



LATROBE CITY COUNCIL

MINUTES FOR THE COUNCIL MEETING

HELD IN NAMBUR WARIGA MEETING ROOM
CORPORATE HEADQUARTERS, MORWELL AND VIA AUDIO-
VISUAL LINK
AT 6.00PM ON 07 NOVEMBER 2022
CM584

PRESENT:

Councillors:	Cr Kellie O'Callaghan, Mayor	East Ward
	Cr Dan Clancey, Deputy Mayor	East Ward
	Cr Darren Howe	East Ward
	Cr Graeme Middlemiss	Central Ward
	Cr Melissa Ferguson	South Ward
	Cr Brad Law	West Ward
	Cr Sharon Gibson	West Ward
Officers:	Steven Piasente	Chief Executive Officer
	Georgia Hills	General Manager Community Health & Wellbeing
	Jody Riordan	General Manager City Planning & Assets
	Nathan Kearsley	General Manager Organisational Performance
	Kendrea Pope	Executive Manager Office of the CEO
	Peter Schulz	Coordinator Council Business
Kaitlyn Boram	Governance Officer	

Apologies: Tim Ellis

Leave of Absence: Cr Dale Harriman, Cr Tracie Lund

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Resolutions in this minutes document should be read in conjunction with the published agenda for the 07 November 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 opening prayer.

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Harriman, Cr Lund

Cr Gibson has requested a leave of absence from 7 November to the conclusion of the Victorian State Election.

4. ADOPTION OF MINUTES

MOTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

That Council confirm the minutes of the Council Meeting held on 3 October 2022.

CARRIED UNANIMOUSLY

5. DECLARATION OF INTERESTS

Nil

6. 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 the Friday before the Council meeting in order for the question to be answered at the meeting. There were no questions on notice.

Public Speakers

Members of the public who registered before 12 noon were invited to speak to an item on the agenda. There were no public speakers.

STRATEGIC ITEMS FOR DECISION

7. STRATEGIC ITEMS FOR DECISION

Item Number 7.1

07 November 2022

Regional City Planning & Assets

AMENDMENT C131 (FLOOD MAPPING UPDATE) - PROGRESS OF AMENDMENT

MOTION

Moved: Cr Gibson

Seconded: Cr Howe

That Council request officers to prepare an updated Council report for Amendment C131 detailing options on how to progress the Planning Scheme Amendment, and present this to Council at a future Ordinary Council Meeting in early 2023.

CARRIED UNANIMOUSLY

Attachments

1. Progress of Amendment (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 information is of a sensitive nature and if released before Council has had time to fully consider options and risk could cause economic hardship on residents affected.

DRAINAGE EASEMENT ACQUISITION - BOWMANS ROAD, NEWBOROUGH (MONTANE ESTATE)

MOTION

Moved: Cr Gibson

Seconded: Cr Law

That Council:

- 1. Resolves that it intends to acquire an interest in part of the property in Bowmans Road, Newborough, being part of the land identified as CP169052 contained in Certificate of Title Volume 9974 Folio 189;**
- 2. Serves a Notice of Intention to Acquire an Interest in Land (the Notice) in accordance with section 6 of the Land Acquisition and Compensation Act 1986 (the Act);**
- 3. Lodges the Notice with the Registrar of Titles in accordance with sections 8(3)(b) and 10(1) of the Act; and**
- 4. Serves a copy of the Notice on the responsible authority in accordance with section 9 of the Act.**

CARRIED UNANIMOUSLY

Attachments

Nil

LATROBE CITY COUNCIL DRAFT DISABILITY ACCESS AND INCLUSION PLAN 2022 - 2025

MOTION

Moved: Cr Howe

Seconded: Cr Gibson

That Council endorses the Latrobe City Council Disability Access and Inclusion Plan 2022-25 and releases it to the public.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1.  Latrobe City Council Disability Access and Inclusion Plan 2022-25

STATUTORY PLANNING

8. STATUTORY PLANNING

Nil reports

CORPORATE ITEMS FOR DECISION

9. CORPORATE ITEMS FOR DECISION

Item Number 9.1

07 November 2022

Regional City Planning & Assets

REVISIONS TO KERBSIDE COLLECTION SERVICES POLICY

MOTION

Moved: Cr Middlemiss

Seconded: Cr Clancey

That Council:

- 1. Adopt the Kerbside Collection Services Policy Version 13 POL- 6 with an effective date of 7 November 2022**
- 2. Notes that, with the adoption of this Policy, any previous versions are now revoked;**
- 3. Requests a copy of the final formatted Policy be provided to all Councillors; and**
- 4. Makes this Policy available on Council's website.**

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

- 1.  Kerbside Collection Services Policy Version 13 POL- 6**

PRESENTATION OF THE 2021/2022 ANNUAL REPORT

MOTION

Moved: Cr Clancey

Seconded: Cr Law

That Council receives and endorses the Latrobe City Council Annual Report 2021/22, in accordance with Section 134 of the Local Government Act 1989 (as it continues to apply under section 329 of the Local Government Act 2020).

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1.  Latrobe City Council Annual Report 2021/2022

URGENT BUSINESS

10. URGENT BUSINESS

10.1 DEFERRAL OF THE MAYORAL ELECTION

MOTION

Moved: Cr Middlemiss

Seconded: Cr Howe

That Council admits an item of Urgent Business related to deferring the Mayoral Election as the item has arisen since the distribution of the agenda and cannot reasonably or conveniently be deferred until the next Council Meeting.

CARRIED UNANIMOUSLY

10.2 DEFERRING THE ELECTION OF MAYOR AND DEPUTY MAYOR

MOTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

That Council

- 1. Defers the meeting scheduled for 14 November 2022 to elect the Mayor and Deputy Mayor to a future date that would allow the maximum number of Councillors the opportunity to participate in the meeting.**
- 2. Authorises the Chief Executive Officer to call a Council Meeting to elect the Mayor and Deputy Mayor which must occur no later than the earliest of the following events:**
 - a) The outcome of the Seat of Morwell is declared following the State Election on 26 November 2022; or**
 - b) 21 December 2022; and**
 - c) Provides Councillors no less than 5 days' notice of the date, time and place of the meeting including notification to the public on Council's Website and Social media.**

CARRIED UNANIMOUSLY

REPORTS FOR NOTING

11. REPORTS FOR NOTING

Item Number 11.1

07 November 2022

Organisational Performance

QUARTERLY BUDGET REPORT - SEPTEMBER 2022

MOTION


Moved: Cr Law

Seconded: Cr Ferguson

That Council receives and notes the Quarterly Budget Report for the three months ended 30 September 2022, prepared in accordance with the requirements of the Local Government Act 2020.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1.  September 2022 Quarterly Budget Report

QUESTIONS ON NOTICE

12. QUESTIONS ON NOTICE

Nil reports

NOTICES OF MOTION

13. NOTICES OF MOTION

13.1 BUSINESS RECOGNITION AWARD

Cr Melissa Ferguson

MOTION

Moved: Cr Ferguson

Seconded: Cr Gibson

That Council receive a report at a future meeting in relation to the establishment of an annual Latrobe City Small to Mid-Size Business Recognition Award program based around the following criteria:

- 1. That these awards would recognise the milestones of 10, 20, 40 and 50+ years of successful business operation within Latrobe City.**
- 2. That the definition of a small business would be one with less than 20 employees and a mid-size business no more than 100 employees.**
- 3. Businesses that are identified must not be owned or managed by a larger corporation.**
- 4. That franchises or chain restaurants are not eligible for these awards.**
- 5. That publicity of these awards would be aimed at demonstrating that Latrobe City provides an economy in which small and mid-sized business enterprises grow.**
- 6. That the awards would be granted based upon the years of business operation achieved, and not via a nomination process, in order to honour the silent, yet proven, pillars of the community.**

For: Crs O'Callaghan, Law, Middlemiss, Ferguson and Gibson

Against: Crs Clancey and Howe

CARRIED

Attachments

Nil

13.2 BANKING SERVICES IN LATROBE CITY

Cr Melissa Ferguson

MOTION

Moved: Cr Ferguson

Seconded: Cr Gibson

That Council calls on members of the Federal Parliament to pass the Commonwealth Postal Savings Bank Bill to establish a post office people's bank, fully guaranteed by the Commonwealth, as a dedicated postal savings bank operating exclusively through Australia Post's corporate and licensed post offices, which will ensure basic banking services – including deposit-taking, business and personal lending and access to cash – are available to all Australians and will contribute to Australia's national economic development.

CARRIED UNANIMOUSLY

Attachments

Nil

ITEMS FOR TABLING

14. ITEMS FOR TABLING

Agenda Item: 14.1

Agenda Item: **Petition regarding the review of Latrobe City Council's Position on Climate Change and it's Impacts**

Sponsor: **General Manager, Regional City Planning and Assets**

MOTION

Moved: Cr Middlemiss

Seconded: Cr Clancey

That Council:

1. In accordance with the *Council Meetings Policy*, agrees to lay the petition requesting requesting information on the review of Latrobe City Council's Position on Climate Change and it's Impacts on the table until the Ordinary Council Meeting to be held 5 December 2022; and
2. Advises the head petitioner of this decision in relation to the petition.

CARRIED UNANIMOUSLY

Attachments - Refer to Council Meeting Agenda

1. Petition requesting information regarding Latrobe City Council's review of its position on Climate Change and Impacts - Part A (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. .

2. Petition requesting information regarding Latrobe City Council's review of its position on Climate Change and Impacts - Part B (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. .

15. ACKNOWLEDGEMENTS

The Mayor acknowledged the recognition of Cr Middlemiss for his 25 years of service in local government by the Municipal Association of Victoria.

The Mayor acknowledged the recognition of Cr Harriman for his 10 years of service in local government by the Municipal Association of Victoria.

Cr Clancey acknowledged the Gippsland Mountain Bike Club for their recent event and ongoing development of the Haunted Hills Mountain Bike Park.

Cr Gibson acknowledged the Gippsland Mountain Bike Club for their recent event.

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

16. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION

Section 66 of the Local Government Act 2020 enables Council to close the meeting to the public to consider confidential information as defined in that Act.

MOTION

Moved: Cr Middlemiss

Seconded: Cr Gibson

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:

- 16.1 Community Appointments to the Sporting Hall of Fame Committee**
Agenda item 16.1 *Community Appointments to the Sporting Hall of Fame Committee* is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. The report contains personal information about the applicants
- 16.2 Latrobe Valley Racing Club and the Glenview Park Master Plan**
Agenda item 16.2 *Latrobe Valley Racing Club and the Glenview Park Master Plan* 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. The report includes confidential information about Council's lease with the Latrobe Valley Racing Club

- 16.3 Kernot Hall Upgrade - Funding requirements**
Agenda item 16.3 *Kernot Hall Upgrade - Funding requirements* 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 report contains confidential information relating to a tender
- 16.4 Gippswide Kerbside Collaborative Tender - Mixed Glass and Recycling Processing**
Agenda item 16.4 *Gippswide Kerbside Collaborative Tender - Mixed Glass and Recycling Processing* is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). Procurement Report regarding tender information not to be released until the tendering process is completed.
- 16.5 LCC-771 Provision of Kerbside Collection of Hard Waste**
Agenda item 16.5 *LCC-771 Provision of Kerbside Collection of Hard Waste* 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. Releasing this information publicly and/or prematurely may prejudice the undertaking of this process.

CARRIED UNANIMOUSLY

The Meeting closed to the public at 6.57pm.

There being no further business the meeting was declared closed at 7.44pm.

I certify that these minutes have been confirmed.

Mayor: _____

Date: _____