



LATROBE CITY COUNCIL

MINUTES FOR THE COUNCIL MEETING

**HELD VIA AUDIO-VISUAL LINK
AT 6.00PM ON 07 MARCH 2022
CM575**

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 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
	Tim Ellis	General Manager Regional City Strategy and Transition
	Greg Drumm	General Manager Organisational Performance
	Kaitlyn Boram	Governance Officer
Apologies:	Cr Melissa Ferguson	South Ward

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

COUNCILLOR AND PUBLIC ATTENDANCE

PLEASE NOTE

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

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

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

1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

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

2. THE PRAYER

The Mayor read the prayer

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Melissa Ferguson

4. DECLARATION OF INTERESTS

Cr Harriman has declared a general conflict on item 10.1. Cr Dan Clancey declared a direct conflict for item 14.1 for reasons previously outlined in writing to the CEO. For clarity, Cr Dan Clancey also declared that he is not a member of any political party and that he does not intend to stand for election.

5. ADOPTION OF MINUTES

RESOLUTION

Moved: Cr Gibson

Seconded: Cr Howe

That Council confirm the minutes of the Council Meeting held on 7 February 2022.

CARRIED UNANIMOUSLY

6. ACKNOWLEDGEMENTS

The Mayor extended her thoughts to the members of the Ukrainian and Russian communities with the conflict currently occurring in Europe and the significant movement of refugees.

The Mayor also extended her sympathies to those communities in New South Wales that have been significantly impacted by floods and storm emergencies and acknowledged the local SES representatives that are travelling to help with the response.

The Mayor acknowledged the contributions of the community members, staff and councillors and funding partners to the opening of GPAC over the opening weekend.

Cr Clancey Deputy Mayor also thanked community members, contractors, staff and councillors for their support of the opening festivities at GPAC.

Cr Gibson spoke to the achievements of Ashlee Wells, recently retired Australian Field Hockey Player.

Cr Howe acknowledged and thanked Traralgon Central Rotary Club which did some great work in the clean-up of the Traralgon Creek.

Cr Howe also acknowledged the work of the Tyers and District Community Association who did some great work in the clean-up of Tyers & Tyers Park.

Cr Harriman acknowledged what Ukrainian residents are going through at the moment and also acknowledged former Morwell and Traralgon residents who are travelling to Europe to support refugees.

Cr Harriman acknowledged community members Jim Merit, Harvey Pint, Bill McMahon, Bruce Bremner & Peter Woods who up until their passing had worked tirelessly to advocate for GPAC.

Cr Harriman also congratulated Ben Waller on being selected for the Australian Under 17 Basketball Squad.

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 admitted to the meeting under our Rules.

From: Andy Smith

Topic: Star of the South Wind Farm

Question:

With the state government announcing the Star of the South wind farm will be going ahead (Gippsland based), how will the Latrobe City ensure that the Latrobe Valley benefits from the claimed job creation (24,000 by 2030)?

Projects such as the Star of the South will ultimately cost jobs in the area over time and in turn have a negative effect on the local economy. Local procurement, manufacturing, and employment opportunities need to be prioritised to offset the impact on the existing power industry.

Response:

Officers from Latrobe City Council have held meetings with Star of the South representatives about the opportunities for Latrobe Valley including local procurement opportunities for services and maintenance.

Officers have also provided the Latrobe Valley industrial capability profile, which contains local businesses and the specialist skills that are available.

Officers will continue to meet Star of the South representatives as the project develops and, at the appropriate time, establish a working group to ensure businesses in the Latrobe Valley have the best represented and have the opportunity to benefit from this investment.

In addition, we are participating in the community consultative committee.

8. QUESTIONS ON NOTICE

Nil reports

NOTICES OF MOTION

9. NOTICES OF MOTION

Notices of Motion may be lodged by Councillors with the Chief Executive Officer up until Tuesday 1 March 2022, 10am.

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

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

Agenda Item: 10.1

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

Sponsor: General Manager, Community Health and Wellbeing

Council Plan Objective: HEALTHY

Status: For Decision

Having declared a conflict on this item, Cr Harriman left the meeting at 6:32pm for the entirety of the item.

Proposed Resolution:

That Council:

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

RESOLUTION

Moved: Cr Gibson

Seconded: Cr Howe

ALTERNATE MOTION

That Council:

In relation to the Used Lead Acid Battery facility, that was approved by the Minister for Planning, to be located at Fourth Road, Hazelwood North (CA 2047), undertake the following actions consistent with the Health Innovation Zone Charter values and guiding principles:

- 1. Seek the assistance of the Environment Protection Authority's Chief Environmental Scientist & Executive Director, EPA Science, to undertake testing in the general area outside of the location of the approved facility including;**

- a. **An urgent assessment to ascertain baseline levels of lead and other trace metals within the soil.**
- b. **A commitment to undertake ongoing assessments of the levels of lead and other trace metals within the soil.**
2. **Continue to advocate to the Latrobe Valley Health Advocate, the Minister for Planning, the Honourable Richard Wynne and the Minister for Health, the Honourable Martin Foley, for funding to be provided to Environment Protection Authority to undertake air monitoring, publicly available in real time, to measure baseline data and potential future lead and trace metals in the air within the general area outside of the approved facility.**
3. **Request that the EPA engage with the community regarding the measurement of lead and other trace metals as detailed in points 1 and 2.**

CARRIED UNANIMOUSLY

Attachments- Refer to Agenda

1. Proposal - Option for Monitoring Background Lead

CORRESPONDENCE

11. CORRESPONDENCE

Nil reports

PRESENTATION OF PETITIONS

12. PRESENTATION OF PETITIONS

Nil reports

REGIONAL CITY STRATEGY AND TRANSITION

13. REGIONAL CITY STRATEGY AND TRANSITION

Agenda Item: 13.1

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

Sponsor: General Manager, Regional City Strategy & Transition

Council Plan Objective: SMART

Status: For Decision

RESOLUTION

Moved: Cr Lund

Seconded: Cr Gibson

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

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

CARRIED UNANIMOUSLY

Attachments- Refer to Agenda

- 1. S11A Instrument of Authorisation - Aaron Burness**

Agenda Item: 13.2

Agenda Item: Audit and Risk Committee remuneration and commencement of advertising for new independent members

Sponsor: Chief Executive Office

Council Plan Objective: CONNECTED

Status: For Decision

Proposed Resolution:

That Council:

- 1. Thank the independent members of the Audit and Risk Committee Mr Terry Richards and Ms Joanne Booth for their dedicated service of six and eight years respectively noting their maximum terms under the Charter have been reached;**
- 2. Endorse the commencement of advertising for two new independent members of the Audit and Risk Committee for terms of two and three years to allow staggered renewal in membership;**
- 3. Authorise the CEO to put in place annual modest incremental increases in independent member fees from the current base in line with values not exceeding determinations relating to the public sector made by Victorian Independent Remuneration Tribunal; and**
- 4. Amend the remuneration provisions in the Audit and Risk Committee Charter accordingly.**

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Harriman

ALTERNATE MOTION

That Council:

- 1. Thanks the independent members of the Audit and Risk Committee Mr Terry Richards and Ms Joanne Booth for their dedicated service of six and eight years respectively noting their maximum terms under the Charter have been reached;**
- 2. Endorses the commencement of advertising for two new independent members of the Audit and Risk Committee for terms of two and three years to allow staggered renewal in membership;**
- 3. Authorises the CEO to put in place annual modest incremental increases in independent member fees from the current base in line with values not exceeding determinations relating to the public sector made by Victorian Independent Remuneration Tribunal;**
- 4. Amends the remuneration provisions in the Audit and Risk Committee Charter accordingly; and**
- 5. In the interim, extends the term of Mr Terry Richards to allow him to continue to serve at the June 2022 meeting whilst the recruitment for the independent members is underway.**

CARRIED UNANIMOUSLY

Attachments

Nil

REGIONAL CITY PLANNING AND ASSETS

14. REGIONAL CITY PLANNING AND ASSETS

Agenda Item: 14.1

Agenda Item: Regional Car Parks Fund - Endorsement of Stage 2 Works

Sponsor: General Manager, Regional City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Decision

Having declared a conflict on this item, Cr Clancey moved to the waiting room at 6:45pm for the entirety of this item.

RESOLUTION

Moved: Cr Harriman

Seconded: Cr Howe

That Council:

- 1. Subject to funding being confirmed by Regional Development Victoria (RDV) to deliver the remainder of the Regional Car Park Fund (RCPF) program in Latrobe City, delegates the authority to the Chief Executive Officer (CEO) to enter into a funding agreement with RDV under the RCPF to construct parking at the following sites (Attachment 1);**
 - a. Site 2 – VicTrack Lot 18 Queens Parade, Traralgon;**
 - b. Site 7 – 2 Kay Street, Traralgon being Council’s current car park;**
 - c. Site 8 – 141 Commercial Road, Morwell (western car park); and**
- 2. Delegates to the Chief Executive Officer (CEO) the power to award contracts for construction of car parking at the abovementioned sites that are expected to exceed the CEO’s financial delegation of \$1,000,000 including GST, subject to the process complying with Council’s Procurement Policy and funding being confirmed by Regional Development Victoria.**

CARRIED UNANIMOUSLY

Attachments- Refer to Agenda

- 1. Regional Car Park Fund Site Locations**

Agenda Item: 14.2

Agenda Item: Twin City Archery - Increase in Cost

Sponsor: General Manager, Regional City Planning and Assets

Council Plan Objective: HEALTHY

Status: For Decision

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Howe

That Council allocate an additional \$500,000 from the unallocated cash reserve for the Twin City Archery extension at the Toners Lane Reserve.

CARRIED UNANIMOUSLY

Attachments- Refer to Agenda

1. Concept Plan (C1)
2. Cost Plan for Concept Plan (C1)
3. Revised Concept Plan (C2)

COMMUNITY HEALTH AND WELLBEING

15. COMMUNITY HEALTH AND WELLBEING

Agenda Item: 15.1

**Agenda Item: Municipal Public Health and Wellbeing Plan 2021-2025
Final Draft**

Sponsor: General Manager, Community Health and Wellbeing

Council Plan Objective: HEALTHY

Status: For Decision

RESOLUTION

Moved: Cr Clancey

Seconded: Cr Lund

That Council adopts the '2022-25 Living Well Latrobe, Our Communities Municipal Public Health & Wellbeing Plan' as per attachment 1, for public release.

CARRIED UNANIMOUSLY

Attachments- Refer to Agenda

1. 2022-25 Living Well Latrobe, Our Communities Municipal Public Health & Wellbeing Plan

ORGANISATIONAL PERFORMANCE

16. ORGANISATIONAL PERFORMANCE

Agenda Item: 16.1

Agenda Item: Proposed Sale of Land - Mates Street, Traralgon

Sponsor: General Manager, Organisational Performance

Council Plan Objective: SUSTAINABLE

Status: For Decision

RESOLUTION

Moved: Cr Harriman

Seconded: Cr Howe

That Council:

- 1. Gives public notice of the proposed sale of part of the discontinued road adjoining 2 Mates Street, Traralgon, being Lot 1 on Title Plan 965918U and the land contained in Certificate of Title Volume 12010 Folio 405 (together “the land”) by private treaty, and invites public comment on the proposal; and**
- 2. Considers any submissions received that are opposed to the proposed sale of the land at a future Council Meeting; or**
- 3. If no submissions opposed to the sale of the land are received, authorises the Chief Executive Officer to sell the land at no less than the current market value as assessed by independent valuation and to sign and seal any documents required to facilitate the transfer of the land.**

CARRIED UNANIMOUSLY

Attachments- Refer to Agenda

- 1. 2 Mates Street, Traralgon**
- 2. Gazettal Notice**
- 3. Title Plan 965918U**

Agenda Item: 16.2

Agenda Item: 2021/22 Mid Year Budget Review

Sponsor: General Manager, Organisational Performance

Council Plan Objective: CONNECTED

Status: For Decision

RESOLUTION

Moved: Cr Middlemiss

Seconded: Cr Howe

That Council allocates funding to the following projects from the forecast mid-year budget review:

- 1. Significant Tree Register for Private Land \$23,000**
- 2. Airlie Bank Nursery – Hi Bay Shed Propping \$50,000**
- 3. Airlie Bank Nursery – Demolition of L shaped building \$50,000; and**
- 4. Gippsland Performing Arts Centre – Promotion Costs \$10,000**

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

Against: Nil

Abstained: Cr Harriman

Carried

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.

Nil

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

18. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION

Nil reports

There being no further business the meeting was declared closed at 7:06 PM.

I certify that these minutes have been confirmed.

Mayor: _____

Date: _____