



# LATROBE CITY COUNCIL

## MINUTES FOR THE COUNCIL MEETING

HELD VIA AUDIO-VISUAL LINK  
AT 6.00PM ON 07 FEBRUARY 2022

CM574

**PRESENT:**

<b>Councillors:</b>	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 Melissa Ferguson	South Ward
	Cr Brad Law	West Ward
	Cr Sharon Gibson	West Ward
<b>Officers:</b>	Steven Piasente	Chief Executive Officer
	Tim Ellis	General Manager Regional City Strategy & Transition
	Jody Riordan	General Manager Regional City Planning & Assets
	Kendrea Pope	Acting General Manager Community Health & Wellbeing
	Greg Drumm	General Manager Organisational Performance
	Hanna Steevens	Manager Governance
	Kaitlyn Boram	Governance Officer

**TABLE OF CONTENTS**

<b>1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND .....</b>	<b>3</b>
<b>2. THE PRAYER .....</b>	<b>3</b>
<b>3. APOLOGIES AND LEAVE OF ABSENCE .....</b>	<b>3</b>
<b>4. DECLARATION OF INTERESTS .....</b>	<b>3</b>
<b>5. ADOPTION OF MINUTES .....</b>	<b>3</b>
<b>6. ACKNOWLEDGEMENTS .....</b>	<b>3</b>
<b>7. PUBLIC PARTICIPATION TIME .....</b>	<b>4</b>
<b>8. QUESTIONS ON NOTICE .....</b>	<b>5</b>
<b>9. NOTICES OF MOTION .....</b>	<b>7</b>
9.1 2022/01 Speed Reduction - Old Sale Road, Moe .....	7
<b>10. ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR CONSIDERATION .....</b>	<b>9</b>
<b>11. CORRESPONDENCE .....</b>	<b>11</b>
<b>12. PRESENTATION OF PETITIONS .....</b>	<b>13</b>
<b>13. REGIONAL CITY STRATEGY AND TRANSITION .....</b>	<b>15</b>
13.1 Presentation of the Audit and Risk Committee Minutes - 02 December 2021 .....	15
13.2 Authorisation of Council Officers under the Planning & Environment Act 1987 .....	16
13.3 Council Policy Review - Fraud and Corruption Control Policy .....	17
13.4 Recommendation to Council for Appointment of an Independent Member and Chair of the CEO Employment Matters Committee .....	18
<b>14. REGIONAL CITY PLANNING AND ASSETS .....</b>	<b>20</b>
14.1 Council submission to Engage Victoria's consultation on 'Bushfire Planning Made Clearer: Options for Victoria's Planning System' .....	20
14.2 Council feedback to the MAV on the Victorian Local Government Social and Affordable Housing Strategic Statement .....	21
14.3 Proposed Amendment C133, 5 Parer Avenue, Moe - Request for Authorisation .....	22

14.4 Draft Submission - Inquiry into the Protections within the Victorian Planning Framework.....	23
<b>15. COMMUNITY HEALTH AND WELLBEING .....</b>	<b>25</b>
15.1 Consultants Quotation to Investigate a Monitoring System of Airborne and Soil Lead Levels .....	25
<b>16. ORGANISATIONAL PERFORMANCE .....</b>	<b>27</b>
16.1 Quarterly Budget Report - December 2021 .....	27
<b>17. URGENT BUSINESS.....</b>	<b>29</b>
<b>18. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION.....</b>	<b>31</b>

Resolutions in this minutes document should be read in conjunction with the published agenda for the 07 February 2022 Council Meeting.

## **COUNCILLOR AND PUBLIC ATTENDANCE**

### **PLEASE NOTE**

The Victorian Government's *COVID-19 Omnibus (Emergency Measures) Act 2020* has introduced into the Local Government Act 2020 new mechanisms that allow for virtual Council Meetings to ensure local government decision-making can continue during the coronavirus pandemic.

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 the attendance by members of the public by making available access to a live stream of the Meeting on the 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**

Nil.

### **4. DECLARATION OF INTERESTS**

Cr Dale Harriman declared a general interest in Item 15.1 (Consultants Quotation to Investigate a Monitoring System of Airborne and Soil Lead Levels).

### **5. ADOPTION OF MINUTES**

#### **MOTION**

**Moved:** Cr Middlemiss

**Seconded:** Cr Gibson

**That Council confirm the minutes of the Council Meeting held on 6 December 2021.**

**CARRIED UNANIMOUSLY**

### **6. ACKNOWLEDGEMENTS**

Mayor Kellie O'Callaghan acknowledged 07 February 2022 is the anniversary of the Black Saturday bushfires.

Cr Dan Clancey acknowledged the passing of a Latrobe City Council staff member, Mr Henry Morrison.

Cr Dale Harriman acknowledged the passing of former Councillor Amanda Stapleton.

Cr Tracie Lund acknowledged that the 09 February 2022 is the anniversary of the Morwell Mine Fire.

Cr Middlemiss acknowledged the passing of Mr Don Di Fabrizio.

## **7. PUBLIC PARTICIPATION TIME**

### **Attend as an observer**

The Victorian Government's *COVID-19 Omnibus (Emergency Measures) Act 2020* has introduced into the *Local Government Act 2020* new mechanisms that allow for virtual Council Meetings and allow for Council Meetings to be closed to the public.

### **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 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 no public speakers.

**8. QUESTIONS ON NOTICE**

Nil reports

# **NOTICES OF MOTION**

**9. NOTICES OF MOTION**

**9.1 2022/01 SPEED REDUCTION - OLD SALE ROAD, MOE**

**Cr Sharon Gibson**

**MOTION**

**Moved:** Cr Gibson

**Seconded:** Cr Ferguson

**That Council request Council officers to write to the Department of Transport requesting consideration of reducing the speed limit along Old Sale Road, Moe; from west of Haigh Street to the entrance to Moe west of Becks Bridge Road from 80km/hr to 60km/hr.**

**CARRIED UNANIMOUSLY**

**Attachments**

Nil



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

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

Nil reports

# **CORRESPONDENCE**

**11. CORRESPONDENCE**

Nil reports

# **PRESENTATION OF PETITIONS**

**12. PRESENTATION OF PETITIONS**

Nil reports

# **REGIONAL CITY STRATEGY AND TRANSITION**

**13. REGIONAL CITY STRATEGY AND TRANSITION**

**Agenda Item: 13.1**

**Agenda Item: Presentation of the Audit and Risk Committee Minutes  
- 02 December 2021**

**Sponsor: General Manager, Regional City Strategy and  
Transition**

**Council Plan Objective: Ensure Council operates openly, transparently and  
responsibly.**

**Status: For Information**

**MOTION**

**Moved: Cr Middlemiss**

**Seconded: Cr Harriman**

**That Council receives and notes the attached Audit and Risk Committee  
Minutes for the 02 December 2021 meeting.**

**CARRIED UNANIMOUSLY**

**Attachments**

1. Audit & Risk Committee Meeting Minutes - 2 December 2021



**Agenda Item: 13.2**

**Agenda Item: Authorisation of Council Officers under the Planning & Environment Act 1987**

**Sponsor: General Manager, Regional City Strategy and Transition**

**Council Plan Objective: SMART**

**Status: For Decision**

**MOTION**

**Moved: Cr Lund**

**Seconded: Cr Howe**

**That Council in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987* resolves that:**

- 1. Stewart Saunders, Ruth Marx and Jane Stockwell be appointed and authorised as set out in the instrument;**
- 2. The instrument comes into force either immediately the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it; and**
- 3. The instrument be sealed.**

**CARRIED UNANIMOUSLY**

**Attachments**

- 1. S11A Instrument of Authorisation - Stewart Saunders**
- 2. S11A Instrument of Authorisation - Ruth Marx**
- 3. S11A Instrument of Authorisation - Jane Stockwell**

**Agenda Item: 13.3**

**Agenda Item: Council Policy Review - Fraud and Corruption Control Policy**

**Sponsor: General Manager, Regional City Strategy and Transition**

**Council Plan Objective: SMART**

**Status: For Decision**

**MOTION**

**Moved:** Cr Ferguson

**Seconded:** Cr Howe

**That Council:**

- 1. Adopts the Fraud and Corruption Control Policy 2021; and**
- 2. Notes that with the adoption of this Policy, that any previous versions are revoked;**
- 3. Makes the Fraud and Corruption Control Policy 2021 available on Council's website and available for inspection at all Council Service Centres.**

**CARRIED UNANIMOUSLY**

**Attachments**

- 1. DRAFT Fraud and Corruption Control Policy 2021**

**Agenda Item: 13.4**

**Agenda Item: Recommendation to Council for Appointment of an Independent Member and Chair of the CEO Employment Matters Committee**

**Sponsor: General Manager, Regional City Strategy and Transition**

**Council Plan Objective: SMART**

**Status: For Decision**

**MOTION**

**Moved:** Cr Clancey

**Seconded:** Cr Gibson

**That Council appoints Mr. Kelvin Spiller as Independent Member and Chair upon recommendation of the CEO Employment Matters Committee.**

**CARRIED UNANIMOUSLY**

**Attachments**

1. Kelvin Spiller - Professional Biography
2. Remaining Candidates - Professional Biographies (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. Professional Biographies for unsuccessful applicants. This document is comprised of personal information of three candidates who were not shortlisted to interview for the position of the Independent Member and Chair of the CEO Employment Matters Committee.

# **REGIONAL CITY PLANNING AND ASSETS**

**14. REGIONAL CITY PLANNING AND ASSETS**

**Agenda Item: 14.1**

**Agenda Item: Council submission to Engage Victoria's consultation on 'Bushfire Planning Made Clearer: Options for Victoria's Planning System'**

**Sponsor: General Manager, Regional City Planning and Assets**

**Council Plan Objective: SUSTAINABLE**

**Status: For Decision**

**MOTION**

**Moved: Cr Middlemiss**

**Seconded: Cr Lund**

**That Council:**

- 1. Endorse Latrobe City Council's submission to the discussion paper on 'Bushfire Planning Made Clearer: Options for Victoria's Planning System (Attachment 1); and**
- 2. Lodge the submission with Engage Victoria for their consideration.**

**CARRIED UNANIMOUSLY**

**Attachments**

- 1. Attachment 1 - Latrobe City Council Submission**
- 2. Attachment 2 - Discussion Paper**
- 3. Attachment 3 - Issues and Proposed Resolutions Assessment Table**

**Agenda Item: 14.2**

**Agenda Item: Council feedback to the MAV on the Victorian Local Government Social and Affordable Housing Strategic Statement**

**Sponsor: General Manager, Regional City Planning and Assets**

**Council Plan Objective: SUSTAINABLE**

**Status: For Decision**

**MOTION**

**Moved:** Cr Gibson

**Seconded:** Cr Howe

**That Council:**

- 1. Endorse Latrobe City Council's submission to the draft Victorian Local Government Social and Affordable Housing Strategic Statement (Attachment 1); and**
- 2. Lodge the submission with the Municipal Association of Victoria (MAV) for consideration.**

**CARRIED UNANIMOUSLY**

**Attachments**

1. Attachment 1 - Latrobe City Submission to MAV
2. Attachment 2 - Draft Victorian Local Government Affordable Housing Strategic Statement

**Agenda Item: 14.3**

**Agenda Item: Proposed Amendment C133, 5 Parer Avenue, Moe -  
Request for Authorisation**

**Sponsor: General Manager, Regional City Planning and Assets**

**Council Plan Objective: CONNECTED**

**Status: For Decision**

### **MOTION**

**Moved:** Cr Gibson

**Seconded:** Cr Law

**That Council:**

- 1. Request authorisation from the Minister for Planning to prepare Amendment C133 to the Latrobe Planning Scheme and exhibit it with Permit Application 2022/17, in accordance with sections 8A and 96A of the *Planning and Environment Act 1987*;**
- 2. Prepare Amendment C133 to the Latrobe Planning scheme to rezone land and remove the heritage overlay from 5 Parer Ave, Moe, generally in accordance with the documentation provided at Attachments 1, 2, 4, 5 and 6, subject to Ministerial Authorisation;**
- 3. Prepare a proposed planning permit for exhibition in response to Permit Application 2022/17, for the development of 9 dwellings on a lot, generally in accordance with the document provided at Attachment 4, 7 and 8; and**
- 4. Exhibit combined Amendment C133 and Permit Application 2022/17, (including proposed permit) in accordance with the requirements of section 96C of the *Planning and Environment Act 1987*.**

**CARRIED UNANIMOUSLY**

### **Attachments**

1. Zone Map
2. Overlay Deletion Map
3. Updated Moe / Newborough Housing Framework Plan
4. Planning Report
5. Explanatory Report
6. Other Amendment Documents
7. Planning Permit Application Plans
8. Draft Planning Permit Conditions

**Agenda Item: 14.4**

**Agenda Item: Draft Submission - Inquiry into the Protections within the Victorian Planning Framework**

**Sponsor: General Manager, Regional City Planning and Assets**

**Council Plan Objective: CONNECTED**

**Status: For Decision**

**MOTION**

**Moved:** Cr Gibson

**Seconded:** Cr Howe

**That Council:**

- 1. Endorse Latrobe City Council's submission to the Inquiry into the Protections within the Victorian Planning Framework (Attachment 1); and**
- 2. Submit the submission to the Legislative Council Environment and Planning Committee for their consideration.**

**CARRIED UNANIMOUSLY**

**Attachments**

- 1. Terms of Reference**
- 2. Submission**



# **COMMUNITY HEALTH AND WELLBEING**

**15. COMMUNITY HEALTH AND WELLBEING**

**Agenda Item: 15.1**

**Agenda Item: Consultants Quotation to Investigate a Monitoring System of Airborne and Soil Lead Levels**

**Sponsor: General Manager, Community Health and Wellbeing**

**Council Plan Objective: HEALTHY**

**Status: For Decision**

The Council Meeting was adjourned, the time being 6:48PM. At this time Cr Dale Harriman left the virtual meeting room, the time being 06:48PM.

The Council Meeting was resumed, the time being 6:55PM.

**Proposed Resolution:**

**That Council:**

- 1. Delegate to the Chief Executive Officer to engage Monarc Environmental to undertake further work, funded from the adopted 2021-2022 budget and provide a report regarding options available to implement a system in Latrobe City to monitor airborne and soil lead levels; and**
- 2. Request a further report be presented to Council on the matter once the report has been received from Monarc Environmental.**

**MOTION**

**Moved:** Cr Gibson

**Seconded:** Cr Lund

That Council defers consideration of this matter to the 07 March 2022 Council Meeting.

**CARRIED UNANIMOUSLY**

**Attachments**

- 1. Proposal - Option for Monitoring Background Lead**

# **ORGANISATIONAL PERFORMANCE**

**16. ORGANISATIONAL PERFORMANCE**

**Agenda Item: 16.1**

**Agenda Item: Quarterly Budget Report - December 2021**

**Sponsor: General Manager, Organisational Performance**

**Council Plan Objective: SUSTAINABLE**

**Status: For Information**

Cr Dale Harriman returned to the meeting, the time being 06:56PM.

**MOTION**

**Moved:** Cr Gibson

**Seconded:** Cr Clancey

**That Council receives and notes the Quarterly Budget Report for the six months ended 31 December 2021, prepared in accordance with the requirements of the Local Government Act 2020.**

**CARRIED UNANIMOUSLY**

**Attachments**

1. Quarterly Budget Report - December 2021

# **URGENT BUSINESS**

## **17. URGENT BUSINESS**

Business may be admitted to the meeting as urgent business in accordance with clause 17 of the Governance Rules, by resolution of the Council and only then if it:

- 17.1 Relates to or arises out of a matter which has arisen since distribution of the agenda; and
- 17.2 Cannot reasonably or conveniently be deferred until the next Council meeting.

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

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

Nil reports.



**There being no further business the meeting was declared closed at 7:02 PM.**

**I certify that these minutes have been confirmed.**

**Mayor:** \_\_\_\_\_

**Date:** \_\_\_\_\_