

LATROBE CITY COUNCIL

MINUTES FOR THE COUNCIL MEETING

HELD VIA AUDIO-VISUAL LINK AT 6:00PM ON 03 JULY 2023

PRESENT: CM593

Councillors: Cr Kellie O'Callaghan, Mayor East Ward

Cr Dan Clancey, Deputy Mayor
Cr Darren Howe
Cr Dale Harriman
Cr Tracie Lund
Cr Tracie Lund
East Ward
Central Ward

Cr Graeme Middlemiss Central Ward (Joined meeting at 6.22pm)

Cr Melissa Ferguson South Ward Cr Brad Law West Ward Cr Sharon Gibson West Ward

Officers: Steven Piasente Chief Executive Officer

Georgia Hills

Jody Riordan

Tim Ellis

General Manager Community Health & Wellbeing
General Manager Regional City Planning & Assets
General Manager Regional City Strategy & Transition

James Rouse Executive Manager Commonwealth Games

Matthew Rogers Acting General Manager Organisational Performance

Paul Howard Acting Manager Governance
Peter Schulz Coordinator Council Business

Kaitlyn Boram Governance Officer

Apologies: Nil

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Resolutions in this minutes document should be read in conjunction with the published agenda for the 03 July 2023 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 61 of the Local Government Act 2020, a Councillor may attend this Council Meeting remotely by electronic means of communication; and

Pursuant to section 66 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. APOLOGIES AND LEAVE OF ABSENCE

Nil

3. ADOPTION OF MINUTES

MOTION

Moved: Cr Gibson Seconded: Cr Lund

That Council confirm the minutes of the Council Meeting held on 5

June 2023.

CARRIED UNANIMOUSLY

4. DECLARATION OF INTERESTS

Cr Harriman declared a general interest in Item 8.5 – Tourism & Major Events Advisory Committee Recommendations June 2023.

Cr Clancey declared a general interest in Item 12.3 – 2023/10 Native Timber Industry Transition Meeting.

5. PUBLIC PARTICIPATION TIME

Public Questions on Notice

In Accordance with the Council Meeting Policy, members of the public can lodge a question on notice before 12 noon on the Friday before the day of the Council meeting in order for the question to be answered at the meeting.

There were no public questions answered at the meeting.

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.

STRATEGIC ITEMS FOR DECISION

STRATEGIC ITEMS FOR DECISION

Item Number 6.1 03 July 2023

Community Health and Wellbeing

COMMUNITY GRANTS AND SPONSORSHIP GOVERNANCE POLICY REVIEW

MOTION

Moved: Cr Gibson Seconded: Cr Howe

That Council:

- 1. Adopt the Community Grant and Sponsorship Governance Policy, to be effective from July 2023 to July 2027;
- 2. Note that with the adoption of the Community Grant and Sponsorship Governance Policy that any previous versions are revoked; and
- Make the Community Grant and Sponsorship Governance Policy available 3. on Council's website.

CARRIED UNANIMOUSLY

- 1. Community Grant and Sponsorship Governance Policy
- 2. VAGO Fraud Control Over Local Government Grants Detailed Response

ANNUAL MAINTENANCE GRANT PROGRAM **POLICY**

MOTION

Moved: Cr Gibson Seconded: Cr Howe

That Council:

- 1. Adopt the reviewed Annual Maintenance Grant Program Policy;
- 2. **Endorse Option Four for the equalisation of water costs amongst** recipients for 2023/24 with the transition to Option Three from 2024/25 onwards;
- 3. Note that with adoption of the revised Policy, all previous versions are revoked; and
- 4. Fund the 2023/24 Annual Maintenance Grant allocation for the Morwell Baseball Club and the Morwell Tennis Club in the total amount of \$13,069 from the 2022/23 full year forecast surplus position.

CARRIED UNANIMOUSLY

- 1. Annual Maintenance Grant Program Policy
- 2. Collation of Recipients Feedback

LATROBE CITY SUBMISSION TO THE INDEPENDENT REVIEW OF COMMONWEALTH DISASTER FUNDING

MOTION

Moved: Cr Gibson Seconded: Cr Clancey

That Council:

- 1. Endorse Latrobe City Council's submission to the independent review of the Commonwealth Disaster Funding processes (Attachment 1);
- 2. **Submit this submission to the National Emergency Management Agency** for their consideration; and
- 3. Write to the Federal Minister for Emergency Management, Senator the Hon. Murray Watt, and the State Minister for Emergency Services, the Hon. Jaclyn Symes, requesting that an extension of time is provided to submit the final financial claims associated with the 2021 storm and flood events.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

- 1. Latrobe City Submission Independent Review of Commonwealth Disaster Funding
- 2. Independent Review of Commonwealth Disaster Funding- briefing paper

The Mayor called an adjournment of the meeting at 6.26pm.

The meeting resumed at 6.32pm.

The Mayor called an adjournment of the meeting at 6.39pm.

The meeting resumed at 6.45pm.

RELEASE OF DRAFT GOVERNANCE RULES FOR PUBLIC CONSULTATION

OFFICER'S RECOMMENDATION

That Council:

- 1. Approve the release of the Latrobe City Council Draft Governance Rules (Version 3) at Attachment Two for a four-week community consultation period, commencing on Monday, 10 July 2023 to Monday, 7 August 2023, pursuant to section 60(4) of the Local Government Act 2020 and Council's **Community Engagement Policy; and**
- 2. Note that a future report will be presented to Council to consider any feedback received from the community regarding the Latrobe City Council Draft Governance Rules and adopt the final Latrobe City Council Governance Rules under section 60 of the Local Government Act 2020.

MOTION

Moved: Cr Howe Seconded: Cr Gibson

That Council:

- 1. Approves the release of the Latrobe City Council Draft Governance Rules (Version 4) for a four-week community consultation period, commencing on Monday, 10 July 2023 to Monday, 7 August 2023, pursuant to section 60(4) of the Local Government Act 2020 and Council's Community **Engagement Policy; and**
- Note that a future report will be presented to Council to consider any 2. feedback received from the community regarding the Latrobe City Council Draft Governance Rules (Version 4) and adopt the final Latrobe City Council Governance Rules under section 60 of the Local Government Act 2020

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

Crs Harriman, Ferguson and Gibson Against:

CARRIED

- 1. Governance Rules Amendments Summary
- 2. Draft Governance Rules Version 3 Track Changes

ECONOMIC DEVELOPMENT MEMBERSHIP **RENEWALS**

MOTION

Moved: Cr Harriman Seconded: Cr Middlemiss

That Council:

- 1. Renew the memberships for the 2023/2024 financial year to the following organisations:
 - 1.1. Rail Freight Australia (\$5,500 plus GST).
 - 1.2. South East Australian Transport Strategy (\$7,390 plus GST)
 - 1.3. National Timber Councils Association (\$2,500 plus GST)
 - 1.4. Timber Towns Victoria (\$2,750 plus GST)
 - 1.5. Australia China Business Council (\$1,831.50 plus GST).
- Not renew the membership for the 2023/2024 financial year to the 2. following organisation:
 - 2.1. Food and Fibre Gippsland (\$10,000 plus GST)
- Continue to annually review memberships to ensure Council is receiving 3. value for money.
- 4. Write to the above organisations to advise them of Council's decision.

CARRIED UNANIMOUSLY

Attachments

Nil

The Mayor called an adjournment of the meeting at 7.07pm.

The meeting resumed at 7.18pm.

REVIEW OF COUNCIL SUPPORT AND **EXPENSES POLICY**

MOTION

Moved: Cr Gibson Seconded: Cr Howe

That Council:

- 1. Adopt the Council Support and Expenses Policy with an effective date of 03 July 2023;
- Note that with the adoption of this Policy, that any previous versions are 2. now revoked;
- Request a copy of the final formatted Policy be provided to all 3. Councillors; and
- 4. Make this Policy available on Council's website and available for inspection at all Council Service Centres.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Council Support and Expenses Policy

AUTHORISATION OF A COUNCIL OFFICERS UNDER THE PLANNING & ENVIRONMENTAL **ACT 1987**

MOTION

Moved: Cr Gibson Seconded: Cr Middlemiss

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

- Benjamin Goriuk and Danielle Douglas be appointed and authorised as 1. set out in the Instruments of Appointment and Authorisation;
- 2. The Instruments of Appointment and Authorisation comes into force immediately after the common seal of Council is affixed and remains in force until Council determines to vary or revoke it; and
- 3. The Instruments of Appointment and Authorisation be sealed.

CARRIED UNANIMOUSLY

- 1. S11A Instrument of Appointment & Authorisation Benjamin Goriuk
- 2. S11A Instrument of Appointment & Authorisation Danielle Douglas

STATUTORY PLANNING

7.	STATUTORY PLANNING Nil reports

CORPORATE ITEMS FOR DECISION

Item Number 8.1 03 July 2023

Organisational Performance

PARTIAL SALE OF LAND - 60 LAFAYETTE STREET, TRARALGON

MOTION

Moved: Cr Howe Seconded: Cr Harriman

That Council:

- 1. Undertake the statutory process to discontinue part of the road reserve with an estimated land area of 56 square metres, adjoining 60 Lafayette Street, Traralgon, being part of the land contained in Certificate of Title Volume 2970 Folio 949, and part of Lot 61 on LP4399.
- 2. Undertake the statutory process under the Local Government Act 2020 to sell the discontinued part of the road reserve to the adjoining property at 60 Lafayette Street, Traralgon.
- Conduct a public notification process, with a notice in a local paper and 3. on council's website, seeking submissions in relation to the proposal to discontinue part of the road reserve and sell the part of the road reserve adjoining 60 Lafayette Street, Traralgon and that if any objections are received they be considered in accordance with Section 114 of the Local Government Act 2020.
- 4. Authorise the Chief Executive Officer or delegate to execute all documents necessary to complete the sale of the discontinued road reserve being part of the land contained in Certificate of Title Volume 2970 Folio 949 and part of Lot 61 in LP4399 (with an estimated land area of 56 square metres) to the owner of 60 Lafayette Street, Traralgon, with the land to be consolidated with the title of 60 Lafayette Street, Traralgon, at a sale price no less than an independent valuation obtained in accordance with the Local Government Act 2020 but capped at \$5,000 (exclusive of GST).

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Map - 60 Lafayette Street, Traralgon

REVIEW OF CAPITAL WORKS POLICY

MOTION

Moved: Cr Gibson Seconded: Cr Lund

That Council:

1. Adopt the Capital Works Policy;

- 2. Note that with the adoption of the Capital Works Policy, any previous versions are revoked; and
- 3. Make the Capital Works Policy available on Council's website.

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

Crs Harriman and Ferguson Against:

CARRIED

- 1. Capital Works Policy
- 2. Summary of Key Changes

RECREATION NEEDS ASSESSMENT AND RECREATION INFRASTRUCTURE FUNDING **POLICY - REVIEW**

MOTION

Moved: Cr Middlemiss

Seconded: Cr Howe

That Council:

1. **Endorse the Recreation Needs Assessment;**

- 2. **Endorse the Recreation Infrastructure Funding Policy; and**
- 3. Makes both documents available on Councils website.

CARRIED UNANIMOUSLY

- 1. Recreation Infrastructure Funding Policy
- 2. Lighting Projects
- 3. Pavilion Projects
- 4. Surface Projects

Item Number 8.4 03 July 2023 Chief Executive Office

REQUEST FOR DELEGATION TO THE CHIEF EXECUTIVE OFFICER TO AWARD THE PROVISION OF ARCHITECTURAL DESIGN SERVICES - 2026 COMMONWEALTH GAMES CONTRACT

MOTION

Moved: Cr Law Seconded: Cr Gibson

That Council delegates to the Chief Executive Officer the power to award a contract for Provision of Architectural Design Services - 2026 Commonwealth Games subject to the recommended tenders complying with Latrobe City Council's Procurement Policy.

CARRIED UNANIMOUSLY

Attachments

TOURISM & MAJOR EVENTS ADVISORY COMMITTEE RECOMMENDATIONS JUNE 2023

MOTION

Moved: Cr Howe Seconded: Cr Gibson

That Council:

- 1. Approve the \$10,000 contribution for the 2023 Deakin Melbourne Boomers Women's National Basketball League Match; and
- 2. Approve the \$5,000 contribution, per year, for the 2024 - 2026 Baseball Victoria U16 Winter Championships.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

- 1. Event Assessment WNBL November 2023
- 2. Event Assessment Baseball Victoria 2024/26

Cr Harriman left the meeting at 7.40pm.

Cr Harriman returned to the meeting at 7.43pm.

FUNDING FOR THE LATROBE CITY **BUSINESS CHAMBER**

MOTION

Moved: Cr Howe Seconded: Cr Harriman

That Council:

- 1. Acknowledge the first year milestones and Key Performance Indicators for the Latrobe City Business Chamber at Attachment 2;
- Acknowledge expenditure of the \$69,000 allocation for the establishment 2. and first year of funding for the Latrobe City Business Chamber; and
- Request a further report before the end of the 2023/24 financial year on 3. the achievement of milestones and Key Performance Indicators in order to inform a decision on future years funding.

CARRIED UNANIMOUSLY

- 1. Position Description for LCBC Project Officer
- 2. KPI Latrobe City Business Chamber 1 year
- 3. KPI Latrobe City Business Chamber 2 year
- 4. LCBC Constitution

AUDIT AND RISK COMMITTEE MEMBERSHIP **MATTERS**

MOTION

Moved: Cr Law

Seconded: Cr Middlemiss

That Council:

- 1. Note the organisation advertised widely for applicants to the Audit and Risk Committee and managed a competitive selection process;
- 2. Appoint Jane Watson as an external independent member to the Audit and Risk Committee for two and a half years with an opportunity for renewal under the Charter:
- Appoint David Kortum as Chairperson of the Audit and Risk Committee 3. for three years with an opportunity for renewal under the Charter; and
- Extend the current period of appointment for David Kortum to align with 4. his appointment as Chairperson; and
- 5. Formally write to the outgoing Audit and Risk Committee Chairperson, Ms Beverly Excell to thank her for the dedicated service of nine years noting her maximum term under the Charter has been reached.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Selection panel report (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. the report contains personal information about candidates.

POLICY RENEWAL PROGRAM - POLICIES REQUIRING ADMINISTRATIVE UPDATES

MOTION

Moved: Cr Gibson Seconded: Cr Harriman

That Council:

- 1. Adopt the Child Care Centre Policy, Leisure Special Fees Policy, Maternal and Child Health Services Policy, Preschool Policy, and Volunteer Policy with an effective date of 03 July 2023;
- 2. Note that with the adoption of these Policies, that any previous versions are now revoked;
- 3. Make these Policies available on Council's website and available for inspection at all Council Service Centres.

CARRIED UNANIMOUSLY

- 1. Child Care Centre Policy 2023 DRAFT
- 2. Leisure Special Fees Policy 2023 DRAFT
- 3. Maternal Child Health Service Policy 2023 DRAFT
- 4. Preschool Policy 2023 DRAFT
- 5. Volunteer Council Policy May 2023 DRAFT

URGENT BUSINESS

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9.	UK	GENI	ROSI	NESS

REPORTS FOR NOTING

10. REPORTS FOR NOTING

Item Number 10.1 03 July 2023

Regional City Strategy & Transition

PRESENTATION OF THE AUDIT AND RISK COMMITTEE MINUTES - 25 MAY 2023

MOTION

Moved: Cr Ferguson

Seconded: Cr Law

That Council notes the attached Audit and Risk Committee Minutes for the 25

May 2023 Meeting.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Audit and Risk Committee - Minutes - 25 May 2023

11. QUESTIONS ON NOTICE

Nil reports

The Mayor called an adjournment of the meeting at 7.54pm.

The meeting resumed at 8.13pm.

NOTICES OF MOTION

12. NOTICES OF MOTION

12.1 2023/08 ONE GIPPSLAND AND NATIVE TIMBER HARVESTING

Cr Graeme Middlemiss

MOTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

That:

- 1. Council seeks support from One Gippsland to develop a joint Gippsland position document in relation to the cessation of Native Timber harvesting and the impact on Gippsland communities.
- 2. The joint Gippsland position document be developed in consultation with all relevant Unions, representative timber industry groups, and the timber industry and considers, but is not limited to:
 - a. The option of harvesting continuing until the original announced cessation date of 2030;
 - b. The social and economic impact on smaller communities which have been largely dependent on harvesting and processing Native Timber;
 - c. The opportunities for alternative economic development and employment opportunities for all Gippsland communities affected by the cessation of Native Timber harvesting, including specific proposals for individual communities;
 - d. The financial circumstances of contractors affected by the premature cessation of Native Timber harvesting and suggestions of appropriate compensation;
- 3. One Gippsland seek Victorian State Government and Federal Government funding to develop the joint Gippsland position document; and
- 4. The joint Gippsland position document be the basis of One Gippsland representation to the State and Federal Governments seeking assistance in transitioning the Native Timber harvesting industry and workforce to acceptable alternatives.

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

Against: Crs Ferguson (Abstain) and Gibson (Abstain)

CARRIED

*Pursuant to sub-section 61(5)(e) of the Local Government Act 2020, for the purpose of determining the result of a vote, a Councillor present at the meeting who does not vote is taken to have voted against the question.

Attachments

12.2 2023/09 JOB LOSSES IN THE PAPER INDUSTRY

Cr Graeme Middlemiss

MOTION

Moved: Cr Middlemiss

Seconded: Cr Law

That:

- 1. Council make representation to the Victorian State Government and Federal Government in relation to the 350 plus jobs lost in the paper industry and associated supply chain as a result of the premature cessation of Native Timber harvesting; and
- 2. This representation is to include a list of organisations that have expressed an interest in establishing businesses including employment opportunities in Latrobe City

CARRIED UNANIMOUSLY

Attachments

Nil

Cr Clancey left the meeting at 8.56pm.

The Mayor called an adjournment of the meeting at 8.57pm.

The meeting resumed at 9.05pm.

MOTION

Moved: Cr Gibson
Seconded: Cr Middlemiss

That the meeting be extended until such time as all business on the agenda is dealt with.

CARRIED UNANIMOUSLY

The Mayor called an adjournment of the meeting at 9.43pm

The meeting resumed at 10.01pm.

Cr Clancey returned to the meeting at 10.01pm.

12.3 2023/10 NATIVE TIMBER INDUSTRY TRANSITION MEETING

Cr Sharon Gibson

MOTION

Moved: Cr Gibson
Seconded: Cr Harriman

- 1. That the Mayor, Councillors and Chief Executive Officer of Latrobe City Council urgently request the Prime Minister (Anthony Albanese) and the Premier (Daniel Andrews) to urgently/immediately attend a joint summit with Latrobe City Councillors and Officers to discuss the future and transition failure of the Latrobe Valley Authority to deliver a final Transition Plan, and to develop a strategy for the future of Latrobe City and its Community.
- 2. The purpose of the meeting is to discuss the loss of jobs over the last five years, the future loss of jobs now and into the foreseeable future with the closure of the Native Timber forestry industry, Maryvale Mill machines and the Latrobe Valley Power Stations

For Crs Harriman, Ferguson and Gibson

Against: Crs O'Callaghan, Law, Middlemiss, Howe and Lund

LOST

MOTION

Moved: Cr Howe Seconded: Cr Law

That:

- 1. Council requests a meeting with the relevant Victorian State Government and Federal Government departments / agencies including the Net Zero Task Force, the Latrobe Valley Authority (LVA) and Regional Development Victoria to review and discuss an informed coordinated approach to the transition of the Latrobe City economy in light of the cessation of the Native Timber Industry and the closure Latrobe City Power Stations
- 2. The purpose of this meeting is to ensure the alignment of government policy, available funding, the Latrobe City Council transition plan ('Our Transition'), and the draft LVA transition plan to deliver for the future of Latrobe City and the communities aspirations

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

Against: Crs Harriman, Ferguson and Gibson

CARRIED

Attachments

12.4 2023/11 REPLACEMENT OF THE LORD'S PRAYER

Cr Sharon Gibson

MOTION

Moved: Cr Gibson
Seconded: Cr Ferguson

That Council receives a report at a future Council meeting presenting information and options for the potential inclusion of a Councillor statement of commitment or a time of silent reflection in Council meetings.

For Crs Clancey, O'Callaghan, Law, Middlemiss, Howe, Harriman,

Ferguson and Gibson

Against: Cr Lund

CARRIED

Attachments

12.5 2023/12 TRANSPARENCY HUB

Cr Melissa Ferguson

MOTION

Moved: Cr Ferguson Seconded: Cr Gibson

That

- 1. Council receives a report at a future meeting exploring the feasibility in relation to the design and establishment of a Transparency Hub to feature on the Latrobe City Council website.
- 2. The report should consider costs, resources and the information to be available on a Transparency Hub including, but not limited to, Councillor meeting attendance, voting patterns, expenses and attendance at conferences and committees as well as the capital works program, pet registration, financial performance community grants and contracts greater than \$200,000

CARRIED UNANIMOUSLY

Attachments

ITEMS FOR TABLING

13.	ITEMS FOR TABLING Nil reports
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14. ACKNOWLEDGEMENTS

Cr Harriman acknowledged the Lavalla Catholic College Netball Team making the semi-finals of the National Marist Championship.

Cr Harriman acknowledged Jack White on being part of the Denver Nuggets championship team in the NBA.

Cr Harriman acknowledged the timber workers and supporters who participated in the rally that was held in Traralgon.

Cr Gibson acknowledged the passing of James (Jim) Connaghan, former Mayor and Councillor of the City Of Moe.

Cr Law acknowledged the fundraising efforts of the Moe Football Netball Club through their Fight MND day held in June.

MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION

15. 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.

MOTION

Moved: Cr Middlemiss Seconded: Cr Harriman

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:

15.1 Sporting Hall of Fame Inductions
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 contains personal information about the nominee.

CARRIED UNANIMOUSLY

The Meeting closed to the public at 10.32pm.
There being no further business the meeting was declared closed at 10.35pm.
I certify that these minutes have been confirmed.
Mayor:
Date: