



LATROBE CITY COUNCIL

MINUTES FOR THE COUNCIL MEETING

HELD IN KERNOT HALL, MORWELL VIA AUDIO-
VISUAL LINK
AT 6:00PM ON 05 AUGUST 2024
CM608

PRESENT:

Councillors:	Cr Darren Howe, Mayor	East Ward
	Cr Graeme Middlemiss	Central Ward
	Cr Dan Clancey	East Ward (Virtual)
	Cr Dale Harriman	East Ward
	Cr Kellie O'Callaghan	East Ward
	Cr Melissa Ferguson	South Ward
	Cr Brad Law	West Ward
	Cr Sharon Gibson	West Ward (Left meeting at 8.48pm)
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
	Zoe Speck	Manager Governance
	Peter Schulz	Coordinator Council Business
	Kaitlyn Boram	Governance Officer
	Paige Dabb	Governance Officer
Apologies:	Cr Tracie Lund	

TABLE OF CONTENTS

1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND	4
2. APOLOGIES AND LEAVE OF ABSENCE.....	4
3. ADOPTION OF MINUTES	4
4. DECLARATION OF INTERESTS	4
5. PUBLIC PARTICIPATION TIME	4
6. STRATEGIC ITEMS FOR DECISION.....	9
6.1 Events & Visitor Economy Strategy 2024 - 2028	9
6.2 Lease Update - Crinigan Road South Reserve Telecommunications Tower - Community Consultation Submissions	10
6.3 Sales Update - Hazelwood House, 59-91 Philip Parade, Churchill..	12
6.4 Brayakaulung Advisory Committee.....	13
6.5 Latrobe City Councils Submission to Plan Victoria	14
6.6 Latrobe City Councils Submission to Australian Governments Parliamentary Inquiry into Local Government Sustainability	15
6.7 Latrobe City Councils Submission to the Victorian Governments Inquiry into Local Government Funding and Services	16
6.8 Latrobe City Councils Submission to The Victorian Governments Transmission Investment Framework - Renewable Energy Zone (REZ) Community Benefits Plan	17
7. STATUTORY PLANNING.....	19
7.1 Proposed Planning Scheme Amendment C149 - Latrobe Planning Scheme Review.....	19
7.2 Planning Permit Application 2024/75 Two Lot Subdivision	20
7.3 Planning Permit Application 2023/277 Use of land for the sale of packaged liquor	21
7.4 VCAT Appeal - Amended Application for Service Station at 182 Princes Street, Traralgon.....	23
8. CORPORATE ITEMS FOR DECISION	27

8.1	Approve Funding and KPI's of the Latrobe City Business Chamber for the 2024/25 Financial Year.....	27
8.2	Tourism & Major Events Advisory Committee Recommendation - July 2024.....	28
8.3	Policy Renewal Program - Policies Requiring Minor Updates	29
8.4	Economic Development Assistance Policy	31
8.5	Authorisation of Council Officers under the Planning & Environment Act 1987	32
8.6	Election Period Event Approval	33
8.7	Lease Update - Old Methodist Church, 39 Princes St, Traralgon	34
9.	URGENT BUSINESS.....	36
10.	REPORTS FOR NOTING	38
10.1	Contract Variations for the period 1 April 2024 - 30 June 2024	38
10.2	Presentation of the Audit and Risk Committee Minutes - 6 June 2024	39
10.3	Creative Venues Fees and Charges.....	40
12.	NOTICES OF MOTION.....	43
12.1	Notice of Motion 2024/10 - Amendment to the Governance Rules ..	43
12.2	Notice of Motion 2024/11 - Amendment of Community Grant Program Governance Policy 2023	44
13.	ITEMS FOR TABLING.....	46
14.	ACKNOWLEDGEMENTS.....	47
15.	MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION.....	49
15.1	LCC-843 Resealing of Municipal Roads	49
15.2	LCC-846 Supply and Delivery of Quarry Products.....	49
15.3	LCC-840 Park Lane Preschool Construction	50
15.4	LCC-838 Turf Supplies and Services.....	50

Resolutions in this minutes document should be read in conjunction with the published agenda for the 05 August 2024 Council Meeting.

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

Cr Tracie Lund

3. ADOPTION OF MINUTES

MOTION

Moved: Cr Gibson

Seconded: Cr Law

That Council confirm the minutes of the Council Meeting held on 1 July 2024 and Unscheduled Council Meeting held on 8 July 2024.

CARRIED UNANIMOUSLY

4. DECLARATION OF INTERESTS

Cr Clancey declared a general interest in Item 8.1 – Approve Funding and KPI’s of the Latrobe City Business Chamber for the 2024/25 Financial Year.

Cr Howe declared a general interest in Item 8.1 – Approve Funding and KPI’s of the Latrobe City Business Chamber for the 2024/25 Financial Year.

Cr Clancey declared a general interest in Item 8.2 – Tourism & Major Events Advisory Committee Recommendation – July 2024.

Cr Harriman declared a general interest in Item 8.2 – Tourism & Major Events Advisory Committee Recommendation – July 2024.

Cr O’Callaghan declared an interest, no conflict in Item 15.3 – LCC840 Park Lane Preschool Construction.

5. PUBLIC PARTICIPATION TIME

Public Questions on Notice

In accordance with the Governance Rules, 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 four public questions on notice.

Question 1:

From: Leanne Potter

Topic: Capital Improved Value (CIV) Rating

Question:

Does Council have an estimate of the number of residential properties in South Ward that would have a rise in rates if Capital Improvement Value rating was discontinued in favour of another method of assessment?

Response:

Local government rates in Victoria are based on the most recent property valuations undertaken by the Victorian Valuer-General.

Council has the ability to distribute rates by utilising one of the following valuation methods being Capital Improved Value, Site Value or Net Annual Value (represents the annual rental value of a property).

The 2020 Local Government Rating Review recommended the state government consider the benefits of a valuation averaging mechanism (VAM) to mitigate the impact of significant changes in property valuations on rates. Local Government Victoria advised in April 2024, that the Victorian Government has decided not to proceed with further consideration of a VAM.

Council utilises the Capital Improved Value (CIV) as the most appropriate valuation base/method for distributing rates as detailed in Council's adopted Revenue and Rating Plan 2021-2025. Modelling of alternative valuation processes and the impact on individual annual rates notices has not been undertaken. Any change to the valuation method used would impact all ratepayers in Latrobe City and if a change were to be considered in the future, Council would undertake community consultation as part of any revised Revenue and Rating Plan.

Question 2:

From: Linda Reid

Topic: Membership of Municipal Association of Victoria (MAV)

Question:

If the Municipal Association of Victoria was disbanded or Latrobe City withdrew from the body would there be increased costs to council putting upward pressure rates during a cost of living crisis and a decrease in the ability to service council and community needs?

Response:

Latrobe City Council is a member of the Municipal Association of Victoria (MAV), with annual membership fees paid for the 2024/25 financial year.

Membership of MAV provides many benefits to Council. One of the financial benefits provided to Council is the ability to leverage off MAV's aggregated purchasing power, which allows Latrobe City Council to access better pricing and terms as MAV can combine the purchasing needs of multiple councils.

On balance, withdrawing from MAV membership would result in, among other things, higher costs being incurred for a variety of goods and services if they had to be procured directly at a smaller scale.

Question 3:

From: Damian Andrews

Topic: Transparency and Accountability Policies in Local Government

Question:

What is Council's policy for ensuring full cooperation and transparency in the event of an Ombudsman or Local Government Inspectorate or Independent Broad-based Anti-corruption Commission investigation into conduct of Latrobe City's Executive Team or Councillors?

Response:

Council is obliged to comply with requirements of any investigations undertaken by oversight agencies, including the Local Government Inspectorate, the Victorian Ombudsman and IBAC. This requirement is set out in the Local Government Act and legislation of each of the relevant agencies.

Therefore no policy is required to be developed by Council as each of these agencies have been provided with the necessary powers to ensure that this happens and, in some cases, take action against those who fail to comply with an investigation or provide false or misleading information.

Additionally, Council has an established Integrity Framework that ensures that we demonstrate high levels of compliance with legislative requirements at all times and this includes cooperating with any investigation by the agencies identified.

The relevant agencies determine if any matters that they investigate are made publicly available.

Question 4:

From: Damian Andrews

Topic: Latrobe City Council Governance Rules

Question:

Has the Latrobe City Council published a consolidated list of all deviations in its Governance Rules from that of the Local Government Model Rules as set out in the Local Government Act 2020?

Response:

The Local Government Act does not detail a model set of Governance Rules. IBAC's special report on Operation Sandon made a recommendation that the Local Government Minister ensures that *Local Government Victoria develops and publishes Model Governance Rules to operate as the minimum standards for council meeting procedures*. While the Minister has made a public statement accepting this recommendation 'in-principle', there has been no further information provided to Councils at this stage.

Public Speakers

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

- Margaret Guthrie of the Churchill & District Community Association spoke to Item 6.3 – Sales Update – Hazelwood House, 59-91 Philip Parade, Churchill.
- Linda Reid spoke to Item 6.3 – Sales Update – Hazelwood House, 59-91 Philip Parade, Churchill and to Item 12.1 – Notice of Motion 2024/10 – Amendment to the Governance Rules.
- Nick Anderson of the NBA Group Pty Ltd spoke to Item 7.2 – Planning Application 2024/75 Two Lot Subdivision.
- Taylah Ling spoke virtually to Item 12.1 – Notice of Motion 2024/10 – Amendment to the Governance Rules.

STRATEGIC ITEMS FOR DECISION

6. STRATEGIC ITEMS FOR DECISION

Item Number 6.1 05 August 2024

Community Health and Wellbeing

EVENTS & VISITOR ECONOMY STRATEGY 2024 - 2028

MOTION

Moved: Cr Gibson

Seconded: Cr Ferguson

That Council:

- 1. Adopt the Events and Visitor Economy Strategy 2024-2028 provided at Attachment 1; and**
- 2. Make the strategy available via the Latrobe City Council website.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Draft Events & Visitor Economy Strategy
2. Full Summary Have Your Say Feedback (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 information contained in submissions.

LEASE UPDATE - CRINIGAN ROAD SOUTH RESERVE TELECOMMUNICATIONS TOWER - COMMUNITY CONSULTATION SUBMISSIONS

MOTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

That Council:

1. **Having considered the submissions received, and in accordance with Section 115 of the Local Government Act 2020, proceeds to enter into a lease with Optus Mobile Pty Ltd, on the proposed lease terms outlined below:**
 - 1.1. **Proposed Tenant: Optus Mobile Pty Ltd - ABN: 65 054 365 696;**
 - 1.2. **Premises: Lease area of 40 square metres of reserve at Crinigan South Reserve, Morwell (as detailed in Attachment 2);**
 - 1.3. **Permitted Use: Use, inspection, construction, installation, replacement, operation, maintenance, alteration, repair, upgrade, access to and from and removal of the facility for telecommunications and communications purposes on the Premises and the Land in accordance with the Lease;**
 - 1.4. **Term: 20 years;**
 - 1.5. **Rental: \$15,000 per annum plus GST**
 - 1.6. **Rent Review: Adjusted annually by 3%; and**
 - 1.7. **Outgoings: All outgoings including utility services, rates, taxes, public liability insurance, building and contents insurances to be payable by the Tenant.**
 - 1.8. **Repairs and Maintenance: all building maintenance and repairs shall be the responsibility of the Tenant**
2. **Authorises the Chief Executive Officer to execute all documents necessary to enter into the lease agreement with the Proposed Tenant.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Public Submissions regarding proposed long term lease at Crinigan Road South Reserve (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 details of the submissions included.

2. Attachment Two - Crinigan Road South Reserve, Proposed Lease Plan

SALES UPDATE - HAZELWOOD HOUSE, 59-91 PHILIP PARADE, CHURCHILL

MOTION

Moved: Cr Ferguson

Seconded: Cr Middlemiss

That Council:

- 1. Having undertaken an Expression of Interest (EOI) process and received no conforming offers, resolves to sell the property at 59-91 Philip Parade Churchill, being the land described as Lot 5 on PS 309824F contained in Certificate of Title Volume 10351 Folio 487 by auction or private treaty on an 'as-is, where-is' basis; and**
- 2. Authorises the Chief Executive Officer to execute all documents necessary to offer the property located at 59-91 Philip Parade, Churchill for sale by auction or private treaty and to complete the sale at a price no less than the minimum selling price set in accordance with Confidential Attachment 1.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

- 1. Hazelwood House Valuation Overview (Published Separately)**

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

(i) relates to trade secrets; or

(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. Property Valuation would compromise the sales process.

BRAYAKAULUNG ADVISORY COMMITTEE

MOTION

Moved: Cr Gibson

Seconded: Cr O'Callaghan

That Council:

- 1. Dissolve the Brayakaulung Advisory Committee; and,**
- 2. Note the creation of a Brayakaulung Community Engagement Group.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Brayakaulung Advisory Committee Terms of Reference

LATROBE CITY COUNCILS SUBMISSION TO PLAN VICTORIA

MOTION

Moved: Cr Gibson

Seconded: Cr Middlemiss

That Council:

- 1. Endorse Latrobe City Council's submission to Plan Victoria (Attachment 1); and**
- 2. Submit the submission to the Department of Transport and Planning no later than 30 August 2024.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Submission to Plan Victoria

LATROBE CITY COUNCILS SUBMISSION TO AUSTRALIAN GOVERNMENTS PARLIAMENTARY INQUIRY INTO LOCAL GOVERNMENT SUSTAINABILITY

MOTION

Moved: Cr Gibson

Seconded: Cr Middlemiss

That Council retrospectively endorse the submission to the Australian Governments Parliamentary Inquiry into Local Government Sustainability as provided in Attachment 1 of this report.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Latrobe City Councils submission to the Australian Governments Parliamentary Inquiry into Local Government Sustainability.

LATROBE CITY COUNCILS SUBMISSION TO THE VICTORIAN GOVERNMENTS INQUIRY INTO LOCAL GOVERNMENT FUNDING AND SERVICES

MOTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

That Council retrospectively endorse the submission to the Victorian Governments Parliamentary Inquiry into Local Government funding and services as provided in Attachment 1 of this report.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Latrobe City Councils Submission to Victorian Parliamentary Inquiry into Local Government funding and services

LATROBE CITY COUNCILS SUBMISSION TO THE VICTORIAN GOVERNMENTS TRANSMISSION INVESTMENT FRAMEWORK - RENEWABLE ENERGY ZONE (REZ) COMMUNITY BENEFITS PLAN

MOTION

Moved: Cr Middlemiss

Seconded: Cr Harriman

That Council retrospectively endorse the Latrobe City Council submission to the Victorian Governments Transmission Investment Framework – Renewable Energy Zone Community Benefits Plan as provided in Attachment 1 of this report.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Victorian Transmission Investment Framework - REZ Community Benefits

STATUTORY PLANNING

7. STATUTORY PLANNING

Agenda Item: 7.1

Agenda Item: Proposed Planning Scheme Amendment C149 -
Latrobe Planning Scheme Review

Sponsor: General Manager, Regional City Planning and Assets

MOTION

Moved: Cr Gibson

Seconded: Cr Ferguson

That Council:

1. **Endorse the Latrobe Planning Scheme Review, provided at Attachment 1.**
2. **Request authorisation from the Minister for Planning to prepare and exhibit Amendment C149 to the Latrobe Planning Scheme, in accordance with Section 8A of the *Planning and Environment Act 1987*;**
3. **Prepare Amendment C149 to the Latrobe Planning Scheme to implement the recommendations of the Latrobe Planning Scheme Review, generally in accordance with the documentation provided at Attachment 2 and 3, subject to Ministerial Authorisation; and**
4. **Place Amendment C149 on public exhibition in accordance with the requirements of section 19 of the *Planning and Environment Act 1987*, subject to Ministerial Authorisation.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Latrobe Planning Scheme Review
2. Proposed Planning Scheme Amendment Changes
3. Proposed Planning Scheme Amendment Map Changes

PLANNING PERMIT APPLICATION 2024/75 TWO LOT SUBDIVISION

MOTION

Moved: Cr Gibson

Seconded: Cr Law

That Council issues a Notice of Decision to Grant a Permit for a Two Lot Subdivision at 271 Haunted Hills Road, Newborough subject to conditions at Attachment 1 to this report.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Attachment 1 - Draft Permit Conditions
2. Attachment 2 - Proposed Plan of Subdivision
3. Attachment 3 - Copies of Objections (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, identifying information of objectors.

4. Attachment 4 - Objector Location Map (Published Separately)

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

(i) relates to trade secrets; or

(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. This map identifies the addresses of individuals that have objected to the application..

5. Attachment 5 - Planning Officer Response to Objections
6. Attachment 6 - Assessment Against Planning Policy
7. Attachment 7 - Farming Zone Purpose and Decision Guidelines

PLANNING PERMIT APPLICATION 2023/277 USE OF LAND FOR THE SALE OF PACKAGED LIQUOR

OFFICER'S RECOMMENDATION

That Council issue a Notice of Decision to Grant a Permit for the use of land for the sale of packaged liquor (packaged liquor licence) at 27/72-82 Princes Drive, Morwell, subject to conditions at Attachment 1 to this report.

MOTION

Moved: Cr O'Callaghan

Seconded: Cr Middlemiss

That Council decides to issue a Notice of Decision to Refuse to Grant a Permit (2023/277) for the use of land for the sale of packaged liquor (packaged liquor licence) at 27/72-82 Princes Drive, Morwell, (Mid Valley Shopping Centre), on the following grounds:

- 1. Approval of the proposal is inconsistent with the purpose and decision guidelines of Clause 52.27 Licensed Premises of the Latrobe Planning Scheme as it would have a negative impact on the amenity of an area; and**
- 2. Approval of the proposal would not provide a net community benefit as an increase in packaged liquor outlets at the Mid Valley Shopping Centre has the potential to contribute to higher rates of excessive alcohol consumption and higher rates of family violence.**

For Crs O'Callaghan and Middlemiss

Against: Crs Clancey, Law, Howe, Harriman, Ferguson and Gibson

LOST

Cr Harriman foreshadowed a motion if alternate failed

MOTION

Moved: Cr Harriman

Seconded: Cr Ferguson

That the meeting be adjourned.

CARRIED UNANIMOUSLY

The meeting was adjourned at 7.58pm.

The meeting resumed at 8.17pm.

FORESHADOWED MOTION ITEM 7.3

Moved: Cr Harriman

Seconded: Cr Gibson

That Council issue a Notice of Decision to Grant a Permit for the use of land for the sale of packaged liquor (packaged liquor licence) at 27/72-82 Princes Drive, Morwell, subject to conditions at Attachment 1 to this report with the following change to condition 2:

Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of:

- a) Monday to Saturday: 9am to 8pm;**
- b) Sunday: 10am to 8pm;**
- c) Anzac Day: 12 noon to 8pm; and**
- d) Good Friday and Christmas Day: No trading.**

For Crs Clancey, Law, Middlemiss, Howe, Harriman, Ferguson and Gibson

Against: Cr O'Callaghan

CARRIED

Attachments - Refer to Council Meeting Agenda

1. Attachment 1: Draft permit conditions
2. Attachment 2: Copy of plans
3. Attachment 3: Copy of objections (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. Contains personal contact information of objectors.

4. Attachment 4: Response to objections
5. Attachment 5: Cumulative impact assessment

VCAT APPEAL - AMENDED APPLICATION FOR SERVICE STATION AT 182 PRINCES STREET, TRARALGON

OFFICER'S RECOMMENDATION

That Council amends its position and agrees to a permit being issued for the use and development of a service station, creation of access to Transport Zone 2 and the installation of business signage and internally illuminated signage at 182-186 Princes Street, Traralgon, based on the amended plans and subject to the conditions at Attachment 1 of this report.

MOTION

Moved: Cr O'Callaghan

Seconded: Cr Harriman

That Council declines to agree to a consent order at the Victorian Civil and Administrative Tribunal and continues to proceed with the recommendation that the planning permit (2023/245) should be refused for the use and development of land for a service station at 182 Princes Street, Traralgon, on the following grounds:

- 1. The proposed use and development are inconsistent with the purpose and decision guidelines of the Neighbourhood Residential Zone (Schedule 4) as it is not compatible with the existing residential uses through the scale and intensity of the proposal and will not predominantly service local community need; and**
- 2. The proposal is inconsistent with the objectives and policy of Clause 13.07 – 1S (Land Use Compatibility) as the use and development of land for a service station of the proposed scale is not compatible with adjoining and nearby residential land uses; and**
- 3. The proposal is inconsistent with the strategies with Clause 11.01-1L (Traralgon Structure Plan) as it proposes a use with significant economic impact that will be located outside the Traralgon Primary Activity Centre (TTSP Area 3), Argyle Street (TTSP Area 4) and Princes Highway and Stammers Road (TTSP Area 5); and**
- 4. The proposal is not consistent with Clause 65.01 (approval of an application or plan) as the proposed use and development has the potential to affect human health, the amenity of the area and the orderly planning of the area.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Attachment 1 Draft permit conditions
2. Attachment 2 Council Report 5 February 2024
3. Attachment 3 Discussions at the compulsory conferences (Published Separately)

This attachment is designated as confidential under subsection (e) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to legal privileged information, being information to which legal professional privilege or client legal privilege applies. Matters discussed at a VCAT compulsory conference are confidential.

4. Attachment 4 Amended Plans
5. Attachment 5 Acoustic Report
6. Attachment 6 Notice of Amended Application and Statement of Changes

CORPORATE ITEMS FOR DECISION

The Mayor and Cr Clancey left the meeting at 8.26pm.

MOTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

That Council, in accordance with section 61(3)(c) of the Local Government Act 2020, appoints Councillor O'Callaghan as a temporary chair in the absence of the Mayor and Deputy Mayor.

CARRIED UNANIMOUSLY

Cr O'Callaghan assumed the chair.

8. CORPORATE ITEMS FOR DECISION

Item Number 8.1 05 August 2024

Regional City Strategy & Transition

APPROVE FUNDING AND KPI'S OF THE LATROBE CITY BUSINESS CHAMBER FOR THE 2024/25 FINANCIAL YEAR

MOTION

Moved: Cr Harriman

Seconded: Cr Middlemiss

That Council:

1. **Allocates \$69,000 from the 2023/24 surplus budget allocation process, to the Latrobe City Business Chamber for the 2024/25 financial year, and**
2. **Receives a report in August 2025 on the Latrobe City Business Chamber achievements against the 2024/25 Key Performance Indicators and their financial viability.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Latrobe City Business Chamber Progress Report 2023/2024
2. Latrobe City Business Chamber 2nd year funding KPI's

The Mayor returned to the meeting and resumed the chair at 8.32pm.

Cr Harriman left the meeting at 8.33pm.

TOURISM & MAJOR EVENTS ADVISORY COMMITTEE RECOMMENDATION - JULY 2024

MOTION

Moved: Cr Gibson

Seconded: Cr Law

That Council authorise officers to enter into agreements to fund:

- 1. The 2025 – 2027 Boolarra Folk Festival in the amount of \$15,000 per year for a period of three years; and**
 - 2. The 2025 Lions Australia National Convention in the amount of \$20,000;**
- through the Major Events Attraction budget.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. TAMEAC Major Event Assessment: 2025-2027 Boolarra Folk Festival
2. TAMEAC Major Event Assessment: 2025 Lions Convention
3. Summary Major Events Attraction Budget

Cr Clancey and Cr Harriman returned to the meeting at 8.37pm.

Change to the Order of Business

The Mayor, in accordance with Rule 19 of the Governance Rules, determined to alter the Order of Business by bringing forward the following report for consideration:

Item 12.2 – Notice of Motion 2024/11 – Amendment of the Community Grant Program Governance Policy 2023

Cr Gibson left the meeting at 8.48pm.

POLICY RENEWAL PROGRAM - POLICIES REQUIRING MINOR UPDATES

OFFICER'S RECOMMENDATION

That Council:

1. **Adopt the following updated policies;**
 - **Council Policy Development Policy**
 - **Meeting Live Streaming Policy**
 - **Extension of Waste Services Kerbside Collection Policy**
 - **Complaints Handling Policy**
2. **Revoke the following policies as they are no longer required;**
 - **Public Meeting Policy**
 - **Public Relations and Communications Policy**
 - **Leisure Special Fees Policy**
 - **Interim Social and Affordable Housing Policy**
3. **Make the four updated policies available via the Latrobe City Council website.**

MOTION

Moved: Cr Middlemiss

Seconded: Cr Harriman

That Council:

1. **Adopt the following updated policies:**
 - **Council Policy Development Policy**
 - **Meeting Live Streaming Policy**
 - **Extension of Waste Services Kerbside Collection Policy**
2. **Adopt the updated Complaints Handling Policy, subject to the removal of the reference to “General Manager” from the Responding to Unreasonable Complaint Conduct clause on page 8 of the policy.**
3. **Revoke the following policies as they are no longer required:**
 - **Public Meeting Policy**
 - **Public Relations and Communications Policy**
 - **Leisure Special Fees Policy**
 - **Interim Social and Affordable Housing Policy**
4. **Make the four updated policies available via the Council website.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Updated Council Policy Development Policy
2. Updated Meeting Live Streaming Policy
3. Updated Extension of Waste Services Kerbside Collection Policy
4. Updated Complaints Handling Policy
5. Public Meeting Policy
6. Public Relations and Communications Policy
7. Leisure Special Fees Policy
8. Interim Social and Affordable Housing Policy

ECONOMIC DEVELOPMENT ASSISTANCE POLICY

MOTION

Moved: Cr Clancey

Seconded: Cr Law

That Council:

- 1. Adopt the updated Economic Development Assistance Policy.**
- 2. Note that with the adoption of the updated Economic Development Assistance Policy, the previous version of the policy is revoked.**
- 3. Make the updated Economic Development Assistance Policy available on Council's website.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Council Benchmark Matrix
2. Draft Economic Development Assistance Policy

AUTHORISATION OF COUNCIL OFFICERS UNDER THE PLANNING & ENVIRONMENT ACT 1987

MOTION

Moved: Cr O'Callaghan

Seconded: Cr Middlemiss

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

- 1. Apeksha Vishwanath Raker be appointed and authorised as set out in the Instrument of Appointment and Authorisation attached to this report;**
- 2. The Instrument of Appointment and Authorisation come into force immediately after the common seal of Council is affixed and remain in force until Council determines to vary or revoke it; and**
- 3. The Instrument of Appointment and Authorisation be sealed.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

- 1. S11A Instrument of Appointment & Authorisation - Apeksha Vishwanath Raker**

ELECTION PERIOD EVENT APPROVAL

MOTION

Moved: Cr Middlemiss

Seconded: Cr Ferguson

That Council:

- 1. Authorise the operation of the Children’s Expo, Kernot Hall, Thursday 24 October during the Election Period, without Councillor formalities. And,**
- 2. Authorise the operation of The Positive Aging Festival, Country Concert: Johnny Cash & June Carter Tribute Show, Kernot Hall, 13 October during the Election Period, without Councillor formalities. And,**
- 3. Authorise the operation of *The Power of Perspective with Ben Crowe*, 3 October at GPAC during the Election Period, without Councillor formalities.**

CARRIED UNANIMOUSLY

Attachments

Nil

LEASE UPDATE - OLD METHODIST CHURCH, 39 PRINCES ST, TRARALGON

MOTION

Moved: Cr Clancey

Seconded: Cr O'Callaghan

That Council:

- 1. Continue to engage with VicTrack towards entering into a community lease for Lot 84 Traralgon;**
- 2. Receive a further report when the Department of Transport and Planning has completed their assessment and provided an outcome of the application.**
- 3. Write to the Minister for Transport and Planning seeking an update on the community lease application for Lot 84 Traralgon.**

CARRIED UNANIMOUSLY

Attachments

Nil

MOTION

Moved: Cr O'Callaghan

Seconded: Cr Harriman

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

CARRIED UNANIMOUSLY

URGENT BUSINESS

9. URGENT BUSINESS

Nil reports.

REPORTS FOR NOTING

10. REPORTS FOR NOTING

Item Number 10.1 05 August 2024

Organisational Performance

CONTRACT VARIATIONS FOR THE PERIOD 1 APRIL 2024 - 30 JUNE 2024

MOTION

Moved: Cr Middlemiss

Seconded: Cr Law

That Council receive and note the report on contract variations for the period 1 April 2024 to 30 June 2024.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Contract Variations - Details
2. Contract Variations - Summary
3. Contract Variations - Exceeding 25%

PRESENTATION OF THE AUDIT AND RISK COMMITTEE MINUTES - 6 JUNE 2024

MOTION

Moved: Cr Law

Seconded: Cr Ferguson

That Council receive and note the attached Audit and Risk Committee Minutes for the 6 June 2024 meeting.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Audit and Risk Committee Minutes - 6 June 2024

CREATIVE VENUES FEES AND CHARGES

OFFICER'S RECOMMENDATION

That Council receive and note this report.

MOTION

Moved: Cr Clancey

Seconded: Cr O'Callaghan

That Council defer consideration of this matter until the September Council Meeting.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Creative Venues Fees & Charges Schedule 2024/25

11. QUESTIONS ON NOTICE

Nil reports

NOTICES OF MOTION

12. NOTICES OF MOTION

Item Number 12.1 05 August 2024

Regional City Strategy & Transition

NOTICE OF MOTION 2024/10 - AMENDMENT TO THE GOVERNANCE RULES

MOTION

Moved: Cr Harriman

Seconded: Cr Ferguson

That Council:

- 1. Resolve to undertake a four-week community consultation period on proposed amendments to the Governance Rules, removing rules 67.2.1, 67.3.3 and 67.4 in relation to the consideration of petitions, commencing on 12 August 2024 and concluding on 09 September 2024 pursuant to section 60(4) of the Local Government Act 2020 and Council's Community Engagement Policy; and**
- 2. Receive a further report at a future Council Meeting to consider community feedback and the proposed amendments to the Governance Rules.**

For Crs Harriman and Ferguson

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

LOST

Attachments

Nil

NOTICE OF MOTION 2024/11 - AMENDMENT OF COMMUNITY GRANT PROGRAM GOVERNANCE POLICY 2023

MOTION

Moved: Cr Gibson

Seconded: Cr Harriman

That Council request a report be presented at the September Council meeting detailing options to reinstate fireworks as an eligible expenditure activity for funding under the Community Grant Program Governance Policy 2023.

CARRIED UNANIMOUSLY

Attachments

Nil

ITEMS FOR TABLING

13. ITEMS FOR TABLING

Nil reports

14. ACKNOWLEDGEMENTS

Cr O'Callaghan acknowledged the athletes from Latrobe City and Gippsland participating in the Olympic Games including Aislin Jones, Jade Melbourne, Aoife Coughlan, Eleanor Patterson, Fergus Hamilton, Paige Barr and Emily Beecroft.

Cr O'Callaghan thanked the Gippsland Punjabi Association for the Gippsland Mela celebration.

Cr Harriman congratulated the organising committee on the success of the Morwell Festival of Dance held in June / July.

Cr Harriman congratulated Jade Melbourne on her performance for the Opals at the Olympic Games.

Cr Howe congratulated the Gippsland Punjabi Association for their Gippsland Mela celebration.

**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 LCC-843 Resealing of Municipal Roads

This item is confidential as it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a)) and 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)). These grounds apply because Releasing this information publicly and/or prematurely may prejudice the undertaking of this process and would release private commercial information of the tenderers that may cause disadvantage.

15.2 LCC-846 Supply and Delivery of Quarry 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 and would release private commercial information of the tenderers that may cause disadvantage.

- 15.3 LCC-840 Park Lane Preschool Construction**
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 and would release private commercial information of the tenderers that may cause disadvantage.
- 15.4 LCC-838 Turf Supplies and Services**
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 and would release private commercial information of the tenderers that may cause disadvantage.

CARRIED UNANIMOUSLY

The Meeting closed to the public at 9.12pm.

There being no further business the meeting was declared closed at 9.19pm.

I certify that these minutes have been confirmed.

Mayor: _____

Date: _____