



LATROBE CITY COUNCIL

MINUTES FOR THE COUNCIL MEETING

**HELD IN NAMBUR WARIGA MEETING ROOM
CORPORATE HEADQUARTERS, MORWELL AND
VIA AUDIO-VISUAL LINK AT 6PM ON
06 DECEMBER 2021**

CM573

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 (attended via audio-visual link)
	Cr Brad Law	West Ward
	Cr Sharon Gibson	West Ward
Officers:	Steven Piasente	Chief Executive Officer
	Kendrea Pope	Acting Executive Manager Office of the CEO
	Gail Gatt	General Manager Community Health & Wellbeing
	Jody Riordan	General Manager City Planning & Assets
	Greg Drumm	General Manager Organisational Performance
	Hanna Steevens	Manager Governance
	Kaitlyn Boram	Governance Officer

TABLE OF CONTENTS

1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND	3
2. OPENING PRAYER.....	3
3. APOLOGIES AND LEAVE OF ABSENCE.....	3
4. DECLARATION OF INTERESTS	3
5. ADOPTION OF MINUTES	3
6. ACKNOWLEDGEMENTS.....	4
7. PUBLIC PARTICIPATION TIME	4
8. QUESTIONS ON NOTICE	6
9. NOTICES OF MOTION.....	8
9.1 2021/18 State Governments Actions and Initiatives Regarding Medical Practitioners in Latrobe Valley	8
9.2 2021/19 Visitor Information Centre	9
10. ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR CONSIDERATION	11
11. CORRESPONDENCE	13
12. PRESENTATION OF PETITIONS	15
13. CHIEF EXECUTIVE OFFICE.....	17
13.1 Proposed 2022 Scheduled Council Meeting Dates.....	17
13.2 2022 Committee Appointments.....	18
13.3 Consideration of a Complaints Handling Policy	19
13.4 CEO Employment Matters - Implementing the Requirements of the Local Governemnt Act 2020	20
14. CITY PLANNING AND ASSETS.....	22
14.1 Building Better Regions Fund - Outcome of funding applications.....	22
14.2 Submission to the Central and Gippsland Region Sustainable Water Strategy	23
14.3 Resident only parking zone - Henry Street Traralgon Parking Issues.....	24
14.4 Proposed Planning Scheme Amendment - Social & Affordable Housing	25

14.5 Planning permit application 2021/169 - 14 High Street, Moe	26
14.6 CEO Delegation to Award Contracts	41
15. COMMUNITY HEALTH AND WELLBEING	43
15.1 Review of Latrobe City Council Chief Executive Officer's membership on Destination Gippsland Ltd Board of Directors	43
15.2 Tourism and Major Events Advisory Committee Recommendations October 2021	44
16. ORGANISATIONAL PERFORMANCE	47
16.1 Procurement Policy	47
16.2 Latrobe City Advocacy Plan 2021-2025	49
16.3 Fair Go Rates System - Rate Cap Variation 2022/23	50
17. URGENT BUSINESS	52
18. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION	54
18.1 2022 Australia Day Awards	54

Resolutions in this minutes document should be read in conjunction with the published agenda for the 06 December 2021 Council Meeting.

COUNCILLOR AND PUBLIC ATTENDANCE

PLEASE NOTE

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

Pursuant to section 394 of the *Local Government Act 2020*, a Councillor may attend this Council Meeting remotely by electronic means of communication; and

Pursuant to section 395 of the *Local Government Act 2020* this Council Meeting may be closed to the attendance by members of the public by making available access to a live stream of the Meeting on the Council's internet site.

1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

The Mayor read the acknowledgement of the traditional owners of the land.

2. OPENING PRAYER

The Mayor read the opening prayer.

3. APOLOGIES AND LEAVE OF ABSENCE

There were no apologies received.

4. DECLARATION OF INTERESTS

Cr Harriman advised of a general conflict in Item 15.2 (Tourism and Major Events Advisory Committee Recommendations October 2021).

Cr O'Callaghan advised she had previously provided information in writing to the Chief Executive Office regarding a general interest in Resolution 2 for Item 18.1 (2022 Australia Day Awards).

5. ADOPTION OF MINUTES

MOTION

Moved: Cr Gibson

Seconded: Cr Lund

That Council confirm the minutes of the Council Meetings held on 8 November 2021 and 15 November 2021.

CARRIED UNANIMOUSLY

6. ACKNOWLEDGEMENTS

Cr Lund acknowledged the recent passing of Elsie LeBroc.

7. PUBLIC PARTICIPATION TIME

Public Questions on Notice

In accordance with the *Governance Rules*, members of the public were able to lodge a question on notice before 12 noon in order for the question to be answered at the meeting. There was one question on notice.

From: Dr Christine Sindt, President, Gippsland Resource Group Inc

Topic: COVID Marshals

Question: Gippsland Resource Group Inc would like to know whether Latrobe City employs COVID Marshals?

Response:

For clarity, the Chief Health Officer directions refer to COVID Check-in Marshalls and COVID Marshalls.

A COVID Check-in Marshall is required at most Council venues to check the vaccination status of people entering the facility. These are in place and are employed by Council.

A COVID Marshall is only required for employers in specific industries. The only possible application to Council would be in relation to the requirement to have a COVID Marshall at a construction site. Where the site is a Council operated construction site, Council has a COVID Marshall employed by Council, usually a member of the team undertaking the works.

At an earlier stage, COVID Marshalls had been required for gyms but this is no longer the case.

Public Speakers

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

Item 9.2

- Lisa Proctor (attended via-audio visual link)
- Jenny Hammett - Our Heritage Traralgon/Latrobe
- Karen Russell - Chair of Our Heritage Traralgon/Latrobe
- Sheridan Bond
- Linda Barraclough - Gippsland History Facebook Page

Item 14.5

- Pierra Dubois – Architect
- Sharon Wootton
- Colin Wootton

The meeting was adjourned at 7:00pm to resolve technical difficulties.

The meeting was resumed at 7:09pm.

8. QUESTIONS ON NOTICE

Nil reports

NOTICES OF MOTION

9. NOTICES OF MOTION

**9.1 2021/18 STATE GOVERNMENTS ACTIONS AND INITIATIVES REGARDING
MEDICAL PRACTITIONERS IN LATROBE VALLEY**

Cr Sharon Gibson

MOTION

Moved: Cr Gibson

Seconded: Cr Harriman

That Council requests the Mayor write to the Premier of Victoria, the Victorian Government Minister for Health, Federal Minister for Health and Aged Care and Federal Minister for Regional Health and asks what actions and initiatives Government is implementing to ensure:

- **there are enough General Practitioners to work in the Latrobe Valley (Moe, Morwell, Traralgon and Churchill) to adequately meet the immediate needs of the Community; and**
- **the long term retention of General Practitioners working in the Latrobe Valley (Moe, Morwell, Traralgon and Churchill) to properly meet the ongoing needs of the Community.**

CARRIED UNANIMOUSLY

Attachments

Nil

The meeting was adjourned at 7:22pm to resolve technical difficulties.

The meeting was resumed at 7:25pm.

Cr Melissa Ferguson left the meeting, the time being 07:25PM.

The meeting was adjourned at 7:35pm to resolve technical difficulties.

The meeting was resumed at 7:44pm.

9.2 2021/19 VISITOR INFORMATION CENTRE

Cr Dan Clancey

MOTION

Moved: Cr Clancey

Seconded: Cr Gibson

That Council:

- 1. Requests the Chief Executive Officer defer implementation of the decision made at the 08 November 2021 Council Meeting in relation to Item 15.2 - Visitor Information Centre Building until such time as further community consultation has taken place in relation to this matter and a report is presented to future Council Meeting outlining the findings; and**
- 2. Notes the speakers and questions at the 30 November 2021 community meeting held in relation to this matter.**

CARRIED UNANIMOUSLY

Attachments

Nil

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

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

Nil reports

CORRESPONDENCE

11. CORRESPONDENCE

Nil reports

PRESENTATION OF PETITIONS

12. PRESENTATION OF PETITIONS

Nil reports

CHIEF EXECUTIVE OFFICE

13. CHIEF EXECUTIVE OFFICE

Agenda Item: 13.1

Agenda Item: Proposed 2022 Scheduled Council Meeting Dates

Sponsor: Chief Executive Office

Council Plan Objective: SMART

Status: For Decision

MOTION

Moved: Cr Middlemiss

Seconded: Cr Lund

That Council adopts and gives public notice of the following Council Meetings for 2022, commencing at 6pm, to be held either in the Nambur Wariga Meeting Room, Council Headquarters, 141 Commercial Road, Morwell or where permissible and appropriate, by means of audio-visual link:

- 7 February 2022
- 7 March 2022
- 4 April 2022
- 2 May 2022
- 6 June 2022
- 4 July 2022
- 1 August 2022
- 5 September 2022
- 3 October 2022
- 7 November 2022
- 14 November 2022
- 5 December 2022

CARRIED UNANIMOUSLY

Attachments

1. Date Calendar

Agenda Item: 13.2

Agenda Item: 2022 Committee Appointments

Sponsor: Chief Executive Office

Council Plan Objective: CONNECTED

Status: For Decision

Proposed resolution

That Council:

- 1. Appoints Councillors to the committees identified in the Committees List in Attachment 1 for 2022; and***
- 2. Notifies the committees of those appointments.***

MOTION

Moved: Cr Clancey

Seconded: Cr Gibson

That Council:

- 1. With the exception of the Municipal Public Health and Wellbeing Internal Governance Group, appoints Councillors to the committees identified in the Committees List in Attachment 1 for 2022;**
- 2. Appoints Cr Clancey, Cr Gibson, Cr Lund and Cr O’Callaghan (Chair) to the Municipal Public Health and Wellbeing Internal Governance Group; and**
- 3. Notifies the committees of those appointments.**

CARRIED UNANIMOUSLY

Attachments

- 1. Committee Appointments and Information 2022**

Agenda Item: 13.3

Agenda Item: Consideration of a Complaints Handling Policy

Sponsor: Chief Executive Office

Council Plan Objective: CONNECTED

Status: For Decision

MOTION

Moved: Cr Gibson

Seconded: Cr Lund

That Council:

- 1. Adopts the Complaints Handling Policy;**
- 2. Notes that with the adoption of this Policy, that any previous versions are now revoked; and**
- 3. Make the Complaints Handling Policy available on Council's website and available for inspection at all Council Service Centres**

CARRIED UNANIMOUSLY

Attachments

- 1. Draft Complaints Handling Policy**

Agenda Item: 13.4

**Agenda Item: CEO Employment Matters - Implementing the
Requirements of the Local Government Act 2020**

Sponsor: Chief Executive Office

Council Plan Objective: CONNECTED

Status: For Decision

MOTION

Moved: Cr Gibson

Seconded: Cr Middlemiss

That Council:

- 1. Endorses the CEO Employment and Remuneration Policy as outlined in Attachment 1 to this report;**
- 2. Endorses the revised CEO Employment Matters Committee Terms of Reference as outlined in Attachment 2 to this report;**
- 3. Authorises the Manager Governance, to commence the recruitment process for an Independent Chair of the CEO Employment Matters Committee in consultation with the CEO Employment Matters Committee; and**
- 4. Notes that the appointment of the Independent Chair of the CEO Employment Matters Committee will be the subject of a future report to Council at the conclusion of the process outlined in point 3 above.**

CARRIED UNANIMOUSLY

Attachments

1. CEO Employment and Remuneration Policy
2. CEO Employment Matters Committee ToR

CITY PLANNING AND ASSETS

14. CITY PLANNING AND ASSETS

Agenda Item: 14.1

Agenda Item: Building Better Regions Fund - Outcome of funding applications

Sponsor: General Manager, City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Information

Proposed Resolution:

That Council notes the report and the outcome of the funding applications to the Building Better Regions Fund for the Moe Revitalisation Project Stage 2 and Kernot Hall Morwell.

MOTION

Moved: Cr Gibson
Seconded: Cr Clancey

That Council:

- 1. Council notes the report and the outcome of the funding applications to the Building Better Regions Fund for the Moe Revitalisation Project Stage 2 and Kernot Hall Morwell.**
- 2. In the event that a further round of Building Better Regions Funding is made available by the Federal Government prior to the next Federal Election that Council endorses applications for the following projects.**
 - a. Moe Revitalisation Project Stage 3 for \$7.5 million**
 - b. Kernot Hall Upgrade for \$2.5 million**

CARRIED UNANIMOUSLY

Attachments

- 1. Notification of successful projects for BBRF Round 5**

Agenda Item: 14.2

**Agenda Item: Submission to the Central and Gippsland Region
Sustainable Water Strategy**

Sponsor: General Manager, City Planning and Assets

**Council Plan Objective: Improve the liveability and connectedness of Latrobe
City.**

Status: For Decision

MOTION

Moved: Cr Gibson

Seconded: Cr Law

That Council:

- 1. Endorse Latrobe City Council's submission to the Central and Gippsland Region Sustainable Water Strategy (Attachment 1); and**
- 2. Submit the submission to the Department of Environment, Land, Water and Planning for their consideration.**

CARRIED UNANIMOUSLY

Attachments

- 1. Submission to the Central and Gippsland Region Sustainable Water Strategy**

The meeting was adjourned at 8:43PM for a short break.

The meeting resumed at 8:51PM.

Cr Sharon Gibson left the meeting, the time being 08:51PM.

MOTION

Moved: Cr Harriman

Seconded: Cr Clancey

TIME CONSTRAINTS ON MEETING

That Council, in accordance with Clause 9.8 of the Governance Rules, continues the proceedings of the meeting until all items have been dealt with.

CARRIED UNANIMOUSLY

Agenda Item: 14.3

**Agenda Item: Resident only parking zone - Henry Street Traralgon
Parking Issues**

Sponsor: General Manager, City Planning and Assets

Council Plan Objective: Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens.

Status: For Decision

MOTION

Moved: Cr Harriman

Seconded: Cr Howe

That Council:

- 1. Implement a 12-month trial of a Resident Only Parking Exemption zone on Henry Street, Traralgon between Breed Street and Albert Street.**
- 2. Receives a further report outlining the results of the 12-month trial by no later than the March 2023 Council Meeting.**

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

Against: Cr Clancey

Carried

Attachments

1. Attachment 1 - Proposed Resident Only Parking Zone
2. Attachment 2 - Survey Responses

Agenda Item: 14.4
Agenda Item: Proposed Planning Scheme Amendment - Social & Affordable Housing

Sponsor: General Manager, City Planning and Assets

Council Plan Objective: SUSTAINABLE

Status: For Decision

MOTION

Moved: Cr Howe
Seconded: Cr Middlemiss

That Council:

- 1. Endorse the draft Latrobe City Social & Affordable Housing Strategy 2021, provided at Attachment 1 for public exhibition as part of Planning Scheme Amendment C136;**
- 2. Request authorisation from the Minister for Planning to prepare and exhibit Amendment C136 to the Latrobe Planning Scheme, in accordance with Section 8A of the *Planning and Environment Act 1987*;**
- 3. Prepare Amendment C136 to the Latrobe Planning Scheme to give effect to the draft Latrobe City Social & Affordable Housing Strategy 2021 and update local planning policy accordingly, generally in accordance with the documentation provided at Attachment 1, subject to Ministerial Authorisation; and**
- 4. Place Amendment C136 on exhibition in accordance with the requirements of Section 19 of the *Planning and Environment Act 1987*, subject to Ministerial Authorisation.**

CARRIED UNANIMOUSLY

Attachments

- 1. Latrobe SAH Strategy (Published Separately)**

This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. This draft Social and Affordable Housing Strategy will form part of the exhibition of a Planning Scheme Amendment. The strategy shows preferred locations for social and affordable housing, advocacy action in which council will take in relation to social and affordable housing and should be released to the community at an appropriate time.

Agenda Item: 14.5

Agenda Item: Planning permit application 2021/169 - 14 High Street, Moe

Sponsor: General Manager, City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Decision

The meeting order was altered and this item was discussed after Item 13.1.

Proposed Resolution:

That Council:

Issues a Notice of Decision to Grant a Permit for the development of land with two additional dwellings on a lot and a three-lot subdivision at 14 High Street, Moe with the following conditions:

Amended Plans Condition:

- 1. Before the commencement of any works hereby permitted or prior to the certification of the plan of subdivision under the Subdivision Act 1988 (whichever is earlier), amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:***
 - a) How the sight distance to pedestrians will be provided for the vehicle accessway to Lot 1 in accordance with the requirements of the Latrobe Planning Scheme. The site plans should define the end of the fence along the frontage of the property or show that the fence will be no more than 900 mm high.***
 - b) The footpath works shown on the plans must be extended to provide for pedestrian connection from High Street to the entry point to the proposed new dwellings.***

Endorsed Plans Condition:

- 2. The layout of the subdivision and the development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***

Development Conditions:

- 3. Once building works have commenced they must be completed to the***

satisfaction of the Responsible Authority.

4. *All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.*
5. *Upon completion of the works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.*

Landscaping Conditions:

6. *Prior to the commencement of any works, an amended landscape plan must be submitted to and approved by the Responsible Authority. The plan must show:*
 - a) *a survey (including botanical names) of all existing vegetation to be retained and/or removed;*
 - b) *buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;*
 - c) *details of surface finishes of pathways and driveways;*
 - d) *a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. Vegetation should be drought tolerant and reflective of the local landscape character;*
 - e) *landscaping and planting within all open areas of the site including the existing dwelling; and*
 - f) *one canopy tree (minimum two metres tall when planted) in the front setback of the existing dwelling and the proposed dwelling fronting Bentley Street.*

All species must be selected to the satisfaction of the Responsible Authority.

When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided.

7. *Prior to the occupancy of the development or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.*
8. *The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.*

Section 173 Agreement Condition:

9. *Prior to the issue of Statement of Compliance under the Subdivision Act 1988, either:*

- a) **Construction of the development approved under Planning Permit 2021/169 issued by Latrobe City Council must have substantially commenced; or**
- b) **The operator of this permit must enter into an agreement with the Responsible Authority, made pursuant to Section 173 of the Planning and Environment Act 1987, to the effect that, without the written consent of the Responsible Authority:**
 - i) **Any buildings on the land must be constructed in accordance with the plans endorsed under Planning Permit 2021/169 issued by Latrobe City Council; and**
- c) **Make application to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act; and**
- d) **Pay the reasonable costs of the preparation, review, and execution and registration of the Section 173 Agreement; and**
- e) **Provide Council with a copy of the dealing number issued by the Titles Office; and**
- f) **Once titles are issued, provide either:**
 - i. **a current title search; or**
 - ii. **a photocopy of the duplicate certificate of Title as evidence of Registration of the Section 173 Agreement on title.**

Construction Management Plan Condition:

10. **Prior to the commencement of works, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. All construction activities must comply with the construction management plan to the satisfaction of the Responsible Authority. The plan must include:**
- a) **The location and procedure for the storage of materials;**
 - b) **hours of construction including the number of workers expected on the land at any one time;**
 - c) **dust and litter management;**
 - d) **car parking, access and traffic management for staff and working vehicles;**
 - e) **measures to ensure the safe movement of vehicles and pedestrians on adjacent roads and pedestrian walkways during construction; and**
 - f) **provision for temporary fencing.**

Engineering Conditions:

11. **Before the commencement of any works hereby permitted or prior to the certification of the plan of subdivision under the Subdivision Act 1988**
-

(whichever is earlier), a site drainage plan, including levels of the land and all hydraulic computations, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and an electronic copy in PDF format must be provided. The drainage plan must be prepared in accordance with the requirements of Latrobe City Council's design guidelines and must provide for the following:

- a) ***How the land including all existing and future buildings, open space and paved areas will be drained for a 20 % AEP storm event to the legal point of discharge.***
 - b) ***An underground pipe drainage system conveying stormwater discharge to the legal point of discharge.***
 - c) ***The provision of stormwater detention within the site and prior to the point of discharge into Latrobe City Council's drainage system. The stormwater detention system must be designed to ensure that stormwater discharges arising from the proposed development of the land are restricted to predevelopment flow rates. The rate of pre-development stormwater discharge shall be calculated using a coefficient of run-off of 0.4.***
 - d) ***No part of any above ground stormwater detention system is to be located within an easement unless approved in writing by the relevant authority.***
- 12. *The plan of subdivision submitted for certification under the Subdivision Act 1988 must show appropriate easements set aside for drainage purposes to the satisfaction of the Responsible Authority.***
- 13. *Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.***
- 14. *Before an Occupancy Permit is issued for the first completed of the new dwellings hereby permitted or prior to the issue of a Statement of Compliance for this subdivision under the Subdivision Act 1988 (whichever is earlier), the operator of this permit must complete the following works to the satisfaction of the Responsible Authority including all necessary permits being obtained and inspections undertaken:***
- a) ***All drainage systems must be constructed in accordance with the site drainage plan approved by the Responsible Authority.***
 - b) ***Areas for vehicle access within the land must be constructed in accordance with plans endorsed by the Responsible Authority and be surfaced in accordance with the endorsed plans and drained in accordance with the approved site drainage plan.***

- c) The proposed new vehicle crossing must be constructed in accordance with the endorsed plans, at right angles to the road and must comply with the vehicle crossing standards set out in Latrobe City Council's Standard Drawing LCC 307.**
- d) Areas for vehicle access within Lot 1 must be constructed in accordance with plans endorsed by the Responsible Authority.**
- e) The construction of a 1.5 metre wide concrete footpath connection from High Street along the south side of Railway Crescent/Moondarra Street and along Bentley Street to provide for pedestrian access to the new dwellings hereby permitted.**

Public Open Space Contribution Condition:

- 15. Prior to the issue of Statement of Compliance under the Subdivision Act 1988, the applicant or owner must pay to the Responsible Authority:**

- a) a sum equivalent to 5 per cent of the site value of all the land in the subdivision; and**
- b) any costs associated with valuation of the land including valuer's fees.**

The permit holder must make a request to Council to commence the process involved with this condition.

Telecommunications Condition:

- 16. The owner of the land must enter into an agreement with:**

- a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
- b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
- b) a suitably qualified person that fibre ready telecommunication**

facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

AusNet Electricity Services Conditions:

- 17. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the Subdivision Act 1988.***
- 18. The applicant must:***
 - a) Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.***
 - b) Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.***

Gippsland Water Conditions:

- 19. The following conditions must be met by the owner prior to the issue of a Statement of Compliance:***
 - a) No construction or filling is permitted within 1.0 metre laterally of any Gippsland Water Asset (as per Section 148 Water Act 1989) unless prior written consent has been given by Gippsland Water.***
 - b) No trees are permitted within Gippsland Water's easements. All landscaping within Gippsland Water's easements must be in accordance with our Trees and your pipes guide. Please refer to our website: <https://www.gippswater.com.au/residential/help-advice/plant-right-tree>***
 - c) Install water services to the satisfaction of Gippsland Water. As Constructed details showing the location of the installed services are required to be submitted to Gippsland Water.***
 - d) Carry out works necessary to ensure all existing water services supplying the land are contained solely within the boundary of the individual lot(s). On completion of these works the owner must sign and return the Water Servicing Declaration provided by Gippsland Water.***
 - e) Install sewer services to the satisfaction of Gippsland Water. As Constructed details showing the location of the installed services are required to be submitted to Gippsland Water.***

- f) **An As Laid sanitary drainage plan showing the location of the sanitary drain(s) is required to be submitted by the plumber to CIS Services either by email to:**
- plans@cis1.com.au or by fax (03) 9835 5515 and a copy to Gippsland Water by email to: statplanning@gippswater.com.au**
- g) **Create Reserves and/or Easements in favour of the Central Gippsland Region Water Corporation over all existing and proposed water and sewerage works located within the subdivision. Easements are to be for Pipeline or Ancillary Purposes.**
- h) **Any plan of subdivision of the subject land lodged for certification shall be referred to Gippsland Water under Section 8(1) of the Subdivision Act 1988.**
- i) **A Property Services quote request form must be completed and forwarded to our Property Connections Team to arrange a quote for the provision of water and/or sewer services to the development. Please refer to our website: <https://www.gippswater.com.au/developers/property-connections/connections>**
- j) **If the subdivision of the land is to be carried out prior to the occupancy of the dwellings approved under this permit, agreement for the provision of services must be made with Gippsland Water. (Agreements and or Restrictions allowing the development and subdivisions to be undertaken separately, including through the use of Section 173 Agreements and/or Notices of Restriction on the Plan of Subdivision, does not satisfy Gippsland Water servicing requirements. Provision for servicing of the lots and/or dwellings must be arranged with Gippsland Water Statutory Planning team at statplanning@gippwater.com.au).**

Permit Expiry Condition:

20. **This permit as it relates to development will expire if one of the following circumstances applies:**
- a) **The development is not started within two (2) years of the date of this permit; or**
- b) **The development is not completed within four (4) years of the date of this permit.; or**
- c) **the plan of subdivision is not certified within two (2) years of the date of this permit; or**
- d) **the registration of the subdivision is not completed within five (5) years of certification.**

The Responsible Authority may extend the time if a request is made in writing

in accordance with Section 69 of the Planning and Environment Act 1987.

MOTION

Moved: Cr Gibson
Seconded: Cr Harriman

That Council issues a Notice of Decision to Refuse to Grant a Permit, for the development of land with two additional dwellings on a lot and a three-lot subdivision at 14 High Street, Moe on the following grounds:

- 1. The proposal is inconsistent with the Planning Policy Framework in relation to urban design and neighbourhood character, which aim to ensure that infill development the neighbourhood character of the area and that the form and scale of new development enhances the public realm.**
- 2. The proposal is inconsistent with the purpose and decision guidelines of the General Residential Zone Schedule 1 which seeks to encourage development that respects neighbourhood character of the area.**
- 3. The proposal does not comply with the decision guidelines of Clause 65 (Decision Guidelines) of the Latrobe Planning Scheme, including the purpose of the zone, the orderly planning of the area, namely visual amenity when considering the existing and preferred neighbourhood character and the density of the development.**

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

Lost

MOTION

Moved: Cr Law
Seconded: Cr Howe

That Council:

Issues a Notice of Decision to Grant a Permit for the development of land with two additional dwellings on a lot and a three-lot subdivision at 14 High Street, Moe with the following conditions:

Amended Plans Condition:

- 1. Before the commencement of any works hereby permitted or prior to the certification of the plan of subdivision under the Subdivision Act 1988 (whichever is earlier), amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and**

will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:

- a) How the sight distance to pedestrians will be provided for the vehicle accessway to Lot 1 in accordance with the requirements of the Latrobe Planning Scheme. The site plans should define the end of the fence along the frontage of the property or show that the fence will be no more than 900 mm high.
- b) The footpath works shown on the plans must be extended to provide for pedestrian connection from High Street to the entry point to the proposed new dwellings.

Endorsed Plans Condition:

2. The layout of the subdivision and the development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Development Conditions:

3. Once building works have commenced they must be completed to the satisfaction of the Responsible Authority.
4. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
5. Upon completion of the works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.

Landscaping Conditions:

6. Prior to the commencement of any works, an amended landscape plan must be submitted to and approved by the Responsible Authority. The plan must show:
 - a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - c) details of surface finishes of pathways and driveways;
 - d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. Vegetation should be drought tolerant and reflective of the local landscape character;
 - e) landscaping and planting within all open areas of the site including the existing dwelling; and
 - f) one canopy tree (minimum two metres tall when planted) in the front

setback of the existing dwelling and the proposed dwelling fronting Bentley Street.

All species must be selected to the satisfaction of the Responsible Authority.

When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided.

7. Prior to the occupancy of the development or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Section 173 Agreement Condition:

9. Prior to the issue of Statement of Compliance under the Subdivision Act 1988, either:
 - a) Construction of the development approved under Planning Permit 2021/169 issued by Latrobe City Council must have substantially commenced; or
 - b) The operator of this permit must enter into an agreement with the Responsible Authority, made pursuant to Section 173 of the Planning and Environment Act 1987, to the effect that, without the written consent of the Responsible Authority:
 - i) Any buildings on the land must be constructed in accordance with the plans endorsed under Planning Permit 2021/169 issued by Latrobe City Council; and
 - c) Make application to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act; and
 - d) Pay the reasonable costs of the preparation, review, and execution and registration of the Section 173 Agreement; and
 - e) Provide Council with a copy of the dealing number issued by the Titles Office; and
 - f) Once titles are issued, provide either:
 - i. a current title search; or
 - ii. a photocopy of the duplicate certificate of Title as evidence of Registration of the Section 173 Agreement on title.

Construction Management Plan Condition:

10. Prior to the commencement of works, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and

approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. All construction activities must comply with the construction management plan to the satisfaction of the Responsible Authority. The plan must include:

- a) The location and procedure for the storage of materials;
- b) hours of construction including the number of workers expected on the land at any one time;
- c) dust and litter management;
- d) car parking, access and traffic management for staff and working vehicles;
- e) measures to ensure the safe movement of vehicles and pedestrians on adjacent roads and pedestrian walkways during construction; and
- f) provision for temporary fencing.

Engineering Conditions:

11. Before the commencement of any works hereby permitted or prior to the certification of the plan of subdivision under the Subdivision Act 1988 (whichever is earlier), a site drainage plan, including levels of the land and all hydraulic computations, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and an electronic copy in PDF format must be provided. The drainage plan must be prepared in accordance with the requirements of Latrobe City Council's design guidelines and must provide for the following:

- a) How the land including all existing and future buildings, open space and paved areas will be drained for a 20 % AEP storm event to the legal point of discharge.
- b) An underground pipe drainage system conveying stormwater discharge to the legal point of discharge.
- c) The provision of stormwater detention within the site and prior to the point of discharge into Latrobe City Council's drainage system. The stormwater detention system must be designed to ensure that stormwater discharges arising from the proposed development of the land are restricted to predevelopment flow rates. The rate of pre-development stormwater discharge shall be calculated using a coefficient of run-off of 0.4.
- d) No part of any above ground stormwater detention system is to be located within an easement unless approved in writing by the relevant authority.

12. The plan of subdivision submitted for certification under the Subdivision

Act 1988 must show appropriate easements set aside for drainage purposes to the satisfaction of the Responsible Authority.

- 13. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.**
- 14. Before an Occupancy Permit is issued for the first completed of the new dwellings hereby permitted or prior to the issue of a Statement of Compliance for this subdivision under the Subdivision Act 1988 (whichever is earlier), the operator of this permit must complete the following works to the satisfaction of the Responsible Authority including all necessary permits being obtained and inspections undertaken:**
 - a) All drainage systems must be constructed in accordance with the site drainage plan approved by the Responsible Authority.**
 - b) Areas for vehicle access within the land must be constructed in accordance with plans endorsed by the Responsible Authority and be surfaced in accordance with the endorsed plans and drained in accordance with the approved site drainage plan.**
 - c) The proposed new vehicle crossing must be constructed in accordance with the endorsed plans, at right angles to the road and must comply with the vehicle crossing standards set out in Latrobe City Council's Standard Drawing LCC 307.**
 - d) Areas for vehicle access within Lot 1 must be constructed in accordance with plans endorsed by the Responsible Authority.**
 - e) The construction of a 1.5 metre wide concrete footpath connection from High Street along the south side of Railway Crescent/Moondarra Street and along Bentley Street to provide for pedestrian access to the new dwellings hereby permitted.**

Public Open Space Contribution Condition:

- 15. Prior to the issue of Statement of Compliance under the Subdivision Act 1988, the applicant or owner must pay to the Responsible Authority:**
 - a) a sum equivalent to 5 per cent of the site value of all the land in the subdivision; and**
 - b) any costs associated with valuation of the land including valuer's fees.**

The permit holder must make a request to Council to commence the process involved with this condition.

Telecommunications Condition:

16. The owner of the land must enter into an agreement with:

- a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
- b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
- b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

AusNet Electricity Services Conditions:

17. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the Subdivision Act 1988.

18. The applicant must:

- a) Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.**
- b) Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.**

Gippsland Water Conditions:

19. The following conditions must be met by the owner prior to the issue of a

Statement of Compliance:

- a) **No construction or filling is permitted within 1.0 metre laterally of any Gippsland Water Asset (as per Section 148 Water Act 1989) unless prior written consent has been given by Gippsland Water.**
- b) **No trees are permitted within Gippsland Water's easements. All landscaping within Gippsland Water's easements must be in accordance with our Trees and your pipes guide. Please refer to our website: <https://www.gippswater.com.au/residential/help-advice/plant-right-tree>**
- c) **Install water services to the satisfaction of Gippsland Water. As Constructed details showing the location of the installed services are required to be submitted to Gippsland Water.**
- d) **Carry out works necessary to ensure all existing water services supplying the land are contained solely within the boundary of the individual lot(s). On completion of these works the owner must sign and return the Water Servicing Declaration provided by Gippsland Water.**
- e) **Install sewer services to the satisfaction of Gippsland Water. As Constructed details showing the location of the installed services are required to be submitted to Gippsland Water.**
- f) **An As Laid sanitary drainage plan showing the location of the sanitary drain(s) is required to be submitted by the plumber to CIS Services either by email to:

plans@cis1.com.au or by fax (03) 9835 5515 and a copy to Gippsland Water by email to: statplanning@gippswater.com.au**
- g) **Create Reserves and/or Easements in favour of the Central Gippsland Region Water Corporation over all existing and proposed water and sewerage works located within the subdivision. Easements are to be for Pipeline or Ancillary Purposes.**
- h) **Any plan of subdivision of the subject land lodged for certification shall be referred to Gippsland Water under Section 8(1) of the Subdivision Act 1988.**
- i) **A Property Services quote request form must be completed and forwarded to our Property Connections Team to arrange a quote for the provision of water and/or sewer services to the development. Please refer to our website:
<https://www.gippswater.com.au/developers/property-connections/connections>**
- j) **If the subdivision of the land is to be carried out prior to the occupancy of the dwellings approved under this permit, agreement for the provision of services must be made with Gippsland Water.**

(Agreements and or Restrictions allowing the development and subdivisions to be undertaken separately, including through the use of Section 173 Agreements and/or Notices of Restriction on the Plan of Subdivision, does not satisfy Gippsland Water servicing requirements. Provision for servicing of the lots and/or dwellings must be arranged with Gippsland Water Statutory Planning team at statplanning@gippwater.com.au).

Permit Expiry Condition:

20. This permit as it relates to development will expire if one of the following circumstances applies:
- a) The development is not started within two (2) years of the date of this permit; or
 - b) The development is not completed within four (4) years of the date of this permit.; or
 - c) the plan of subdivision is not certified within two (2) years of the date of this permit; or
 - d) the registration of the subdivision is not completed within five (5) years of certification.

The Responsible Authority may extend the time if a request is made in writing in accordance with Section 69 of the Planning and Environment Act 1987.

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

Carried

Attachments

1. Development and subdivision plans
2. Site context plan
3. 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. The objections contain personal information of community members

4. Location of objectors (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. This map discloses the location of objectors to the application

Agenda Item: 14.6

Agenda Item: CEO Delegation to Award Contracts

Sponsor: General Manager, City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Decision

MOTION

Moved: Cr Middlemiss

Seconded: Cr Harriman

That Council delegates to the Chief Executive Officer (CEO) the power to award the following contracts that are expected to exceed the CEO's financial delegation of \$500,000 including GST subject to the recommended tenders complying with Council's Procurement Policy:

- 1. Gippsland Logistic Precinct – Upgrade of Enterprise Drive – \$800,000 including GST; and**
- 2. Toners Lane Reserve – Twin City Archery Facility Extension – \$550,000 including GST.**

CARRIED UNANIMOUSLY

Attachments

Nil

COMMUNITY HEALTH AND WELLBEING

15. COMMUNITY HEALTH AND WELLBEING

Agenda Item: 15.1

Agenda Item: Review of Latrobe City Council Chief Executive Officer's membership on Destination Gippsland Ltd Board of Directors

Sponsor: General Manager, Community Health and Wellbeing

Council Plan Objective: CONNECTED

Status: For Decision

MOTION

Moved: Cr Clancey

Seconded: Cr Middlemiss

That Council continue the Chief Executive Officer's representation on the Destination Gippsland Ltd Board of Directors.

CARRIED UNANIMOUSLY

Attachments

1. Destination Gippsland Strategic Plan 2021-24

Agenda Item: 15.2

**Agenda Item: Tourism and Major Events Advisory Committee
Recommendations October 2021**

Sponsor: General Manager, Community Health and Wellbeing

Council Plan Objective: CREATIVE

Status: For Decision

**The meeting order was altered and this item was discussed after Item 13.2.
Cr Dale Harriman left the meeting, the time being 08:22PM.**

Cr Dale Harriman returned to the meeting, the time being 08:27PM.

MOTION

Moved: Cr Howe

Seconded: Cr Gibson

That Council:

Adopt the following recommendations of the Tourism and Major Events Advisory Committee.

- 1. 2022 NPL Eastern Lions Soccer Club Tournament 28-29 January 2022, \$10,000**
- 2. 2022 Melbourne Boomers In Season Game & Forums 8-9 January 2022, \$10,000**
- 3. 2022 Traralgon Greyhound Cup & Community Concert, 26 January 2022, \$20,000**
- 4. 2022 Rotary District Conference, 25-28 February 2022, \$20,000**
- 5. Bluerock MX National Motocross Championship, April 2022, \$10,000**
- 6. 2022 U/14 Victorian Country Basketball Championship, 9-11 March 2022, \$10,000**
- 7. 2023-2030 Victorian Country & Veterans Table Tennis Championships, April and June 2023-2030, \$30,000 in 2021-2022 and \$30,000 in 2022-2023 to cover the 8-year period of annual events**

Funds for events not scheduled in 2021-22 are pending Council endorsement of the budget for those financial years.

CARRIED UNANIMOUSLY

Attachments

1. 2022 Eastern Lions Soccer Club Pre Season Tournament
2. 2022 WNBL Melbourne Boomers Weekend
3. Traralgon Greyhound Cup 2022
4. 2022 Rotary District Conference
5. Blue Rock MX National Motorcross
6. U14 Vic Country Basketball Championships
7. 2023-2030 Vic Open Country & Veterans Championships

ORGANISATIONAL PERFORMANCE

16. ORGANISATIONAL PERFORMANCE

Agenda Item: 16.1

Agenda Item: Procurement Policy

Sponsor: General Manager, Organisational Performance

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

Status: For Decision

Proposed Resolution:

That Council:

- 1. Adopts the Procurement Policy with an effective date of 7 December 2021;***
- 2. Notes that with the adoption of this Policy that any previous versions are now rescinded; and***
- 3. Makes this Policy available to the public on Council's website.***

MOTION

Moved: Cr Harriman

The motion failed to be seconded and therefore lapsed.

That Council:

- 1. Adopts the attached Procurement Policy with an effective date of 7 December 2021 with the following amendments:**
 - a. The Chief Executive Officer delegation is \$500,000.**
- 2. Notes that with the adoption of this Policy that any previous versions are now rescinded; and**
- 3. Makes this policy available to the public on Council's website.**

MOTION

Moved: Cr Clancey

Seconded: Cr Middlemiss

That Council:

- 1. Adopts the Procurement Policy with an effective date of 7 December 2021;**
- 2. Notes that with the adoption of this Policy that any previous versions are now rescinded; and**
- 3. Makes this Policy available to the public on Council's website.**

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

Carried

Attachments

1. Procurement Policy

Agenda Item: 16.2

Agenda Item: Latrobe City Advocacy Plan 2021-2025

Sponsor: General Manager, Organisational Performance

Council Plan Objective: SMART

Status: For Decision

MOTION

Moved: Cr Clancey

Seconded: Cr Law

That Council endorses the Latrobe City Advocacy Plan *Transition Latrobe 2021-25*.

CARRIED UNANIMOUSLY

Attachments

1. Latrobe City Advocacy Plan Transition Latrobe 2021-25

Agenda Item: 16.3

Agenda Item: Fair Go Rates System - Rate Cap Variation 2022/23

Sponsor: General Manager, Organisational Performance

Council Plan Objective: SUSTAINABLE

Status: For Decision

MOTION

Moved: Cr Middlemiss

Seconded: Cr Howe

That Council does not seek a variation to the Fair Go Rates System annual rate cap set by the Minister for Local Government for the 2022/2023 financial year.

CARRIED UNANIMOUSLY

Attachments

Nil

URGENT BUSINESS

17. URGENT BUSINESS

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

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

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

18. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION

The information in this section was declared to be confidential information under section 77 of the Local Government Act 1989 and as a result this information is also confidential information under the Local Government Act 2020.

For the avoidance of doubt, section 66 of the *Local Government Act 2020* (which came into effect on 01 May 2020) also enables the Council to close the meeting to the public to consider confidential information as this term is defined under the *Local Government Act 2020*.

MOTION

Moved: Cr Law
Seconded: Cr Howe

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

(a) the information to be considered has been declared to be confidential information under section 77 of the Local Government Act 1989 and as a result this information is also confidential information under the Local Government Act 2020; and

(b) pursuant to section 66 of the *Local Government Act 2020* on the following grounds:

18.1 2022 Australia Day Awards

Agenda item 18.1 *2022 Australia Day Awards* 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

CARRIED UNANIMOUSLY

The Meeting closed to the public at 9:20PM.

There being no further business the meeting was declared closed at 9:24PM.

I certify that these minutes have been confirmed.

Mayor: _____

Date: _____