FOR
CONSIDERATION**

10. ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR CONSIDERATION

Agenda Item: 10.1

Agenda Item: 2022/23 Budget (including Fees & Charges)

Sponsor: General Manager, Organisational Performance

Council Plan Objective: SUSTAINABLE

Status: For Decision

RESOLUTION

Moved: Cr Clancey

Seconded: Cr Howe

That Council:

- 1. Having regard to the submissions made in relation to the draft budget adopts the 2022/2023 Budget (including fees and charges), *annexed to this report*;**
- 2. In accordance with the provisions of the *Local Government Act 1989 (Act 1989)*, declares that the amounts that it intends to raise by way of general rates, municipal charges and service charges for the period 1 July 2022 to 30 June 2023 are as follows:**

General Rates	\$58,695,438
Municipal Charge	\$ 5,723,424
Service Charges	\$14,088,845
EPA Landfill Levy Charge	\$ 1,150,123
Cultural and Recreational Land	\$ 77,886
Payments in lieu of rates	\$ 8,365,205

- 3. Declares that the general rates will be raised in 2022/2023 by the application of the following differential rates calculated on the Capital Improved Value of rateable property:**
 - 3.1. General rate of 0.00322058 cents in the dollar on lands as defined in paragraph 6.1.1**
 - 3.2. Farm rate of 0.00241544 cents in the dollar on farm land as defined in paragraph 7.1.1**

- 3.3. Derelict Properties rate of 0.00966176 cents in the dollar on lands as defined in paragraph 8.2**
- 4. Declares the general rates for a twelve month period commencing 1 July 2022 and that the rates be levied in respect of each portion of rateable land for which the Council has a separate valuation;**
- 5. Is of the opinion that the differential rates to be levied in 2022/2023 will contribute to the equitable and efficient carrying out of its functions;**
- 6. Specifies in relation to the General Rate for 2022/2023 the following in accordance with Section 161 of the Act 1989:**
- 6.1. The objectives of the general rate as:**
- 6.1.1. the types and classes of land to which the rate will apply is all other rateable land that is not defined as farm land as described in paragraph 7.1.1 or derelict properties as described in paragraph 8.2;**
- 6.1.2. the level of the general rate is 0.00322058 cents in the dollar on the capital improved value of land as defined;**
- 6.1.3. the reasons for the use and level of that rate are that:**
- 6.1.3.1. the types and classes of land to which the rate applies can be easily identified;**
- 6.1.3.2. it is appropriate to have a general rate so as to fairly rate lands other than derelict properties, recreational and farm lands;**
- 6.1.3.3. the level of the general rate is appropriate having regard to all relevant matters including the use to which the land is put and the amount to be raised by Council's Municipal Charge;**
- 6.1.3.4. the level of the general rate is appropriate to ensure that the burden of the payment of rates is fairly apportioned across all rateable land within the Municipal district;**
- 6.1.3.5. it meets the objectives the Council considers are consistent with the economical and efficient carrying out of its functions, and**
- 6.1.4. the characteristics of the land which are the criteria for declaring the general rate are as set out in sub-paragraph 6.1.1 above;**
- 7. Specifies in relation to the farm rate for 2022/2023 the following in accordance with Section 161 of the Act 1989:**
- 7.1. The objectives of the farm rate as:**

7.1.1. the types and classes of land to which the rate will apply is farm land as defined in Section 2 of the *Valuation of Land Act* 1960, namely, any rateable land which is not less than 2 hectares in area and which is used primarily for carrying on one or more of the following businesses or industries:

grazing (including agistment);

dairying;

pig farming;

poultry farming;

fish farming;

tree farming;

bee keeping;

viticulture;

horticulture;

fruit growing;

the growing of crops of any kind;

and that is used by a business:

- that has a significant and substantial commercial purpose or character; and**
- that seeks to make a profit on a continuous or repetitive basis from its activities on the land; and**
- that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way it is operating**

7.1.2. the level of the farm rate is 0.00241544 cents in the dollar on the capital improved value of farm land as defined;

7.1.3. the reasons for the use and level of that rate are that:

7.1.3.1. the types and classes of land to which the rate applies can be easily identified;

7.1.3.2. it is appropriate to have a farm rate so as to fairly rate farm land;

7.1.3.3. the level of the farm rate is appropriate having regard to all relevant matters including the use to which farm land is

put and the amount to be raised by Council's Municipal charge;

7.1.3.4. the level of the farm rate is appropriate to ensure that the burden of the payment of general rates is fairly apportioned across all rateable land within the Municipal district;

7.1.4. the types and classes of land to which the rate will apply can be identified as farm land as defined in paragraph 7.1.1;

7.1.5. it meets the objectives the Council considers are consistent with the economical and efficient carrying out of its functions;

8. Specifies in relation to the derelict properties rate for 2022/2023 the following in accordance with Section 161 of the Act 1989:

8.1. The objective of the derelict properties rate is to promote the responsible management of land and buildings through incentivising the proper development and maintenance of such land and buildings so as not to pose a risk to public safety or adversely affect public amenity.

8.2 The types and classes of land to which the rate will apply is properties where 8.2.1 and 8.2.2 both apply;

8.2.1. The property, which includes both buildings and/or land, is in such a state of disrepair that it is unfit for human habitation or other occupation, and has been in such a condition for a period of more than 3 months. (The definition of "unfit for human habitation or other occupation" is a property that is unsuitable for living or working in on a daily basis. The property is likely to lack, or have restricted access to, essential services or facilities including but not limited to water, and/or operational effluent discharge facilities, and the property is considered unsafe or unsuitable for use as a place of business or domestic inhabitation on a daily basis). and

8.2.2 The property meets one or more of the following criteria;

a) The property has become unsafe and poses a risk to public safety, including but not limited to:

- the existence on the property of vermin, rubbish/litter, fire hazards, excess materials/goods, asbestos or other environmental hazards; or
- the property is a partially built structure where there is no reasonable progress of the building permit

b) The property adversely affects public amenity;

- c) The property provides an opportunity to be used in a manner that may cause a nuisance or become detrimental to the amenity of the immediate area;
 - d) The condition of the property has a potential to adversely impact the value of other properties in the vicinity;
 - e) The property affects the general amenity of adjoining land or the neighbourhood by the appearance of graffiti, any stored unregistered motor vehicles, machinery or parts thereof, scrap metal, second hand building materials, building debris, soil or similar materials, or other items of general waste or rubbish.
- 8.3. The level of the derelict properties rate is 0.00966176 cents in the dollar on the capital improved value of derelict properties land as defined.
- 8.4. the reasons for the use and level of that rate are that:
- 8.4.1. the differential rate is the level which Council considers is necessary to achieve the objective specified above and is set at the maximum level, being 4 times the lowest differential rate, as allowed under Section 161 (5) of the Act 1989;
- 8.5. the types and classes of land to which the rate will apply can be identified as derelict land and/or buildings as defined in paragraph 8.2.1 and 8.2.2;
- 8.6. it meets the objectives the Council considers are consistent with the economical and efficient carrying out of its functions;
9. Specifies that the general rate continue to be applied to Retirement Villages as defined under the *Retirement Villages Act 1986* having given due consideration to the implementation of a differential rate for such lands as required by the *Ministerial Guidelines on Differential Rating*
10. Declares a Municipal charge at the annual rate of \$144.00 for rateable land in respect of which a Municipal charge may be levied to recover some of the administrative costs of the Council for a period of 12 months from 1 July 2022 to 30 June 2023;
11. Declares an annual service charge of \$382.00 per premises for the weekly collection and disposal of refuse in respect of premises to which the service is provided (whether or not the owner or occupier of such premises avails himself or herself of the service provided) for a twelve-month period from 1 July 2022 to 30 June 2023;
12. Declares an annual EPA Landfill Levy charge of \$31.50 per garbage bin to cover the costs levied by the Environmental Protection Authority on the operation of landfills for the period 1 July 2022 to 30 June 2023;
13. Where exemptions are granted, waste services will be charged for

services utilised for the period 1 July 2022 to 30 June 2023 as follows:

Garbage 120L bin \$264.00 pa

Garbage 240L bin \$389.00 pa

Garbage 240L bin Special \$300.00 pa

Recycling 240L bin \$ 77.00 pa

Organics 240L bin \$ 41.00 pa

14. Cultural and Recreational Land, in accordance with Section 4 of the *Cultural and Recreational Lands Act 1963*, the following amounts be specified as the amounts payable in respect of recreational lands described as:

Morwell Bowling Club	52 Hazelwood Road, Morwell	\$13,381.52
Traralgon Bowling Club	45-57 Gwalia Street, Traralgon	\$18,647.18
Moe Racing Club	Waterloo Road, Moe	\$14,540.93
Newborough Bowling Club	1-5 Coach Road, Newborough	\$2,077.28
Traralgon Golf Club	Princes Street, Traralgon	\$5,764.85
Yallourn Golf Club	Golf Links Road, Moe	\$3,752.09
Morwell Golf Club	Fairway Drive, Morwell	\$2,463.07
Boolarra Bowling Club	22 Duke Street, Boolarra	\$539.45
Yinnar Bowling Club	Main Street, Yinnar	\$434.78
Yallourn North Bowls Club	Reserve Street, Yallourn North	\$644.12
LV Water Ski Club	Hall Road, Yallourn North	\$193.23
Glenview Park	McNairn Road, Traralgon	\$7,608.62
Moe Golf Club	26 Thompsons Road, Newborough	\$6,026.65
Moe Bowling Club	Waterloo Road, Moe	\$1,239.92

Victorian Field & Game Association	Scales Road, Flynn Creek	\$571.65
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15. These amounts have regard to the services provided by the Council in relation to such lands and the benefit to the community derived from such recreational lands.
16. Allocates \$1.027M as a result of additional revenue growth in rateable properties since the draft budget was released as follows;
 - 16.1 Garbage charge and EPA Levy income of \$0.139M to Council's Waste & Landfill Reserve; and
 - 16.2 All other rate types income of \$0.888M to Council's Unallocated Cash Surplus Reserve
17. Directs that copies of the information required by Section 161(3) of the Act 1989 be made available for inspection at Council's office during office hours;
18. Having considered submissions received in relation to the 2022/2023 Budget, directs that the rates and charges as declared for 2022/2023 be levied by sending notices to the persons who are liable to pay, in accordance with Section 158 of the Act 1989;
19. Resolves that the rates and charges for 2022/2023 must be paid by the dates fixed under Section 167 of the Act 1989, namely:

in full by 15 February 2023; or

by equal instalments on the following dates:

 - 30 September 2022;
 - 30 November 2022;
 - 28 February 2023; and
 - 31 May 2023;
20. Directs and authorises the Chief Executive Officer to demand payment of and recover the rates and charges as declared in relation to the 2022/2023 Budget;
21. Rate of Interest – Section 172 of the Act 1989:
 - 21.1. That for the 2022/2023 financial year Council resolves to require a person to pay interest on any outstanding amounts of rates and charges:
 - 21.1.1 which that person is liable to pay; and
 - 21.1.2 which have not been paid by the date specified under Section

167 for their payment except where the Council has agreed to waive the whole or part of any such interest;

21.2 That for the 2022/2023 financial year Council resolves in accordance with Section 172 of the Act 1989 that the rate of interest will be as specified under Section 2 of the Penalty Interest Rates Act 1983 (Currently 10%);

22. Write to all submitters thanking them and advising Council's response to their submission.

CARRIED UNANIMOUSLY

Attachments

1. 2022/2023 Budget

Agenda Item: 10.2

Agenda Item: Visitor Information Centre

Sponsor: General Manager, Community Health and Wellbeing

Council Plan Objective: CREATIVE

Status: For Decision

Proposed Resolution:

That Council receives and notes the information requested in the Notice of Motion 2022/02 regarding the benefits and disadvantages of having one or two Visitor Information Centres in certain localities in Latrobe City.

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Howe

DEFERRING AN ITEM

That Council defers consideration of this matter to the July 2022 Council Meeting.

CARRIED UNANIMOUSLY

Attachments

Nil

11. CORRESPONDENCE

Nil reports

12. PRESENTATION OF PETITIONS

Nil reports

CHIEF EXECUTIVE OFFICE

13. CHIEF EXECUTIVE OFFICE

Agenda Item: 13.1

Agenda Item: Appointment of Independent Members to Audit & Risk Committee

Sponsor: Chief Executive Office

Council Plan Objective: CONNECTED

Status: For Decision

RESOLUTION

Moved: Cr Law

Seconded: Cr Ferguson

That Council:

- 1. Note the organisation advertised widely for applicants to the Audit and Risk Committee and managed a competitive selection process with input from the current independent Chair, Audit and Risk Committee;**
- 2. Note the advice on the high quality of applications from independent candidates; and**
- 3. Appoint two new independent members to the Audit and Risk Committee replacing outgoing members who have reached their maximum term with the following staggered terms:**
 - David Kortum for three years with an opportunity for renewal under the Charter; and**
 - John Purcell for two and a half years with an opportunity for renewal under the Charter.**

CARRIED UNANIMOUSLY

Attachments

- 1. Audit & Risk Committee Membership Interview Questions (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.

- 2. Audit & Risk Committee Independent Member Application Documents (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.

REGIONAL CITY PLANNING AND ASSETS

14. REGIONAL CITY PLANNING AND ASSETS

Agenda Item: 14.1

Agenda Item: Asset Plan

Sponsor: General Manager, Regional City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Decision

RESOLUTION

Moved: Cr Howe

Seconded: Cr Law

That Council adopts the Latrobe City Asset Plan 2022-2032.

CARRIED UNANIMOUSLY

Attachments

1. Draft Asset Plan 2022 - 2032

Agenda Item: 14.2

Agenda Item: Proposed Planning Scheme Amendment - North of Baldwin Road, Traralgon

Sponsor: General Manager, Regional City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Decision

RESOLUTION

Moved: Cr Howe

Seconded: Cr Harriman

That Council:

- 1. Request authorisation from the Minister for Planning to prepare and exhibit Amendment C138 to the Latrobe Planning Scheme, in accordance with section 8A of the *Planning and Environment Act 1987* once the following information has been submitted and approved:
 - a. *Preliminary Risk Screen Assessment or another document agreed to by the EPA in accordance with Planning Practice Note 30; and***
 - b. An updated buffer analysis in the Rezoning Report in accordance with the EPA requirements.****
- 2. Prepare Amendment C138 to the Latrobe Planning Scheme to rezone part of land north of Baldwin Road, Traralgon from Farming Zone to General Residential Zone Schedule 3, insert and apply Development Plan Overlay Schedule 11 and make minor administrative changes to the Housing Framework Plan and Traralgon Structure Plan, generally in accordance with the documentation provided at Attachment 2, subject to Ministerial Authorisation; and**
- 3. Place Amendment C138 on exhibition in accordance with the requirements of section 19 of the *Planning and Environment Act 1987*, subject to Ministerial Authorisation.**

CARRIED UNANIMOUSLY

Attachments

1. Rezoning Application and Technical Reports
2. Amendment Documents

Agenda Item: 14.3

Agenda Item: Amendment to the Waterloo Road Development Plan

Sponsor: General Manager, Regional City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Decision

RESOLUTION

Moved: Cr Law

Seconded: Cr Middlemiss

That Council:

- 1. Endorses the amendment to the Waterloo Road Development Plan; and**
- 2. Notifies submitters, in writing, of Council's decision.**

CARRIED UNANIMOUSLY

Attachments

1. Submissions and detailed response to submissions
2. Current Waterloo Road Development Plan
3. Proposed Waterloo Road Development Plan

Agenda Item: 14.4

Agenda Item: Amendment C133, 5 Parer Ave, Moe - Consideration of Submissions

Sponsor: General Manager, Regional City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Decision

RESOLUTION

Moved: Cr Law

Seconded: Cr Middlemiss

That Council:

- 1. Having formally considered all written submissions received to Amendment C133 and Permit Application 2022/17, endorses the officer's response to the issues raised by the submissions outlined in Attachment 1;**
- 2. Adopts Amendment C133 without any post exhibition changes (see Attachment 3), in accordance with section 29 of the *Planning and Environment Act 1987*;**
- 3. Determines to recommend to the Minister for Planning that the proposed Planning Permit 2022/17 be granted with 1 administrative change as outlined in Attachment 4 and 5 in accordance section 96G of the *Planning and Environment Act 1987*;**
- 4. Submits adopted Amendment C133, to the Minister for Planning for approval, in accordance with section 31 of the *Planning and Environment Act 1987* with the recommendation to grant proposed Planning Permit 2022/17, in accordance with section 96H of the *Planning and Environment Act 1987*; and**
- 5. Advises those persons who made written submissions to Amendment C133 and / or Permit Application 2022/17 of Council's decision.**

CARRIED UNANIMOUSLY

Attachments

1. Summary of Submission
2. Submission
3. Amendment Documents
4. Post Exhibition Changes
5. Draft Planning Permit

Agenda Item: 14.5

**Agenda Item: Road Register Status - Government Road Jeeralang
North and Barktown Road Boolarra**

Sponsor: General Manager, Regional City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Decision

Proposed Resolution:

That Council:

- 1. Notes the correspondence received from the Department of Environment, Land, Water and Planning (DELWP) regarding Latrobe City's request for increased maintenance;**
- 2. Does not undertake any improvements or maintenance works to the eastern end of Government Road, Jeeralang North Road or the western end of Barktown Road, Boolarra; and**
- 3. Request the Mayor to write to the Minister for Energy, Environment and Climate Change requesting that Government Road, Jeeralang North and the western end of Barktown Road, Boolarra be maintained by DELWP to an improved standard.**

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Ferguson

ALTERNATE MOTION

That Council:

- 1. Notes the correspondence received from the Department of Environment, Land, Water and Planning (DELWP) regarding Latrobe City's request for increased maintenance; and**
- 2. Request the Mayor to write to the Minister for Energy, Environment and Climate Change requesting that Government Road, Jeeralang North and the western end of Barktown Road, Boolarra be maintained by DELWP to an improved standard.**

CARRIED UNANIMOUSLY

Attachments

1. Map - Government Road & Barktown Road
2. Correspondence Latrobe City Council to DELWP
3. Correspondence DELWP to Latrobe City Council

REGIONAL CITY STRATEGY AND TRANSITION

15. REGIONAL CITY STRATEGY AND TRANSITION

Agenda Item: 15.1

Agenda Item: Review of Latrobe City Council Participation in One Gippsland

Sponsor: General Manager, Regional City Strategy & Transition

Council Plan Objective: SMART

Status: For Decision

RESOLUTION

Moved: Cr Clancey
Seconded: Cr Middlemiss

That Council receives and notes the report of the review of the operations of One Gippsland and the value provided by One Gippsland to Latrobe City Council.

CARRIED UNANIMOUSLY

Attachments

1. One Gippsland Terms of Reference

Agenda Item: 15.2

Agenda Item: DRAFT Media Policy 2022 -2025

Sponsor: General Manager, Regional City Strategy & Transition

Council Plan Objective: CONNECTED

Status: For Decision

RESOLUTION

Moved: Cr Clancey

Seconded: Cr Howe

That Council endorse the Draft Media Policy 2022-2025.

CARRIED UNANIMOUSLY

Attachments

1. DRAFT Latrobe City Council Media Policy 2022-2025 26052022

Agenda Item: 15.3

Agenda Item: Centre for Australian Automotive Futures

Sponsor: General Manager, Regional City Strategy & Transition

Council Plan Objective: SMART

Status: For Decision

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Howe

That Council:

Proceed with the business case for the Centre for Australian Automotive Futures.

CARRIED UNANIMOUSLY

Attachments

1. Letter from Liz Westcott, Energy Australia

COMMUNITY HEALTH AND WELLBEING

16. COMMUNITY HEALTH AND WELLBEING

Agenda Item: 16.1

Agenda Item: Tourism & Major Events Recommendation: Pro-Wrestling Event

Sponsor: General Manager, Community Health and Wellbeing

Council Plan Objective: CREATIVE

Status: For Decision

RESOLUTION

Moved: Cr Howe

Seconded: Cr Harriman

That Council adopts the recommendation of the Tourism & Major Events Advisory Committee and authorises officers to enter into an agreement to fund the National Wrestling Alliance Australian Challenge for \$20,000 through the Major Events Attraction budget (2022/23) allocation.

CARRIED UNANIMOUSLY

Attachments

1. Pro-Wrestling 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. Pro-Wrestling Event Proposal (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.

Agenda Item: 16.2

Agenda Item: End of life care in Latrobe Valley

Sponsor: General Manager, Community Health and Wellbeing

Council Plan Objective: HEALTHY

Status: For Decision

RESOLUTION

Moved: Cr Harriman

Seconded: Cr Law

That Council note this report and continue to support and advocate for improvements to 'End of Life' care by consistently participating in relevant networks and forums and ensuring any challenges or achievements are reported through the Municipal Public Health and Wellbeing Plan.

CARRIED UNANIMOUSLY

Attachments

1. Minister Foley response
2. Minister Mikakos response
3. Report 1
4. 2021 Update report

ORGANISATIONAL PERFORMANCE

17. ORGANISATIONAL PERFORMANCE

Agenda Item: 17.1

**Agenda Item: Proposed Long Term Lease - Monash Reserve,
Newborough**

Sponsor: General Manager, Organisational Performance

Council Plan Objective: CONNECTED

Status: For Decision

RESOLUTION

Moved: Cr Law

Seconded: Cr Middlemiss

That Council:

- 1. Gives public notice of its intention to enter into a long-term lease agreement with the Country Fire Authority for part of Monash Reserve, Newborough, and invites comment on the proposal in accordance with section 116 of the Local Government Act 2020; and**
- 2. Considers any submissions received opposed to the proposed long-term lease agreement at a future Council meeting; or**
- 3. If no submissions opposed to the proposed long-term lease are received, authorises the Chief Executive Officer to do all things necessary to enter into the said lease.**

CARRIED UNANIMOUSLY

Attachments

- 1. Monash Reserve, Newborough - Proposed Newborough Fire Station**

Agenda Item: 17.2

Agenda Item: Proposed sale of Hazelwood House, 59-91 Philip Parade, Churchill

Sponsor: General Manager, Organisational Performance

Council Plan Objective: HEALTHY

Status: For Decision

Proposed Resolution:

That Council:

1. Having undertaken an Expression of Interest (EOI) process and considered the two responses received, resolves to sell the building known as Hazelwood House at 59-91 Philip Parade and its surrounds being the land described as Lot 5 on PS 309824 contained in Certificate of Title Volume 10351 Folio 487 (together "Hazelwood House") by private treaty to Quantum Support Services Inc ("Quantum");
2. Gives public notice of the proposed sale of Hazelwood House to Quantum and invites public comment on the proposal; and
3. Considers any submissions received that are opposed to the proposed sale of Hazelwood House at a future Council meeting; or
4. If no submissions opposed to the proposed sale of Hazelwood House are received, authorises the Chief Executive Officer to do all things necessary to sell Hazelwood House to Quantum:
 - At no less than the current market value as assessed by independent valuation; and
 - Subject to restricting the future use of Hazelwood House to a facility for supported youth of the Gippsland region.

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Ferguson

ALTERNATE MOTION

That Council:

1. Having undertaken an Expression of Interest (EOI) process and considered the two responses received, resolves to sell the building

known as Hazelwood House at 59-91 Philip Parade and its surrounds being the land described as Lot 5 on PS 309824 contained in Certificate of Title Volume 10351 Folio 487 (together “Hazelwood House”) by private treaty to Quantum Support Services Inc (“Quantum”);

2. Gives public notice of the proposed sale of Hazelwood House to Quantum and invites public comment on the proposal; and
3. Considers any submissions received that are opposed to the proposed sale of Hazelwood House at a future Council meeting; or
4. If no submissions opposed to the proposed sale of Hazelwood House are received, authorises the Chief Executive Officer to do all things necessary to sell Hazelwood House to Quantum:
 - At no less than the current market value as assessed by independent valuation; and
 - Subject to restricting the future use of Hazelwood House to a facility for supported youth of the Gippsland region; and
5. In recognition that Hazelwood House was developed as an initiative commenced by the Churchill Community, resolves to spend the sale proceeds in Churchill and District.

CARRIED UNANIMOUSLY

Attachments

1. Hazelwood House Churchill
2. EOI one response (Published Separately)

This attachment is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

3. EOI two response (Published Separately)

This attachment is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

4. Summary of EOI proposals from both parties (Published Separately)

This attachment is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*,

as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

5. LCC Youth Foyer briefing presentation (Published Separately)

This attachment is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

6. EOI Criteria scoring sheet (Published Separately)

This attachment is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

7. 2021-054131 - 59-91 Philip Parade Churchill - Valuation Report (Published Separately)

This attachment is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. Council Property Valuation may prejudice future negotiations made public.

8. EOI one indicative purchase price 12 April 2022 (Published Separately)

This attachment is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

9. Hazelwood House - Community Engagement Plan 2022

Agenda Item: 17.3

Agenda Item: Churchill Town Symbol

Sponsor: General Manager, Organisational Performance

For Decision

RESOLUTION

Moved: Cr Ferguson

Seconded: Cr Howe

That Council:

- 1. Notes the request of the Churchill and District Community Association that Council formally adopts the name *Churchill Town Symbol* for the structure in the middle of Churchill;**
- 2. adopts the name *Churchill Town Symbol* for the structure in the middle of Churchill; and**
- 3. Authorises the Chief Executive Officer on behalf of Council to submit the name *Churchill Town Symbol* to the Victorian Registrar of Geographic Names for registration as a place name and to do all things required in support of such application.**

CARRIED UNANIMOUSLY

Attachments

- 1. CDCA letter**

Agenda Item: 17.4

Agenda Item: Proposal to name the Morwell Recreation Reserve Pavilion

Sponsor: General Manager, Organisational Performance

For Decision

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Law

That Council:

- 1. Notes the request of the Morwell Football Netball Club with the support of the Morwell Cricket Club and Gippsland Power U18 Football Club to name the Morwell Recreation Reserve Pavilion in honour of Mr Stan Morgan; and**
- 2. Agrees to change the name of the Morwell Recreation Reserve Pavilion to the Stan Morgan Pavilion effective immediately.**

CARRIED UNANIMOUSLY

Attachments

- 1. MFNC request**

URGENT BUSINESS

18. URGENT BUSINESS

Nil

**MEETING CLOSED TO
THE PUBLIC TO
CONSIDER
CONFIDENTIAL
INFORMATION**

19. 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 Middlemiss

Seconded: Cr Howe

That Council closes this Ordinary Meeting of Council to the public to consider confidential information on the following grounds:

- (a) the information to be considered has been declared to be confidential information under section 77 of the Local Government Act 1989 and as a result this information is also confidential information under the Local Government Act 2020; and**
- (b) pursuant to section 66 of the *Local Government Act 2020* on the following grounds:**

19.1 Gippsland Logistic Precinct

This item is confidential as it contains private commercial information, being information provided by a business, commercial or financial undertaking that— (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (section 3(1)(g)). This ground applies because the report includes details of potential additional funding from State Government to be directed from its original purpose.

19.2 Social Media Strategy

This item is confidential as it contains private commercial information, being information provided by a business, commercial or financial undertaking that— (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (section 3(1)(g)). This ground applies because the information was provided by an independent consultant. Releasing this advice publicly could result in commercial disadvantage by disclosing their intellectual property to industry competitors

19.3 Latrobe City Strategic Brand Foundations and Concepts

This item is confidential as it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a)). This ground applies because the project is commercial in confidence at which point in time it is launched.

19.4 Recommendation from Chief Executive Officer Committee to Council
This item is confidential as it contains personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(f)). This ground applies because it relates to negotiation of contract with CEO.

CARRIED UNANIMOUSLY

The Meeting closed to the public at 7.49pm.

There being no further business the meeting was declared closed at 8.35pm.

I certify that these minutes have been confirmed.

Mayor: _____

Date: _____