



LATROBE CITY COUNCIL

MINUTES FOR THE COUNCIL MEETING

**HELD IN MEETING ROOMS AT GIPPSLAND PERFORMING
ARTS CENTRE AND VIA AUDIO-VISUAL LINK
AT 6:00PM ON 05 JUNE 2023
CM592**

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 Melissa Ferguson	South Ward
	Cr Brad Law	West Ward
	Cr Sharon Gibson	West Ward
Officers:	Steven Piasente	Chief Executive Officer
	Georgia Hills	General Manager Community Health & Wellbeing
	Jody Riordan	General Manager Regional City Planning & Assets
	Tim Ellis	General Manager Regional City Strategy & Transition
	James Rouse	Executive Manager Commonwealth Games
	Nathan Kearsley	General Manager Organisational Performance
	Hanna Steevens	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 05 June 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 Law

Seconded: Cr Lund

That Council confirm the minutes of the Council Meeting held on 1 May 2023 and Unscheduled Council Meeting held on 15 May 2023.

CARRIED UNANIMOUSLY

4. DECLARATION OF INTERESTS

Cr Harriman declared an indirect conflict of interest in Item 8.1 – 2022/23 Community Grants and Sponsorship Program - Round 2.

Cr Lund declared an indirect conflict of interest in Item 8.1 – 2022/23 Community Grants and Sponsorship Program - Round 2.

5. PUBLIC PARTICIPATION TIME

Public Questions on Notice

1. **From:** Traralgon Community Development Association and Mr Noel Blundell
- Topic:** Removal of the Lord's Prayer
- Question:** Two separate questions have been received regarding the decision to remove the Lord's Prayer at the commencement of Council meetings. Firstly, the reasoning behind the decision to remove the prayer and secondly when it will be reinstated in the future.
- Response:** The use of a prayer at the commencement of Council meetings has recently been the subject of broad discussion across many councils in Australia.

In response Council undertook research into use of prayer or otherwise as part of council meeting practices in Victoria and found that less than one third of local governments in Victoria use a prayer interpreted to be based on Christian faith. Latrobe City was the only Council in Victoria to use the Lord's Prayer.

The research also included benchmarking that indicated that Councils are moving away from a traditional prayer to either an affirmation statement which represents how Councillors intend to work in the best interests of the community or a statement of inclusion and recognition of diversity of beliefs and identities within their respective communities.

The Council Meeting Agenda no longer includes a section for prayer and this change was enabled by the legislative requirements as to how Council Meeting agendas are set.

2. **From:** Emma Materowski On Behalf of Southside Residents Group
- Topic:** Proposed Development at 23 Dunbar Road, Traralgon
- Question:** Will Latrobe City Council take into consideration in its assessment of the planning application for the proposed high density housing development at 23 Dunbar Road, Traralgon, that there is an agreement in place between the developer and State Government that that will result in the proposed development being used for social housing?
- Response:** It is acknowledged that there is a caveat on the property title advising that the Director of Housing has a purchasers contract with the registered proprietors of the land.
- Latrobe City has to assess the application as currently proposed for the Development of land with 52 dwellings on a lot, 52 lot subdivision of land and the creation and removal of an easement at 23 Dunbar Road, Traralgon.
- Nowhere in the application documentation is there a mention of the tenure of the proposed housing. Under the Planning and Environment Act 1987 planning permit assessments cannot factor in the tenure of a dwelling as part of the decision-making on an application, in other words, Latrobe City does not have the legislated ability to assess the tenure of the proposed dwellings.

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

6. STRATEGIC ITEMS FOR DECISION

Item Number 6.1 05 June 2023

Regional City Strategy & Transition

RELEASE OF DRAFT GOVERNANCE RULES FOR PUBLIC CONSULTATION

OFFICER'S RECOMMENDATION

That Council:

1. Approves the release of the Latrobe City Council Draft Governance Rules at Attachment Two for a four-week community consultation period, commencing on Monday, 12 June 2023 to Monday, 10 July 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 Gibson

Seconded: Cr Middlemiss

That Council defer consideration of this item to a future Council meeting in order to provide a further opportunity for Councillors to workshop the proposed Governance Rules.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Governance Rules - Amendments Summary
2. Governance Rules - Track Changes

DRAFT KINGSFORD STREET RESERVE MASTER PLAN

MOTION

Moved: Cr Gibson

Seconded: Cr Law

That Council:

- 1. Endorse the Kingsford Street Reserve Master Plan; and**
- 2. Makes the Kingsford Street Reserve Master Plan available on Councils website.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Site Context
2. Background History
3. Draft Master Plan - Plan
4. Draft Master Plan - Report (Volume 1)
5. Draft Master Plan - Report (Volume 2)
6. 2 March 2020 - Council Meeting Minutes
7. Submission Summary and Officer Response
8. Full Written Submissions (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. personal info within.

RELEASE OF DRAFT COMMUNITY GARDENS GUIDELINES FOR PUBLIC CONSULTATION

MOTION

Moved: Cr Lund

Seconded: Cr Howe

That Council:

- 1. Releases the *DRAFT* Community Gardens Guidelines for public consultation; and**
- 2. Is provided a future report detailing submissions received regarding the *DRAFT* Community Gardens Guidelines.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. DRAFT Community Gardens Guidelines
2. Community Gardens Application Form

TOURISM AND MAJOR EVENTS ADVISORY COMMITTEE RECOMMENDATIONS APRIL 2023

MOTION

Moved: Cr Howe

Seconded: Cr Harriman

That Council:

- 1. Approve the \$15,000 contribution for the AGL Loy Yang Traralgon International Junior Tennis Championships: and**
- 2. Approve the \$15,000 contribution for the Latrobe City WIN Network Pro-Am Golf**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. AGL Loy Yang Traralgon International Junior Tennis Championships, Major Event Assessment
2. Latrobe City WIN Network Pro-Am Golf, Major Event Assessment

REVIEW OF COUNCIL SUPPORT AND EXPENSES POLICY

OFFICER'S RECOMMENDATION

That Council:

1. **Adopts the Council Support and Expenses Policy with an effective date of 05 June 2023;**
2. **Notes that with the adoption of this Policy, that any previous versions are now revoked;**
3. **Requests a copy of the final formatted Policy be provided to all Councillors; and**
4. **Makes this Policy available on Council's website and available for inspection at all Council Service Centres.**

MOTION

Moved: Cr Gibson

Seconded: Cr Middlemiss

That Council defer consideration of this item to a future Council meeting.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Council Support and Expenses Policy

STATUTORY PLANNING

7. STATUTORY PLANNING

Item Number 7.1 05 June 2023

Regional City Planning and Assets

AMENDMENT C131 (FLOOD MAPPING UPDATE) - UPDATE ON PROGRESSION OF AMENDMENT

MOTION

Moved: Cr Harriman

Seconded: Cr Gibson

That Council:

1. **Notes the update on the progression of Amendment C131 (Flood Overlay Updates); and**
2. **Requests Council officers prepare a further report to be presented no later than the 4 December 2023 Council Meeting which considers submissions and details next steps for the progression of the Amendment.**

CARRIED UNANIMOUSLY

Attachments

Nil

CORPORATE ITEMS FOR DECISION

8. CORPORATE ITEMS FOR DECISION

Item Number 8.1

05 June 2023

Community Health and Wellbeing

2022/23 COMMUNITY GRANTS AND SPONSORSHIP PROGRAM - ROUND 2

Resolution 1

MOTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

That Council:

1. Approves 61 applications in the amounts stated as set out in Attachment A and releases publicly a list of the successful applicants – 2022/23 Community Grants Program, Round Two – Final Recommendations in the Community Wellbeing, Community Events Minor, Community Events Significant, Minor Equipment and Minor Capital Works categories of the 2022/23 Community Grants Program, Round Two.
2. Notes the 78 unsuccessful applications as set out in Attachment C – 2022/23 Community Grants Program, Round Two – Unsuccessful Applications – in the Community Wellbeing, Community Events Minor, Community Events Significant, Minor Equipment and Minor Capital Works categories of the 2022/23 Community Grants Program, Round Two: and
2. Approves one application in the amount stated as set out in Attachment E and releases publicly a list of successful applications – 2022/23 Community Grants Program Round Two – Final Recommendations – in the Community Sponsorship Major category of the 2022/23 Community Grants Program, Round Two.

CARRIED UNANIMOUSLY

Resolution 2

MOTION

Moved: Cr Middlemiss

Seconded: Cr Ferguson

4. Approves one application in the amount stated as set out in Attachment B and releases publicly a list of successful applications – 2022/23 Community Grants Program Round Two – Final Recommendations – Declared Conflict of Interest in the Minor Capital Works category of the 2022/23 Community Grants Program, Round Two.
5. Notes three unsuccessful applications as set out in Attachment D – 2022/23 Community Grants Program, Round Two – Unsuccessful Applications – Declared Conflict of Interest in the Minor Equipment and Community Events Minor category of the 2022/23 Community Grants Program, Round Two.

CARRIED UNANIMOUSLY

Cr Harriman and Cr Lund left the meeting at 7.46pm and returned at 7.51pm.

Attachments - Refer to Council Meeting Agenda

1. Attachment A - 2022-23 Community Grants Program Round Two - Final Recommendations (Published Separately)

This attachment is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). For Councillor Endorsement.

2. Attachment B - 2022-23 Community Grants - Round Two - Final Recommendations - Declared Conflict of Interest (Published Separately)

This attachment is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). For Councillor Endorsement.

3. Attachment C - 2022-23 Community Grants Program Round Two - Not Recommended (Published Separately)

This attachment is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). For Councillor Endorsement.

4. Attachment D - 2022-23 Community Grants Program Round Two - Not Recommended - Declared Conflict Of Interest (Published Separately)

This attachment is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). Declared Conflict of Interest.

5. Attachment E - 2022-23 Community Sponsorship Program Round Two - Final Recommendations (Published Separately)

This attachment is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). For Councillor Endorsement.

ADOPTION OF 2023/24 BUDGET

OFFICERS RECOMMENDATION

That Council having prepared and given public notice of the proposed 2023/24 Budget in accordance with Section 94 of the *Local Government Act 2020*, and having conducted a consultative process, including having received and considered submissions, resolves:

- 1. To adopt the 2023/2024 Budget (including fees and charges), annexed to this report at Attachment 1;**
- 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 2023 to 30 June 2024 are as follows:**

General Rates	\$61,991,714
Municipal Charge	\$ 6,001,869
Service Charges	\$14,648,155
EPA Landfill Levy Charge	\$ 1,217,101
Cultural and Recreational Land	\$ 79,017
Payments in lieu of rates	\$ 8,893,200

- 3. Declares that the general rates will be raised in 2023/2024 by the application of the following differential rates calculated on the Capital Improved Value of rateable property:**
 - 3.1. General rate of 0.00293783 cents in the dollar on lands as defined in paragraph 6.1.1**
 - 3.2. Farm rate of 0.00220337 cents in the dollar on farm land as defined in paragraph 7.1.1**
 - 3.3. Derelict Properties rate of 0.00881348 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 2023 and that the rates be levied in respect of each portion of rateable land for which the Council has a separate valuation;**
- 5. That the declaration of the general rate, farm rate and derelict properties rate to be levied in 2023/24 will contribute to the equitable and efficient carrying out of its functions;**
- 6. Specifies in relation to the General Rate for 2023/2024 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 0.00293783 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 2023/2024 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 0.00220337 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 2023/2024 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 0.00881348 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 \$149.00 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 2023 to 30 June 2024;
 11. Declares an annual service charge of \$393.00 per premises which includes 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 of the service provided) for a twelve-month period from 1 July 2023 to 30 June 2024;
 12. Declares an annual EPA Landfill Levy charge of \$33.00 per garbage bin to cover the costs levied by the Environmental Protection Authority on the operation of landfills for the period 1 July 2023 to 30 June 2024;
 13. Where variations to the standard service are granted, waste services will be charged for services utilised for the period 1 July 2023 to 30 June 2024 as follows:
 - Garbage 120L bin \$275.00 pa
 - Garbage 240L bin \$405.00 pa
 - Garbage 240L bin Special \$308.00 pa
 - Recycling 240L bin \$ 73.00 pa
 - Organics 240L bin \$ 45.00 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:

Traralgon Bowling Club	45-57 Gwalia Street, Traralgon	\$18,199.88
Moe Racing Club	Waterloo Road, Moe	\$14,454.14
Morwell Bowling Club	52 Hazelwood Road, Morwell	\$13,043.98
Traralgon Greyhound Racing Club	McNairn Road, Traralgon	\$6,793.76
Moe Golf Club	26 Thompsons Road, Newborough	\$6,237.86

Traralgon Golf Club	Princes Street, Traralgon	\$5,966.71
Yallourn Golf Club	Golf Links Road, Moe	\$3,883.32
Moe Bowling Club	Waterloo Road, Moe	\$2,901.12
Morwell Golf Club	Fairway Drive, Morwell	\$2,549.20
Newborough Bowling Club	1-5 Coach Road, Newborough	\$2,027.11
Victorian Field & Game Association	Scales Road, Flynn Creek	\$984.18
Yallourn North Bowls Club	Reserve Street, Yallourn North	\$690.39
Boolarra Bowling Club	22 Duke Street, Boolarra	\$594.91
Yinnar Bowling Club	Main Street, Yinnar	\$499.43
LV Water Ski Club	Hall Road, Yallourn North	\$190.96

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. 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;
17. Having considered submissions received in relation to the 2023/2024 Budget, directs that the rates and charges as declared for 2023/2024 be levied by sending notices to the persons who are liable to pay, in accordance with Section 158 of the Act 1989;
18. Resolves that the rates and charges for 2023/2024 must be paid by the dates fixed under Section 167 of the Act 1989, namely:

in full by 15 February 2024; or

by equal instalments on the following dates:

 - 30 September 2023;
 - 30 November 2023;
 - 28 February 2024; and
 - 31 May 2024;
19. Directs and authorises the Chief Executive Officer to demand payment of and recover the rates and charges as declared in relation to the 2023/2024 Budget;
20. Rate of Interest – Section 172 of the Act 1989:

20.1. That for the 2023/2024 financial year Council resolves to require a person to pay interest on any outstanding amounts of rates and charges:

20.1.1 which that person is liable to pay; and

20.1.2 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;

20.2 That for the 2023/2024 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%);

- 21. Reverses the prior allocation of \$850,000 by Council from the 2022/23 Budget towards a capital works reserve for 2023/24 and returns the amount to the unreserved 2022/23 financial position.**
- 22. Allocates an additional one-off operating grant of \$2,000 (excluding GST) to the Morwell Historical Society as a contribution towards rates and charges payable by the society in 2023/24.**
- 23. Write to all submitters who provided a budget submission thanking them and advising Council's response to their submission.**

MOTION

Moved: Cr Harriman

Seconded: Cr Middlemiss

That Council having prepared and given public notice of the proposed 2023/24 Budget in accordance with Section 94 of the *Local Government Act 2020*, and having conducted a consultative process, including having received and considered submissions, resolves:

- 1. To adopt the 2023/2024 Budget (including fees and charges), annexed to this report at Attachment 1;**
- 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 2023 to 30 June 2024 are as follows:**

General Rates	\$61,991,714
Municipal Charge	\$ 6,001,869
Service Charges	\$14,648,155
EPA Landfill Levy Charge	\$ 1,217,101
Cultural and Recreational Land	\$ 79,017
Payments in lieu of rates	\$ 8,893,200

- 3. Declares that the general rates will be raised in 2023/2024 by the application of the following differential rates calculated on the Capital Improved Value of rateable property:**
 - 3.1. General rate of 0.00293783 cents in the dollar on lands as defined in paragraph 6.1.1**
 - 3.2. Farm rate of 0.00220337 cents in the dollar on farm land as defined in paragraph 7.1.1**
 - 3.3. Derelict Properties rate of 0.00881348 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 2023 and that the rates be levied in respect of each portion of rateable land for which the Council has a separate valuation;**
- 5. That the declaration of the general rate, farm rate and derelict properties rate to be levied in 2023/24 will contribute to the equitable and efficient carrying out of its functions;**
- 6. Specifies in relation to the General Rate for 2023/2024 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 0.00293783 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 2023/2024 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 0.00220337 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 2023/2024 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 0.00881348 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 \$149.00 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 2023 to 30 June 2024;
11. Declares an annual service charge of \$393.00 per premises which includes 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 of the service provided) for a twelve-month period from 1 July 2023 to 30 June 2024;
12. Declares an annual EPA Landfill Levy charge of \$33.00 per garbage bin to cover the costs levied by the Environmental Protection Authority on the operation of landfills for the period 1 July 2023 to 30 June 2024;
13. Where variations to the standard service are granted, waste services will be charged for services utilised for the period 1 July 2023 to 30 June 2024 as follows:
- Garbage 120L bin \$275.00 pa
 - Garbage 240L bin \$405.00 pa
 - Garbage 240L bin Special \$308.00 pa

Recycling 240L bin \$ 73.00 pa

Organics 240L bin \$ 45.00 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:

Traralgon Bowling Club	45-57 Gwalia Street, Traralgon	\$18,199.88
Moe Racing Club	Waterloo Road, Moe	\$14,454.14
Morwell Bowling Club	52 Hazelwood Road, Morwell	\$13,043.98
Traralgon Greyhound Racing Club	McNairn Road, Traralgon	\$6,793.76
Moe Golf Club	26 Thompsons Road, Newborough	\$6,237.86
Traralgon Golf Club	Princes Street, Traralgon	\$5,966.71
Yallourn Golf Club	Golf Links Road, Moe	\$3,883.32
Moe Bowling Club	Waterloo Road, Moe	\$2,901.12
Morwell Golf Club	Fairway Drive, Morwell	\$2,549.20
Newborough Bowling Club	1-5 Coach Road, Newborough	\$2,027.11
Victorian Field & Game Association	Scales Road, Flynn Creek	\$984.18
Yallourn North Bowls Club	Reserve Street, Yallourn North	\$690.39
Boolarra Bowling Club	22 Duke Street, Boolarra	\$594.91
Yinnar Bowling Club	Main Street, Yinnar	\$499.43
LV Water Ski Club	Hall Road, Yallourn North	\$190.96

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. 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;
17. Having considered submissions received in relation to the 2023/2024 Budget, directs that the rates and charges as declared for 2023/2024 be levied by sending notices to the persons who are liable to pay, in accordance with Section 158 of the Act 1989;
18. Resolves that the rates and charges for 2023/2024 must be paid by the dates fixed under Section 167 of the Act 1989, namely:

in full by 15 February 2024; or

by equal instalments on the following dates:
 - 30 September 2023;
 - 30 November 2023;
 - 28 February 2024; and
 - 31 May 2024;
19. Directs and authorises the Chief Executive Officer to demand payment of and recover the rates and charges as declared in relation to the 2023/2024 Budget;
20. Rate of Interest – Section 172 of the Act 1989:
 - 20.1. That for the 2023/2024 financial year Council resolves to require a person to pay interest on any outstanding amounts of rates and charges:
 - 20.1.1 which that person is liable to pay; and
 - 20.1.2 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;
 - 20.2 That for the 2023/2024 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%);
21. Reverses the prior allocation of \$850,000 by Council from the 2022/23 Budget towards a capital works reserve for 2023/24 and returns the amount to the unreserved 2022/23 financial position.
22. Allocates an additional one-off operating grant of \$2,000 (excluding GST) to the Morwell Historical Society as a contribution towards rates and charges payable by the society in 2023/24.
23. Write to all submitters who provided a budget submission thanking them and advising Council's response to their submission.
24. To not renew Latrobe City Council's corporate membership with Local Government Professionals (LGPro) for the financial year 2023/24, with the funds allocated in the 2023/24 Annual Budget for this membership cost to be reallocated as part of the mid-year budget process.

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

LOST

MOTION

Moved: Cr Clancey
Seconded: Cr Middlemiss

That Council having prepared and given public notice of the proposed 2023/24 Budget in accordance with Section 94 of the *Local Government Act 2020*, and having conducted a consultative process, including having received and considered submissions, resolves:

- 1. To adopt the 2023/2024 Budget (including fees and charges), annexed to this report at Attachment 1;**
- 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 2023 to 30 June 2024 are as follows:**

General Rates	\$61,991,714
Municipal Charge	\$ 6,001,869
Service Charges	\$14,648,155
EPA Landfill Levy Charge	\$ 1,217,101
Cultural and Recreational Land	\$ 79,017
Payments in lieu of rates	\$ 8,893,200

- 3. Declares that the general rates will be raised in 2023/2024 by the application of the following differential rates calculated on the Capital Improved Value of rateable property:**
 - 3.1. General rate of 0.00293783 cents in the dollar on lands as defined in paragraph 6.1.1**
 - 3.2. Farm rate of 0.00220337 cents in the dollar on farm land as defined in paragraph 7.1.1**
 - 3.3. Derelict Properties rate of 0.00881348 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 2023 and that the rates be levied in respect of each portion of rateable land for which the Council has a separate valuation;**

5. That the declaration of the general rate, farm rate and derelict properties rate to be levied in 2023/24 will contribute to the equitable and efficient carrying out of its functions;
6. Specifies in relation to the General Rate for 2023/2024 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 0.00293783 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 2023/2024 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 0.00220337 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 2023/2024 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 0.00881348 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 \$149.00 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 2023 to 30 June 2024;
11. Declares an annual service charge of \$393.00 per premises which includes 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 of the service provided) for a twelve-month period from 1 July 2023 to 30 June 2024;
12. Declares an annual EPA Landfill Levy charge of \$33.00 per garbage bin to cover the costs levied by the Environmental Protection Authority on the operation of landfills for the period 1 July 2023 to 30 June 2024;
13. Where variations to the standard service are granted, waste services will be charged for services utilised for the period 1 July 2023 to 30 June 2024 as follows:
- Garbage 120L bin \$275.00 pa
- Garbage 240L bin \$405.00 pa
- Garbage 240L bin Special \$308.00 pa
- Recycling 240L bin \$ 73.00 pa
- Organics 240L bin \$ 45.00 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:

Traralgon Bowling Club	45-57 Gwalia Street, Traralgon	\$18,199.88
Moe Racing Club	Waterloo Road, Moe	\$14,454.14
Morwell Bowling Club	52 Hazelwood Road, Morwell	\$13,043.98

Traralgon Greyhound Racing Club	McNairn Road, Traralgon	\$6,793.76
Moe Golf Club	26 Thompsons Road, Newborough	\$6,237.86
Traralgon Golf Club	Princes Street, Traralgon	\$5,966.71
Yallourn Golf Club	Golf Links Road, Moe	\$3,883.32
Moe Bowling Club	Waterloo Road, Moe	\$2,901.12
Morwell Golf Club	Fairway Drive, Morwell	\$2,549.20
Newborough Bowling Club	1-5 Coach Road, Newborough	\$2,027.11
Victorian Field & Game Association	Scales Road, Flynn Creek	\$984.18
Yallourn North Bowls Club	Reserve Street, Yallourn North	\$690.39
Boolarra Bowling Club	22 Duke Street, Boolarra	\$594.91
Yinnar Bowling Club	Main Street, Yinnar	\$499.43
LV Water Ski Club	Hall Road, Yallourn North	\$190.96

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. 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;
17. Having considered submissions received in relation to the 2023/2024 Budget, directs that the rates and charges as declared for 2023/2024 be levied by sending notices to the persons who are liable to pay, in accordance with Section 158 of the Act 1989;
18. Resolves that the rates and charges for 2023/2024 must be paid by the dates fixed under Section 167 of the Act 1989, namely:
- in full by 15 February 2024; or
- by equal instalments on the following dates:
- 30 September 2023;
 - 30 November 2023;
 - 28 February 2024; and
 - 31 May 2024;

19. **Directs and authorises the Chief Executive Officer to demand payment of and recover the rates and charges as declared in relation to the 2023/2024 Budget;**
20. **Rate of Interest – Section 172 of the Act 1989:**
 - 20.1. **That for the 2023/2024 financial year Council resolves to require a person to pay interest on any outstanding amounts of rates and charges:**
 - 20.1.1 **which that person is liable to pay; and**
 - 20.1.2 **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;**
 - 20.2 **That for the 2023/2024 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%);**
21. **Reverses the prior allocation of \$850,000 by Council from the 2022/23 Budget towards a capital works reserve for 2023/24 and returns the amount to the unreserved 2022/23 financial position.**
22. **Allocates an additional one-off operating grant of \$2,000 (excluding GST) to the Morwell Historical Society as a contribution towards rates and charges payable by the society in 2023/24.**
23. **Write to all submitters who provided a budget submission thanking them and advising Council's response to their submission.**

For Crs Clancey, O'Callaghan, Law, Middlemiss, Howe and Lund
Against*: Crs Gibson (abstain), Harriman and Ferguson

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 to be taken to have voted against the question.*

Cr Ferguson left the meeting at 6.50pm and returned at 6.56pm.

Attachments - Refer to Council Meeting Agenda

1. 2023/24 Budget for Adoption

COUNCIL COMMITTEE MATTERS FOR CONSIDERATION

MOTION

Moved: Cr Howe

Seconded: Cr Clancey

That Council:

1. **Note the information presented in this report in response to the decision at the 06 February 2023 Council Meeting to receive a report reviewing the current Committees and representation;**
2. **Approve Attachment 1 as the endorsed list of Committees (Community Asset Committees, Statutory Committees, Council Committees and External Committees for participation) and the corresponding Councillor representatives and publish the list on Councils website;**
3. **Adopt the Terms of Reference at Attachment 2 for the following Council Committees that have been administratively updated for compliance with the *Local Government Act 2020*:**
 - a. **Centre for Australian Automotive Futures**
 - b. **Economic Development Advisory Committee**
 - c. **Latrobe City Council Rail Freight Working Group**
 - d. **Latrobe City International Relations Committee**
 - e. **Latrobe Regional Gallery Advisory Committee**
 - f. **Living Well Latrobe Governance Group**
 - g. **Road and Place Name Advisory Committee;**
4. **Request a further report reviewing the objectives, achievements and need for each of the Council Committees identified in Attachment 1 and identify options available to inform and progress the subject work of each Council Committee;**
5. **Abolish the following Council Committees:**
 - a. **Latrobe City Transition Taskforce**
 - b. **War Memorials Advisory Committee;**
6. **Note the following Committees were abolished by Council resolution at various times in the last 12 months and are no longer included in the endorsed list of Council Committees:**
 - a. **Churchill & District Community Hub Advisory Committee**
 - b. **Flynn Hall Project Reference Group**
 - c. **Latrobe Creative Precinct Project Reference Group**

- d. **Morwell Recreation Reserve Project Reference Group;**
7. **Note Councillor representatives are no longer be involved in the Regional Aboriginal Justice Advisory Committee or the Gippsland Climate Change Network; and**
8. **Rescind the Council Committee Policy at Attachment 4.**

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

CARRIED

Cr Gibson left the meeting at 7.25pm and returned at 7.42pm.

The Mayor called an adjournment of the meeting at 7.27pm.

The meeting resumed at 7.43pm.

Attachments - Refer to Council Meeting Agenda

1. Committee summary for endorsement
2. Terms of Reference for Adoption
3. Terms of Reference for Abolished Committees
4. Establishment of Council Committee Policy

2026 COMMONWEALTH GAMES - REQUEST FOR DELEGATION TO THE CHIEF EXECUTIVE OFFICER TO SIGN FUNDING AGREEMENTS

MOTION

Moved: Cr Clancey

Seconded: Cr Law

That Council delegates to the Chief Executive Officer the power to sign funding agreements with Sport and Recreation Victoria for capital works at:

- **Gippsland Sports and Entertainment Park;**
- **Gippsland Regional Indoor Sports Stadium; and**
- **Ted Summerton Reserve**

required for the delivery of the 2026 Commonwealth Games, provided that no financial contribution from Council is required.

CARRIED UNANIMOUSLY

Attachments

Nil

GIPPSLAND SPORTS AND ENTERTAINMENT PARK - ESTABLISHMENT OF PROJECT REFERENCE GROUP FOR THE 2026 COMMONWEALTH GAMES

MOTION

Moved: Cr Harriman

Seconded: Cr Lund

That Council:

- 1. Adopts the Gippsland Sports and Entertainment Park Project Reference Group Terms of Reference (Attachment 1); and**
- 2. Appoints Cr Middlemiss (Chair), Cr Lund, and Cr O'Callaghan (alternate) to the Gippsland Sports and Entertainment Park Project Reference Group.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Gippsland Sports and Entertainment Park Terms of Reference

DRAFT ASSET MANAGEMENT STRATEGY 2023-2032

MOTION

Moved: Cr Clancey

Seconded: Cr Law

That Council:

- 1. Adopts the Asset Management Strategy 2023-2032; and**
- 2. Makes the Asset Management Strategy 2023-2032 available on Council's website.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Asset Management Strategy 2023 -2032

POLICY RENEWAL PROGRAM - REVOCAION OF OUTDATED POLICIES

MOTION

Moved: Cr Middlemiss

Seconded: Cr Law

That Council revoke the following policies:

- **Community Based Aged and Disability Services Policy**
- **Community Gardens Policy**
- **Council Led Development Plans and Contribution Plans Timeframes Policy**
- **Damage to Council Assets by Trees on Private Property Policy**
- **Ecologically Sustainable Development Policy**
- **Energising of Street Lighting in New Subdivisions Policy**
- **Family Day Care Policy**
- **International Power Children's Traffic School Policy**
- **Local Agenda 21 Policy**
- **Multipurpose Use of Preschool Facilities Policy**
- **Performing Arts Policy**
- **Public Art Policy**
- **Public Library Policy**
- **Public Meeting Facilities Policy**
- **Visual Arts Policy**
- **Works Permit Policy**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Community Based Aged and Disability Services Policy
2. Community Gardens

3. Council Led Development Plans and Contribution Plans Timeframes Policy
4. Damage to Council Assets by Trees on Private Property Policy
5. Ecologically Sustainable Development Policy
6. Energising of Street Lighting in New Subdivisions Policy
7. Family Day Care Policy
8. International Power Traffic School Policy
9. Local Agenda 21 Policy
10. Multipurpose Use of Preschool Facilities Policy
11. Performing Arts Policy
12. Public and Urban Art Policy
13. Public Library Policy
14. Public Meeting Facilities Policy
15. Visual Arts Policy
16. Works Permit Policy

AUTHORISATION OF COUNCIL OFFICERS UNDER THE PLANNING & ENVIRONMENT ACT 1987

MOTION

Moved: Cr Middlemiss

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. Tegan McKenzie, Julian Pollard and Chase Radford be appointed and authorised as set out in the respective Instrument of Appointment and Authorisation;**
- 2. The Instruments of Appointment and Authorisation come into force immediately after the common seal of Council is affixed, or in the case of Julian Pollard upon commencement on 13 June 2023, and remain in force until Council determines to vary or revoke it; and**
- 3. The Instruments of Appointment and Authorisation be sealed.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. S11A Instrument of Appointment and Authorisation - Tegan McKenzie
2. S11A Instrument of Appointment and Authorisation - Julian Pollard
3. S11A Instrument of Appointment and Authorisation - Chase Radford

URGENT BUSINESS

9. URGENT BUSINESS

Nil

REPORTS FOR NOTING

10. REPORTS FOR NOTING

Nil reports

11. QUESTIONS ON NOTICE

Nil reports

NOTICES OF MOTION

12. NOTICES OF MOTION

12.1 2023/07 NATIVE TIMBER INDUSTRY IN VICTORIA

Cr Dale Harriman

MOTION

Moved: Cr Harriman

Seconded: Cr Gibson

That Council

- 1. Acknowledges the history of native timber harvesting in Gippsland and the significant contribution it makes to Gippsland's economy and community;**
- 2. Authorises the Chief Executive Officer to release a public statement to the media including publishing on Council's social media that;**
 - a. Condemns the State Government's decision to bring forward the end to Native Timber Harvesting in Victoria's state forests on 1 January 2024.**
 - b. Calls on the State Government to rescind this decision and consult with the impacted communities in relation to the future of the Native Timber Industry.**
 - c. Requests that all local members of State Parliament acknowledge Council's opposition and advocates on Council's behalf.**
- 3. Requests that Council Officers collaborate with other Gippsland Council's in relation to advancing Council's position on this matter.**

For Crs Law, Harriman, Ferguson and Gibson

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

LOST

Cr Gibson left the meeting at 8.16pm and did not return for the remainder of the meeting.

Attachments

Nil

ITEMS FOR TABLING

13. ITEMS FOR TABLING

Nil reports

14. ACKNOWLEDGEMENTS

Cr Clancey congratulated Traralgon Harriers Athletics Club on the success of their 56th Traralgon Marathon and Running Festival 2023.

Cr Lund congratulated Gippsland Pride Initiative Inc. on their annual Pride Gala.

Cr Howe acknowledged the community groups and staff involved in the Volunteering Connections Event held in May.

Cr O'Callaghan acknowledged the Moe & District Netball Association on the recent Eastern Association Championships and congratulated the Under 15 team who will be part of the State Championships 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 Law

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:

15.1 Gippswide Kerbside Collaborative Procurement Project - Kerbside Collection and Transport Preferred Tenderer

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 Commercial and confidentially sensitive information from tenderers used for tender evaluation not to be publically released.

15.2 LCC-786 Supply, Delivery, and Placement of Asphalt Products

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 Releasing this information publicly and/or prematurely may prejudice the undertaking of this process.

15.3 LCC-787 Reconstruction of Scrubby Lane, Traralgon

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 Releasing this information publicly and/or prematurely may prejudice the undertaking of this process.

CARRIED UNANIMOUSLY

The Meeting closed to the public at 8.22pm.

There being no further business the meeting was declared closed at 8.33pm.

I certify that these minutes have been confirmed.

Mayor: _____

Date: _____