

SOUTH GIPPSLAND SHIRE COUNCIL

# Council Agenda

Ordinary Meeting of Council  
28 November 2018

**Ordinary Meeting No. 429**  
**Council Chambers, Leongatha**  
**Commencing at 2pm**



# agenda



*South Gippsland  
Shire Council*

*Come for the beauty, Stay for the lifestyle*



## MISSION

***South Gippsland Shire will be a place where our quality of life and sense of community are balanced by sustainable and sensitive development, population and economic growth.***

### Privacy

Council is required to keep minutes of each Council meeting. The minutes contain details of proceedings which may include personal information about community members disclosed as part of presentations, submissions and questions. The minutes of Council meetings are a public record and can be inspected by members of the public.

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A copy of this policy is located on Council's website [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au).

## SOUTH GIPPSLAND SHIRE COUNCIL

Notice is hereby given that Ordinary Meeting No. 429 of the  
South Gippsland Shire Council will be held on 28 November 2018  
in the Council Chambers, Leongatha commencing at 2pm

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**Tim Tamlin**  
**Chief Executive Officer**

## **1. PRELIMINARY MATTERS**

### **1.1. LIVE-STREAMING COUNCIL MEETING DISCLAIMER**

This Council Meeting is being streamed live, recorded and published in accordance with Council's *Live Streaming in Council Meetings Policy*.

To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded and published.

Anyone who is invited to read out a question or a presentation will be recorded and their voice, image and comments will form part of the live stream and recording.

The Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Attendees are advised that they may be subject to legal action if their actions results in inappropriate and/or unacceptable behaviour and/or comments.

Today's Meeting is being streamed live as well as recorded and published on Council's website.

Thank you

### **1.2. WELCOME**

Please ensure Mobile phones remain 'off' during the Council Meeting.

### **1.3. OPENING PRAYER**

We pray to God to guide us so that the thoughts we have and the decisions made this day, are in the best interests of the people of the South Gippsland Shire.

Amen

### **1.4. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

The South Gippsland Shire Council respectfully acknowledges the Traditional Custodians of this Land, Elders past and present, their Spirits and Ancestors.

## **1.5. APOLOGIES**

## **1.6. CONFIRMATION OF MINUTES**

### **RECOMMENDATION**

That the Minutes of the South Gippsland Shire Council Ordinary Meeting No. 428, held on 24 October 2018 in the Council Chambers, Leongatha be confirmed.

## 1.7. DECLARATION OF CONFLICTS OF INTEREST FOR COUNCILLORS

Any interest that a Councillor or staff member has deemed to be significant and has disclosed as either a direct or an indirect interest is now considered to be a conflict of interest. Conflict of interest legislation is in sections 77A, 77B, 78, 78A-D and 79 of the Local Government Act 1989 (the Act). This legislation can be obtained by contacting the Council's Corporate & Community Services Directorate (Council Business) or by accessing the Victorian Legislation and Parliamentary Documents website at [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au).

An interest may be by close association, financial, conflicting duties or receipt of gifts. If a Councillor or staff member discloses any interest in an item discussed at any Council Meeting (whether they attend or not) they must:

- Complete a disclosure of interest form prior to the Meeting (forms are available from Council Business Department at South Gippsland Shire Council).
- Advise the Chair of the interest immediately before the particular item is considered (if attending the Meeting).
- Leave the Council Chamber or Meeting room while the item is being discussed and during any vote taken (if attending the Meeting).

The Councillor or staff member will be advised to return to the Council Chamber or Meeting room immediately after the item has been considered and the vote is complete.

Councillors should check the Minutes of the Council Meeting to ensure their disclosure is recorded accurately. Councillors are not required to disclose conflict of interest in relation to matters only considered at Meetings they do not attend. Detailed information is available in *Conflict of Interest – A Guide for Councillors – October 2012*.

### 1.8. DECLARATION OF CONFLICTS OF INTEREST FOR STAFF

Sections 80B and 80C of the Local Government Act 1989 require members of Council staff who have delegated functions and/or provide advice to Council or a Special Committee to disclose conflicts of interest. If Council staff have written, provided information/advice or approved a Council Report and have a conflict of interest, it is the responsibility of that staff member to disclose the interest.

Guidance to identifying and disclosing a conflict of interest is contained in the Victorian State Government, Department of Transport, Planning and Local Infrastructure – *Conflict of Interest – A Guide for Council Staff – October 2011*.

**Nil**



**2. OBJECTIVE 1 - STRENGTHEN ECONOMIC GROWTH AND PROSPERITY**

**3. OBJECTIVE 2 - BUILD STRONG PARTNERSHIPS, STRENGTHEN ARTS & CULTURE AND DELIVER EQUITABLE OUTCOMES**

**3.1. NIL**

#### **4. OBJECTIVE 3 - IMPROVE SOUTH GIPPSLAND'S BUILT ASSETS AND VALUE OUR NATURAL ENVIRONMENT**

##### **4.1. GRANT APPLICATION - LEONGATHA BUSINESS PRECINCT REDEVELOPMENT PROJECT (BAIR STREET STREETScape)**

Infrastructure Directorate

##### **EXECUTIVE SUMMARY**

An application to the Australian Government's *Building Better Regions Fund – Infrastructure Projects Stream – Round 3* was submitted on the 15 November 2018 for the Leongatha Business Precinct Redevelopment project.

The *Building Better Regions Fund* (BBRF) supports the Australian Government's commitment to create jobs, drive economic growth, and build stronger regional communities into the future.

##### **RECOMMENDATION**

**That Council:**

- 1. Endorses the application for \$2.7 million to the Australian Government's Building Better Regions Fund – Infrastructure Projects Stream – Round 3 for the Leongatha Business Precinct Redevelopment project.**
- 2. Notes the application for the Leongatha Business Precinct Redevelopment project was submitted on the 15 November 2018.**
- 3. Notes its current allocation of \$1,550,000 in the 15 Year Capital Works Program (2019/20) for the Leongatha Business Precinct Redevelopment project which will be determined in the December 2018 Capital Works Program review.**
- 4. Allocates an additional \$1,150,000, taking the total Council contribution for the Leongatha Business Precinct Redevelopment project to \$2.7 million should the application to the Building Better Regions Fund be approved.**

##### **REPORT**

The \$641.6 million *Building Better Regions Fund* (BBRF) supports the Australian Government's commitment to create jobs, drive economic growth, and build stronger regional communities into the future.

For Round 3, \$200 million is available, with up to \$45 million of this funding earmarked to support tourism related infrastructure projects.

There are two streams of funding available under the program:

- Infrastructure Projects Stream; and
- Community Investments Stream.

### **Infrastructure Projects Stream**

The Infrastructure Projects Stream supports projects which involve the construction of new infrastructure or the upgrade or extension of existing infrastructure that provides economic and social benefits to regional and remote areas.

The minimum grant amount is \$20,000. The maximum grant amount is \$10 million.

For most projects, grant funding will be up to 50 per cent or up to 75 per cent of the eligible project costs. The project location will determine the percentage of grant funding Council can receive.

Applications to the program opened on 27 September 2018 and closed on 15 November 2018.

### **Leongatha Business Precinct Redevelopment Project**

The Leongatha Business Precinct Redevelopment project is a component of the Leongatha Revitalisation Project which has been adopted as a 2018/19 Priority Project for Advocacy.

Efforts during 2017/18 to secure funding from the State Government for the Leongatha Business Precinct Redevelopment project (Bair Street and the Railway Station Site Stage 1) have not come to fruition.

The Bair Street component of the Leongatha Business Precinct Redevelopment project is considered investment ready with detailed designs completed.

Concept designs for the pedestrian bridge identified as part of the Railway Station Stage 1 component of the Leongatha Business Precinct Redevelopment project are currently being undertaken with options to be considered in the coming months. The design work currently being undertaken also considers the options for a crossing at Roughead Street to accommodate the Great Southern Rail Trail (GSRT) Extension project from Leongatha to Korumburra. Until these works have been completed, design work for the other components of the Leongatha Railway Station Site Stage 1 cannot commence.

Therefore, to best position the Leongatha Business Precinct Redevelopment project for funding, it is recommended that the project be revised to the Bair Street component only (as per the Leongatha Streetscape Masterplan adopted by Council at the Ordinary Meeting of Council 24 August 2016). It is anticipated that future funding opportunities for the Leongatha Railway Station Stage 1 component will be explored either as part of the broader GSRT Extension project or independently as funding opportunities arise.

The Leongatha Business Precinct Redevelopment project is estimated at \$5.4 million. An application to the BBRF – Infrastructure Projects Stream – Round 3 was submitted on 15 November 2018 requesting \$2.7 million. If approved, Council will be required to contribute the remaining \$2.7 million to the project unless other funding sources can be identified.

### **Advocacy**

To ensure that the Leongatha Business Precinct Redevelopment project application is given the best opportunity to be successful, Council will need to make sure that it has the appropriate advocacy approach in place.

Council will also need to prepare a coordinated delegations plan for the Leongatha Business Precinct Redevelopment project application that identifies and allocates key individuals and networks.

### **CONSULTATION**

Extensive consultation has occurred with the relevant internal and external key stakeholders during the development of the Leongatha Business Precinct Redevelopment project.

The Leongatha Business Precinct Redevelopment project was adopted as a 2018/19 Priority Project for Advocacy at the Ordinary Meeting of Council 27 June 2018.

The application was discussed with the Councillors at a Confidential Strategic Briefing on 7 November 2018.

### **RESOURCES**

The Leongatha Business Precinct Redevelopment project total cost is estimated at \$5.4 million.

Funding of \$1.55 million is currently allocated in 2019/20 in Council's 15 Year Capital Works Program budget, however, funding of \$2.7 million is required for the project to meet the BBRF funding guidelines. Council will be therefore required to increase its allocation by \$1.15 million.

<b>Estimated Total Cost:</b>	<b>\$5.4M</b>
BBRF – Infrastructure Projects Stream – Round 3	\$2.7M
Council Contribution ( <i>2019/20 Capital Works Program</i> )	\$2.7M

In addition to an application to the BBRF, it is anticipated that an application will also be submitted to Round 2 of the State Government's *Fixing Country Roads Program*. Grants of up to \$1.5 million will be funded in Round 2 and if successful, could further reduce Council's contribution towards the project. Applications for Round 2 will open in early 2019 and further details will be provided to Council.

## **RISKS**

If Council does not formally support an application for the project, it will miss an opportunity to obtain external funding for the Leongatha Business Precinct Redevelopment project and may be required to fully fund the project if other funding opportunities are not secured.

## **STAFF DISCLOSURE**

Nil

## **REFERENCE DOCUMENTS**

### **Council Policy**

*Documents are available on Council's website:* [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)

15-year Capital Works Program

Long Term Financial Plan

Revised Council Plan 2017 - 2021

### **Legislative Provisions**

Local Government Act 1989

#### **4.2. GRANT APPLICATION - VENUS BAY EMERGENCY MANAGEMENT TRAINING EXERCISE**

Infrastructure Directorate

##### **EXECUTIVE SUMMARY**

An application to the *Safer Together* grants program for the development and undertaking of the Venus Bay Emergency Management Training Exercise was submitted on 29 October 2018. The exercise will be jointly conducted with Bass Coast Shire Council.

*Safer Together* is a new approach that combines stronger community partnerships with the latest science and technology to more effectively target actions to reduce bushfire risk. Funding is available through the Department of Environment, Land, Water and Planning (DELWP) *Safer Together* grants program to support these principles.

##### **RECOMMENDATION**

**That Council:**

- 1. Endorses the application for \$50,000 to the Department of Environment, Land, Water and Planning Safer Together Grants Program for the Venus Bay Emergency Management Training Exercise.**
- 2. Notes that the application for the Venus Bay Emergency Management Training Exercise was submitted on 29 October 2018.**
- 3. Notes that its contribution of \$2,500 is available in the 2018/19 Emergency Management Training and Professional Annual Budget for the Venus Bay Emergency Management Training Exercise.**
- 4. Notes that Bass Coast Shire Council will be contributing \$2,500 towards the Venus Bay Emergency Management Training Exercise.**

##### **REPORT**

*Safer Together* is a new approach that combines stronger community partnerships with the latest science and technology to more effectively target our actions to reduce bushfire risk.

There are currently 15 enabling projects delivering the *Safer Together* programs. In addition to these, eligible agencies can identify opportunities for funding to assist in planning and delivering works to reduce bushfire risk. For more information visit [www.safertogether.vic.gov.au](http://www.safertogether.vic.gov.au).

*Safer Together* funding is available for projects that fit under the following areas of work:

- Multi-agency enabling projects (aligned to the four priority areas identified in the *Safer Together* program).
- Delivery projects supporting community engagement activities.
- Delivery projects supporting planning and delivery of fuel management operations, particularly on private land and roadsides.

The State Government has provided funding for *Safer Together* until 30 June 2019. Project funding applications close on 30 November 2018. All project expenditure and delivery must be completed by 30 June 2019.

### **Venus Bay Emergency Management Training Exercise**

The South Gippsland and Bass Coast Shire Municipal Emergency Management Planning Committees (MEMPC) and Municipal Fire Management Planning Committees (MFMPC) are aiming to carry out a joint exercise which will be held in early April 2019, with the scenario of a major bushfire occurring in Venus Bay. The likelihood of this scenario has been identified as 'Very Likely' in South Gippsland's Victorian Fire Risk Register – Bushfire (VFRR-B) and would have a 'Major Consequence' for the area. Fire authorities have assessed Venus Bay as having a 'Very High' bushfire risk and have developed a [Community Information Guide](#). There are no designated Emergency Relief Centres or Neighbourhood Safer Places – Places of Last Resort in Venus Bay.

To deliver the exercise effectively and achieve the desired outcome, a suitably qualified consultant will be engaged should funding be approved. The project will consist of five stages each of which the consultant will be required to prepare, facilitate, and provide documentation/resources:

1. Community Education and Awareness Session in preparation for the upcoming summer season.
2. Information Session – Council's role in Emergency Management in both councils.
3. Bass Coast and South Gippsland MEMPC / MFMPC Preparedness Workshop.
4. Training Exercise – response and relief.
5. Debrief and relevant documentation to deliver similar future exercises as identified.

The exercise will engage all relevant emergency services, government agencies, businesses, and community. Due to the similar environment and likelihood of requiring shared resources in a real event, South Gippsland and Bass Coast MEMPCs will jointly undertake the exercise.

The project cost is estimated at \$55,000 for which funding of \$50,000 is being sought through the *Safer Together* grants program.

The project supports a recommendation of the Municipal Emergency Management Plan (MEMP) Audit which was undertaken in July 2018 for the MEMP to be exercised more frequently.

### **CONSULTATION**

The project has been identified and supported by both the South Gippsland and Bass Coast MEMPCs and MFMPs.

There has been consultation with the funding body to ensure its eligibility.

### **RESOURCES**

Council funding of \$2,500 is available in the 2018/19 Emergency Management Training and Professional budget to cover Council's contribution to the project should the application be successful.

Bass Coast Shire has committed funding of \$2,500 to the project should the application be successful.

### **RISKS**

Should Council not support the application for Venus Bay Emergency Management Training Exercise to the *Safer Together* grants program, it risks missing an opportunity to secure funds to exercise the MEMP, which has identified arrangements for the prevention, response, and recovery from a range of emergencies that could potentially occur in the Shire with significant consequences to the community.

### **STAFF DISCLOSURE**

Nil

### **REFERENCE DOCUMENTS**

#### **Council Policy**

*Documents are available on Council's website:* [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)  
2018/19 Annual Budget

#### **Legislative Provisions**

Local Government Act 1989



#### **4.3. ENDORSE PROPOSED ROAD NAME CHANGE FOR TWO ROADS IN KORUMBURRA - PART MAIR CR AND PART LITTLE PRINCES ST**

Infrastructure Directorate

##### **EXECUTIVE SUMMARY**

South Gippsland Shire Council is proposing to rename two sections of road in the township of Korumburra.

The construction of the Karmai Community Children's Centre, at 22 Princes Street, Korumburra, has now divided Little Princes Street, between Mair Crescent and Shellcot Road and Mair Crescent between Princes Street and Shellcot Road into two sections of road with no-through-road access.

The location and extent of the roads proposed for renaming are detailed in **Figure 1** of this report.

Public safety is paramount and renaming these two roads and registering the new names with Geographic Names Victoria, will ensure emergency services can locate all properties on these roads by providing a unique road name and appropriate property numbering.

The Korumburra and District Historical Society has provided two names to Council – "*Abraham Pam*" and "*Arthur Stag Garrard*". Affected land owners / occupiers were consulted via a survey to gauge the level of support for the proposed names.

It is recommended Council considers the survey responses and determines the new road names for these two roads.

##### **RECOMMENDATION**

**That Council:**

- 1. Considers the results of the survey noting that the majority of surveys returned were in favour of the name "Stag" for Section 1 and endorses the road names as follows:**
  - a. Determines the road known as Mair Crescent, heading south/west bound off Princes Street, Korumburra (section 1) be renamed to one of the following proposals:**
    - i. "Garrard Street" and renumbers all affected properties accordingly'; or**
    - ii. "Stag Street" and renumbers all affected properties accordingly.**

- ## REPORT

The location and sections of the two roads proposed to be renamed are detailed in **Figure 1** below.

### Figure 1 – Locality Map



- Section 1 – Part section of Mair Crescent off Princes Street, traversing south/west bound for an approximate distance of 185 metres.
- Section 2 – Part section of Little Princes Street off Mair Crescent, traversing east/west bound for an approximate distance of 100 metres.

Public safety is paramount and renaming these two roads and registering the new names with Geographic Names Victoria, will ensure emergency services can locate all properties on these roads by providing a unique road name and appropriate property numbering.

### **Proposed Names**

The names put forward to Council, have been supplied by the Korumburra and District Historical Society and affected land owners for consideration.

- **PAM**

Abraham Pam, born in 1867 (possibly in London) and his brother Maurice, both had a Korumburra connection. Abraham and Maurice both had sons who served in World War 1 (WW1) named Henry George, son of Abraham, and Gabriel, son of Maurice. Abraham Pam and his wife Caroline are both buried at the Korumburra Cemetery. Abraham was a bootmaker who had a business in the early days of Korumburra, coming to the town in the early 1900s. Abraham and his wife lived in a house in Princes Street.

- **GARRARD or STAG**

Arthur “Stag” Garrard, was employed in delivering coal by horse and dray to residents of Korumburra. During the depression, he lost his job as the mine manager at that time had sacked him. Union influence led to him being reinstated, but the manager did not agree. Stag was in a situation where he was humiliated by this manager, and in his response, he became a hero of the town’s people. This incident was reported in the daily papers of the time.

Arthur “Stag” Garrard is remembered at Coal Creek Park and Museum, buried there with a memorial that tells his story.

### **CONSULTATION**

Consultative actions are carried out for the naming and renaming of all roads, primarily in consideration of the significance and potential effects of a proposal. The views of potentially affected property owners and occupiers must be sought and considered in line with Geographic Names Victoria naming rules.

#### **1. *First Round Consultation – Immediate / Wider Community (Survey) – Closed 31 August 2018***

Surveys can be used to gain an indication of community support or opposition to a naming/renaming proposal. They should be used with the immediate community [landowners/occupiers] if they will be affected by an address change arising from the successful outcome of a proposal.

When a survey is sent to the immediate community, consent is considered to be achieved when the number of respondents expressing consent, added to the number of non-respondents (indicating, if applicable, tacit consent) is greater than 50 per cent of the total surveyed population. The outcome of the first round consultation is noted in **Table 1** and **Table 2** below.

**Table 1 - Survey Results – Proposed name ‘PAM’**

Survey Results - PAM	Response
Population in immediate community	13
Respondents who objected	0
Respondents who expressed consent	6
Non-responses (tacit consent)	7
<b>Total community that consents</b>	<b>13 [100%]</b>

**Outcome:** This proposal can be considered to have community consent.

**Table 2 - Survey Results – Proposed name ‘GARRARD’**

Survey Results - GARRARD	Response
Population in immediate community	13
Respondents who objected	5
Respondents who expressed consent	2
Non-responses (tacit consent)	6
<b>Total community that consents</b>	<b>8 [61.5%]</b>

**Outcome:** As this proposal can be considered to have community consent – out of the seven respondents that replied, only two expressed consent = 28.5% whilst the majority [5] proposed a new name, “Stag”.

**Table 2** survey results returned to Council from respondents who objected to the proposed name of “Garrard” have indicated “Stag” as the preferred road name.

A copy of the survey results for first round consultation are available in **Attachment [4.3.1]**.

## **2. Internet and Public Notice – Building Awareness – Closed 31 August 2018**

A public notice was placed in the local newspapers in the week commencing 23 July 2018 and a notice also placed on Council's website under *Naming Roads, Places & Features | Current Projects*. A copy of the public notice is included in **Attachment [4.3.2]**.

Members of the public were asked to provide feedback on the names proposed. Council also sought permission to use the proposed names by calling for consent from the family members or requested family contact details from the community.

On conclusion of the public notice process, no submissions or family consent has been received to the notice.

### **3. *Analysing Community Feedback***

The consultation process has generated a new possible name of “Stag” as suggested by five respondents for section 1 on the following grounds:

- The residents of the lower section of Mair Crescent being renamed feel that the name “Stag Street” would better remember a local character, Arthur Stag Garrard.
- As a business owner in this lower section of Mair Crescent proposed for renaming, feel that the name “Stag Street” would be easy for clients to find and spell.
- Everyone remembers “Stag” whereas no one remembers the proposed name.

Council has completed a Vicnames search to check that the name “Stag” conforms to the principles and statutory requirements of the naming rules. Refer to **Table 3** further in this report.

### **4. *Second Round Consultation – Immediate Community – 22 October 2018***

The immediate community along with the Korumburra Historical Society have been advised of the survey outcomes. As the first round consultation has generated a new proposed name, all submitters and land owners must be re-consulted in regards to the suggested new name of “Stag” for section 1 (Part of Mair Crescent off Princes Street). Council advised that a report will be presented at the Ordinary Meeting of Council 28 November 2018 to consider the proposed names. Residents were advised that they may object to this proposal by responding to the letter or by attending the meeting and voicing their objection.

## 5. **VICNAMES Compliance Check**

Compliance with the *Naming Rules for Places in Victoria – Roads, Features, and Places 2016* a VICNAMES 15km duplicate<sup>1</sup> or similar sounding/spelling name search was carried out on the suggested names – refer to **Table 3** below:

This proposal complies with the statutory requirements of the naming rules.

**Table 3 – VICNAMES - Compliance Check**

PROPOSED ROAD NAMES	ROAD TYPE	ORIGIN OF ROAD NAME
<b>PAM</b>	LANE	Abraham Pam was a bootmaker who had a business in the early days of Korumburra, coming to the town in the early 1900s. Abraham and his wife lived in a house in Princes Street.
<b>GARRARD</b>	STREET	Arthur "Stag" Garrard, died October 1983 - aged 87. Responsible for breaking a miners' strike at the Sunbeam Colliery in 1924. The story of this strike was shown in the film "Strikebound". Stag Garrard is remembered at Coal Creek Park and Museum, buried there with a memorial that tells his story.
<b>STAG</b>	STREET	As per above information on Arthur "Stag" Garrard.
<b>VICNAMES COMPLIANCE CHECK</b>	<b>CONFORMS</b>	<b>VICNAMES 15km duplicate or similar sounding/spelling name search was carried out on the suggested names</b>
<b>PAM</b>	✓	No duplications or similar sounding names were found for the proposed name
<b>GARRARD</b>	✓	No duplications or similar sounding names were found for the proposed name
<b>STAG</b>	✗	One duplication was found in the township of Leongatha, as 'Sadies Way'. However Council's risk liability by accepting any potential risks, which in this regard would be deemed as low to the proposed name of "Stag Street". Leongatha is also four localities away.
<b>PRINCIPLE (H) COMMEMORATIVE NAMES</b>	<b>CONFORMS</b>	<b>A commemorative name applied to a locality or road should use only the surname of a person, not first or given names.</b>
<b>STAG</b>	✓	The name 'Stag' (as suggested by the immediate community directly affected by the road name change after first round consultation) is a forename (nickname) given to Arthur Garrard and has 'in principle' support from Geographic Names Victoria.

<sup>1</sup> Duplicates are considered to be two (or more) names within close proximity, or names that are identical or have similar spelling or pronunciation.



Council has requested 'in principle' support for the proposed name of "Stag" from Geographic Names Victoria. In principal, Geographic Names Victoria supports the proposed name of "Stag" subject to a compliant proposal being submitted with the following conditions:

- Prefer the use of "Garrard".
- If "Stag" is used, maybe interpretive signage could be used – refer to **Figure 2** below:

The "in principle" support form from Geographic Names Victoria is available in **Attachment [4.3.3]**.

**Figure 2 – Examples of Signage (Extract from Geographic Names Victoria Naming Rules)**



## RESOURCES

The only future cost to Council will be for the erection of two new signs at approximately \$150 each which is accommodated in Council's signage budget.

## RISKS

Council's risk is minimal as the methodology for the road naming has followed the *Naming Rules for Places in Victoria - Statutory Requirements for Naming Roads, Features and Localities 2016*.

Renaming these two sections of road with a unique road name and applying standardised addressing will ensure each property is uniquely identified in the Victorian Government's spatial databases. This will fix any confusing situations for the general public, emergency services, and service providers.

#### **STAFF DISCLOSURE**

Nil

#### **ATTACHMENTS**

*Attachments are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*

1. Submissions - Round 1 Consultation - Survey Results (Redacted) - 31 August 2018 **[4.3.1]**
2. Public Notice - Building Awareness - Mair Cr & Little Princes St - 23 July 2018 **[4.3.2]**
3. Geographic Names Victoria - 'In Principle' Support "Stag" - October 2018 **[4.3.3]**

#### **REFERENCE DOCUMENTS**

##### **Council Policy**

*Documents are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*

Road Naming Procedure

##### **Legislative Provisions**

Geographic Place Names Act 1998

Local Government Act 1989

Naming Rules for Places in Victoria 2016

Road Management Act 2004



#### **4.4. AWARD CONTRACT CON/189 KOONWARRA LANDFILL CONSTRUCTION OF CELL 3 CAP**

Infrastructure Directorate

##### **EXECUTIVE SUMMARY**

The construction of the Cell 3 Rehabilitation Cap at the Koonwarra Landfill is required as part of the progressive rehabilitation of the site in accordance with the conditions of the landfill licence, issued by the Environment Protection Authority (EPA).

The project includes the construction of a landfill gas collection system, placement of a compacted clay liner, installation of a plastic geomembrane, topsoil layer, and revegetation of the cap.

In accordance with Council's Procurement Policy and procedures, Council is required to follow an open tender process for its contracts. In response to Council's Request for Tender – RFT/189 Construction of the Koonwarra Landfill Cell 3 Rehabilitation Cap, two tender submissions were received, both of which were over budget. There are no options to revise the scope of works to reduce costs.

Council's current budget allocation for this project is \$709,479.

It is recommended that Council increase the budget allocation for the project by \$116,923 and awards contract CON/189 Construction of the Koonwarra Landfill Cell 3 Rehabilitation Cap.

##### **RECOMMENDATION**

**That Council:**

- 1. Increases its current budget allocation of \$709,479 by \$116,923 to a total of \$826,402 excluding GST for this project which will be determined in the December 2018 Capital Works Program review.**
- 2. Approves the award of contract CON/189 Construction of the Koonwarra Landfill Cell 3 Rehabilitation Cap.**
- 3. Publishes on Council's website the successful contractor and lump sum amount within one week of Council's decision to approve the award of contract CON/189 to allow sufficient time for the formal award of the contract.**
- 4. Delegates to the Manager Infrastructure Planning the power to approve contract variations up to the contingency allowance in the contract.**

**5. Authorises the Chief Executive Officer to sign and affix the Common Seal of the Municipality to the contract documents.**

**REPORT**

In response to Council's Request for Tender RFT/189 Construction of the Koonwarra Landfill Cell 3 Rehabilitation Cap (RFT/189), Council received two tender submissions. Both tenderers submitted a lump sum price for these works. Both lump sum prices exceeded Council's budget of \$709,479 by at least \$116,402.

An evaluation panel considered the tenders and identified a preferred tenderer based on the assessment of the submissions.

The evaluation panel considered that whilst the lump sum price submitted by the preferred tender is over the original budget, the price still represents value for money in the current contracting environment. The price was submitted in a competitive market. Re-tendering this work would be unlikely to attract additional tenderers and would create a risk that submitted prices could be higher than those received through the current tender process.

It is therefore recommended that Council increase its budget allocation for this project and awards contract CON/189 Construction of the Koonwarra Landfill Cell 3 Rehabilitation Cap.

**CONSULTATION**

Tender specifications were developed in consultation with all relevant officers involved in planning this project.

RFT/189 was advertised on 8 September 2018 and closed on 2 October 2018.

The tenders were assessed in accordance with the criteria specified in the contract documentation by an evaluation panel on 29 October 2018. The evaluation panel consisted of the Director Infrastructure, Manager Infrastructure Planning, Coordinator Sustainability, and Procurement Officer.

A summary of the tender evaluation is available in **Confidential Attachment [15.1.1]**.

**RESOURCES**

The budget for this project is accommodated within Council's Forward 15-Year Capital Works Program under cost code 95010 (Waste – Koonwarra Landfill Cell 1, 2 and 3 Cap – Provision) and activity level 11010 which currently has a budget of \$709,479. As noted above, this budget will need to be increased by \$116,402 (revised project budget of \$826,402 excl. GST) to successfully

deliver the project and this will be determined in the December 2018 Capital Works Program review. There is capacity in the balance sheet for this increase.

## **RISKS**

If Council does not support the project by increasing the budget and awarding the contract, a potential breach of the EPA landfill licence (which requires progressive rehabilitation of the site) could occur.

In addition, it is considered likely that retendering of the project would lead to higher costs.

## **STAFF DISCLOSURE**

Nil

## **CONFIDENTIAL ATTACHMENTS**

**Confidential Attachment [15.1.1]** – Tender Evaluation Summary - RFT/189 Construction of the Koonwarra Landfill Cell 3 Rehabilitation Cap – has been provided in accordance with s.77(2)(c) of the Local Government Act 1989. The Chief Executive Officer designates this item as confidential information on the grounds that it relates to s.89(2)(d) - contractual matters.

This item is deemed confidential to protect the privacy of the contractors, tender scores, and tendered amounts submitted for consideration.

## **REFERENCE DOCUMENTS**

### **Council Policy**

*Documents are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*

15-year Capital Works Program

Long Term Financial Plan

Procurement Policy (C32)

### **Legislative Provisions**

Local Government Act 1989

#### **4.5. LONG JETTY AND YANAKIE CARAVAN PARKS - SUMMARY OF OPERATIONS REPORT YEAR ENDING 30 JUNE 2018**

Development Services Directorate

##### **EXECUTIVE SUMMARY**

Council is the Committee of Management for the land comprising the Long Jetty and Yanakie caravan parks. Council returned the parks to a direct management model following expiry of the previous 21 year lease agreements entered into by Commissioners during Victorian Local Government reform in 1993/94.

These lease agreements failed to adequately address capital renewal and didn't include tangible performance and control measures. Upon return, the parks were in a state of disrepair, predominantly occupied by annual site holders and provided limited short stay accommodation options. Over the past five years of direct management the parks have been rehabilitated and transitioned towards compliance with the State Government's *Best Practice Guidelines (2011) for Committees of Management Managing Caravan and Camping Parks on Crown Land*.

This report presents the operational results for the two caravan parks over the 2017/18 financial year. The Yanakie caravan park returned an operating surplus of \$11,742 and Long Jetty caravan park an operating deficit of \$135,621. The combined operating result improves upon the 2016/17 result by a total of \$206,305. The improved result can be attributed to an increase in short stay visitation at Yanakie and a reduction of operational expenses across both parks.

This report recommends rescinding the previous resolution of Council at the 27 September 2017 Ordinary Council meeting to establish a Caravan and Camping Parks Committee. With the Caravan Parks being rehabilitated and rectification of issues associated with the previous 21 year leases, it is now appropriate for Council to consider the longer term management options and arrangements. It is recommended that Council receive a report at the June 2019 Council meeting which provides a review of the direct management model and evaluates third party management models.

##### **RECOMMENDATION**

**That Council:**

- 1. Receives the Yanakie and Long Jetty Caravan Park - Summary of Operations Report for the 2017/18 financial year.**
- 2. Rescinds the resolution of Council on 27 September 2017 to establish a Caravan and Camping Park Committee.**

3. **Receives a report at the June 2019 Ordinary Council Meeting which reviews the direct management model and evaluates third party management models.**

#### **REPORT**

Council is the Committee of Management for the land comprising the Long Jetty and Yanakie caravan parks. Council took direct management of these parks following the expiry of 21 year lease agreements entered into by Commissioners during Victorian Local Government reform in 1993/94.

These lease agreements failed to adequately address capital renewal and didn't include tangible performance and control measures. By the time the leases had expired, the caravan parks were in a state of disrepair requiring capital investment to address electrical, fire and public safety compliance requirements.

The parks were predominantly occupied by annual site holders and provided limited short stay accommodation options. The majority of the private caravans and annexes were in poor condition with compliance and safety deficiencies. Throughout the lease tenure a range of private structures were unlawfully erected on Crown Land.

Further, the parks were not being managed in accordance with the State Government's *Best Practice Guidelines (2011) for Committees of Management Managing Caravan and Camping Parks on Crown Land* ("the Guidelines").

In preparing for the expiry of the 21 year leases, Council undertook a public Expression of Interest (EOI) for the parks to be privately managed under a new lease. At the 24 April 2013 Council meeting it was determined that suitable EOIs had not been received and as a result Council resolved to bring the parks back under direct management.

#### **Summary of Operations – Yanakie Caravan Park 2017/18**

The following table and commentary provides an overview of the Yanakie Caravan Park operations for the year ending 30 June 2018.

<b>Yanakie Caravan Parks 2017/18</b>	<b>Actuals (\$)</b>	<b>Original Budget (\$)</b>
Income	(617,404)	(424,715)
Operational Expenditure	605,632	525,393
Operating Result	(11,772)	100,678
Capital Investment	7,975	107,699

Income received is higher than budgeted and up \$84,226 on the 2016/17 financial year (\$533,178). The increase is a result of increased overnight and short stay visitation.

The loss of annual site holders through attrition of non-compliant vans and making the Park compliant with the access provisions of *the Guidelines* was predicted to adversely affect revenue in the short term. The loss of this income is now being substituted by short stay visitation.

Operational expenditure was up \$80,239 on the original budget and down by \$32,322 on the 2016/17 financial year (\$637,954). Expenditure was higher than budgeted primarily due to operational costs to support the increased patronage at the Park. Increased costs included cleaning, administration and water supply. Costs associated with rehabilitating the Park are anticipated to diminish. Management and legal costs associated with bringing the parks back into compliance will also continue to diminish as works are completed.

All major capital works were placed on hold until such time that Council considered what capital investment should be made at the Parks above and beyond any legislative or public health and safety requirements. A capital budget of \$99,134 for a camp kitchen was deferred to the 2018/19 capital works program. At the time of writing this report project tenders had closed. Minor capital costs were incurred during the year to address public health and safety issues.

Operationally the Yanakie Caravan Park had an operating surplus of \$11,772. This is an improvement on the 2016/17 financial year which had an operating deficit of \$104,776. Overall the Yanakie Caravan Park is trending in the right direction. It is anticipated that income can be increased in forward years by completing the park improvements, increasing marketing activities and by attracting a small number of compliant annual site holders to increase base recurrent revenues.

### **Summary of Operations – Long Jetty Caravan Park 2017/18**

The following table and commentary provides an overview of the Long Jetty Caravan Park operations for the year ending 30 June 2018.

<b>Long Jetty Caravan Park 2017/18</b>	<b>Actuals (\$)</b>	<b>Original Budget (\$)</b>
Income	(285,746)	(315,674)
Operational Expenditure	421,367	462,857

Operating Result	135,621	147,183
Capital Investment	16,300	86,710

Income received is lower than budgeted by \$29,928, however has been increased by \$12,179 on the 2016/17 financial year (\$273,567). The result is an improvement on last year but below the budget target.

Operational expenditure was \$41,490 less than the original budget and \$77,608 less than the 2016/17 financial year (\$498,975). Consistent with Yanakie Caravan Park operations, costs associated with site rehabilitation and infrastructure maintenance are diminishing as the park is nearing full rehabilitation.

All capital works were placed on hold until such time that Council had an opportunity to consider what capital investment should be made at the Parks above and beyond any legislative or health and safety requirements. The amenities block renewal is budgeted for replacement in the 2018/19 financial year. At the time of writing this report project tenders had closed. Minor capital costs were incurred during the year to address public health and safety issues.

The Long Jetty Caravan Park produced an operating deficit of \$135,621. This is a more favorable result than the original budget by \$11,562. The operating deficit was reduced by \$89,787 on the 2016/17 financial year result (\$225,408). Further growth in short stay visitation can be expected when the long jetty refurbishment and rail trail extension projects are completed.

### **Caravan and Camping Parks Committee**

Council resolved at the 27 September 2017 Ordinary Council meeting to establish a Caravan and Camping Parks Committee to provide strategic advice to Council on the future management and investment options for the Long Jetty and Yanakie Caravan Parks. The resolution was that Council:

1. *Receive the report detailing Council's Financial Contribution towards to the Long Jetty and Yanakie Caravan Parks since taking direct management in 2013/14.*
2. *Establish a Caravan and Camping Park Committee to provide strategic advice to Council on the future management and investment options for the Long Jetty and Yanakie Caravan Parks*
3. *Nominate all Councillors to be representatives on the Caravan and Camping Park Committee*

4. *The Caravan and Camping Park Committee prepare a draft terms of reference for Council adoption.*

The committee met to discuss the purpose, scope and terms of reference. The Committee included all Councillors. Following the initial meetings it was considered that the matters were best debated in an Open Council meeting and through an Officers report. Discussions helped inform budget considerations for the current financial year capital works program.

This report recommends rescinding the previous resolution of Council to establish a Caravan and Camping Parks Committee.

### **Masterplans & Future Management**

Over the past five years infrastructure and compliance deficiencies have been resolved. Council is now managing its obligations under the Guidelines as a manager of Crown Land.

It is evident from the associated capital and operational deficiencies encountered that Council had little option but to return the parks to direct management. Returning the land to a natural state would have incurred significant cost and caravan parks are an important tourism asset. Supporting growth of the tourism industry is an opportunity to strengthen and diversify the South Gippsland economy.

Following these works, Council should now determine how the caravan parks are best managed in the longer term. It is recommended that Council receive a report at the June 2019 Council meeting which reviews the direct management model and evaluates the available third party management models. These could include private or public arrangements.

### **CONSULTATION**

Future budget considerations will be subject to Council's annual budgeting process. The budget is advertised and submissions are received as per the requirements of s.223 of the Local Government Act 1989.

### **RESOURCES**

The annual budget provides the necessary capital and operational resources to operate the parks on an annual basis. Council will need to consider the impact of its decisions on future resource allocations and the long term financial plan.



## **RISKS**

Council has a variety of reputational, financial and operational risks associated with the management of Crown land and direct or indirect management of caravan parks. Council's decision to take direct management of the caravan parks and transition them into compliance with the guidelines seeks to mitigate Council's risks.

Failure to observe Crown Land management obligations could jeopardise future attempts to obtain or renew future Crown Land holdings. Council currently has a number of priority projects which require tenure over Crown Land, including the Leongatha and Korumburra revitalization projects. Demonstrating effective management of Crown Land enhances Council's ability to progress Council plan priorities.

## **STAFF DISCLOSURE**

Nil

## **REFERENCE DOCUMENTS**

### **Council Policy**

*Documents are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*  
Economic Development and Tourism Strategy 2018 - 2020

### **Legislative Provisions and External Policy**

Crown Land (Reserves) Act 1978

Local Government Act 1989

Residential Tenancies (Caravan Parks and Movable Dwellings) Regulations 2010

Leasing Policy for Crown Land in Victoria 2010 (Department of Environment  
Land Water and Planning (DELWP))

Improving Equity of Access to Crown Land Caravan Parks 2011 Policy  
(DELWP)

Best Practice Guidelines for Management of Crown Land Caravan  
Parks (DELWP)

Crown Land Equity of Access Policy (DELWP)

## **5. OBJECTIVE 4 - ENHANCE ORGANISATIONAL DEVELOPMENT AND IMPLEMENT GOVERNANCE BEST PRACTICE**

### **5.1. REVOCATION INSTRUMENTS OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987**

Corporate and Community Services Directorate

#### **EXECUTIVE SUMMARY**

This report recommends that Council revokes the Instruments of Appointment and Authorisation under the Planning and Environment Act 1987 to the following authorised officers following either their resignation or internal movement to a role which does not require an Appointment and Authorisation.

- Sofie Gibson (internal move) and
- Lauren McDermott (resignation)

#### **RECOMMENDATION**

**That Council revokes the Instruments of Appointment and Authorisation under the Planning and Environment Act 1987 to the following staff:**

- 1. Sofie Gibson; and**
- 2. Lauren McDermott.**

#### **REPORT**

The effective functioning of local government is achieved by Council allocating formal delegations, authorisations and appointments, either to the Chief Executive Officer or direct to members of Council Staff, which the Council is empowered to do by the Local Government Act 1989 and Planning and Environment Act 1987.

Over time powers in legislation change, as does Council's organisational structure and/or personnel. It is important to ensure that the Instruments of Appointment and Authorisation under the Planning and Environment Act 1989 are reviewed periodically to reflect these changes so that authorisations and appointments to staff remain current.

The staff nominated in the recommendation have either resigned from Council or have moved to a role which no longer requires their Authorisation and Appointment and it is recommended that these be revoked by the Council.

## **CONSULTATION**

The recommended revoked Instruments of Delegation and Instruments of Appointment and Authorisation have been updated following consultation with relevant Council staff, including Manager Planning, Manager Finance, Risk and Procurement and the Executive Leadership Team.

## **RESOURCES**

The budget to maintain Council's Instruments of Delegation, Authorisation and Appointments is contained within the current and forward budgets.

## **RISKS**

The decision of a delegate (staff member) or appointed / authorised officer (staff member) is "deemed" to be a decision of Council, therefore correct delegations, appointments and authorisations are necessary.

Without delegations, authorisations and appointments, decision making is restricted in a manner that can potentially slow down the business of local government and local economic and social development.

## **STAFF DISCLOSURE**

Nil

## **REFERENCE DOCUMENTS**

### **Legislative Provisions**

Local Government Act 1989

Planning and Environment Act 1987

## **5.2. LONG TERM FINANCIAL STRATEGIES**

Corporate and Community Services Directorate

### **EXECUTIVE SUMMARY**

Long Term Financial Strategies provide the framework or business rules that the annual and longer term business plans are built on.

Council first developed a series of financial strategies prior to the development of the 2003/04 budget. Long Term Financial Strategies provide strategic guidance in developing Annual Budgets and Long Term Financial Plans. Since 2002/03, Council's overall financial performance has systematically and progressively improved over most years despite having to, at times, face considerable financial challenges including dealing with:

- Significant operating losses and high debt in 2003;
- Global financial crisis in 2008;
- Unfunded superannuation funding calls made in 2003, 2010 and 2013;
- Commonwealth Government freezing the level of financial assistance grant provided to local government for three years to 2016/17;
- State Government introducing rate capping in 2016/17, which sets out the maximum amount councils may increase rates in a year; and

The financial strategies are reviewed on an annual basis and are listed in **Attachment [5.2.1] - 2018/19 Long Term Financial Strategies**. There have been no changes made to any of the financial strategies.

### **RECOMMENDATION**

**That Council adopts the financial strategies as documented in the 2018/19 Long Term Financial Strategies (Attachment [5.2.1]).**

### **REPORT**

#### **Background**

South Gippsland Shire Council introduced a strategic planning and performance management framework in 2003. Since that date Council has maintained a series of financial strategies including financial performance measures and targets. This ensures that Council's immediate and long term financial viability is managed in a constructive and economically viable manner.

Council's Long Term Financial Strategies are reviewed and updated on an annual basis to ensure that its financial strategies continue to align with its financial objectives.

The strategies provide the strategic framework for developing the Long Term Financial Plan, the Council Plan (which includes the Strategic Resource Plan) and the Annual Budget.

### **Discussion**

The Council Plan is a high level strategic planning document that includes objectives and strategies that cover the four year term of each Council.

The Long Term Financial Strategies complement and support both higher level 'strategic plans' such as the Council Plan, and 'operational plans' such as the Annual Budget. They ensure that Council's budgeted financial statements in the Long Term Financial Plan, are sustainable both in the short and longer term.

### **CONSULTATION**

Council reviewed the draft Long Term Financial Strategies at a briefing held on 17 October 2018.

### **RESOURCES**

The development and implementation of the Long Term Financial Strategies is managed within existing budgets.

### **RISKS**

The strategies will provide guidance to Council in preparing the 2018/19 Annual Budget and the Long Term Financial Plan.

Continuation of the strategic planning and management process will help achieve long term business viability. This will ensure that Council has sufficient financial resources for both service provision and for infrastructure asset management now and in future years.

### **STAFF DISCLOSURE**

Nil

### **ATTACHMENTS**

*Attachments are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*

1. Long Term Financial Strategies 2018-19 - October 2018 **[5.2.1]**

## REFERENCE DOCUMENTS

### **Council Policy**

*Documents are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*

Annual Budget 2017/18

Annual Budget Incorporating 15 Year Long Term Financial Plan and Annual Plan Initiatives

### **5.3. POLICY AMENDMENT: PUBLIC PARTICIPATION IN MEETINGS WITH COUNCIL POLICY (C65)**

Corporate and Community Services Directorate

#### **EXECUTIVE SUMMARY**

Following consideration of Agenda item 7.2 NOTICE OF MOTION 723 – QUESTION TIME AT COUNCIL MEETINGS at Ordinary Council Meeting 24 October 2018, Council resolved to amend policies that currently govern how questions may be asked at Council Meetings. The Public Participation in Meetings with Council Policy (C65) (the Policy), its guidelines and processes have been identified as requiring amendments per the resolution.

Council's resolution on 24 October 2018 determined:

*"THAT COUNCIL:*

- 1. AMEND THE APPROPRIATE POLICIES THAT CURRENTLY DEFINE HOW QUESTIONS MAY BE ASKED AT COUNCIL MEETINGS TO INCLUDE THE FOLLOWING:*
  - a. OPPORTUNITY TO ASK QUESTIONS IN THE OPEN COUNCIL MEETING WITH OR WITHOUT NOTICE. IF THE QUESTIONS HAVE NOT BEEN SUPPLIED PRIOR TO MEETING THE QUESTIONS MAY BE TAKEN ON NOTICE. FOR QUESTIONS SUPPLIED IN ADVANCE AS PER THE CURRENT POLICY, THE MEMBER OF THE PUBLIC CAN ASK THE QUESTION IN PERSON ON THE DAY AT THE COUNCIL MEETING.*
  - c. THE MAYOR IS TO DETERMINE IF THE QUESTION IS TO BE PERMITTED TO BE ASKED IN THE COUNCIL MEETING.*
- 2. BRING THE AMENDED POLICY DOCUMENTS TO THE COUNCIL MEETING ON 28 NOVEMBER 2018."*

The Policy has been amended to extend the receipt of question/s in Council Meetings from community members in an Ordinary Council Meeting. The Policy has also been amended to include the provision of community members to nominate to read aloud questions at the Public Question Time section of the Meeting.

The amended Public Participation in Meetings with Council Policy (C65) is located in **Attachment [5.3.1]**.

#### **RECOMMENDATION**

**That Council adopts the amended Public Participation in Meetings with Council Policy (C65) (Attachment [5.3.1].)**

## **REPORT**

Following consideration of Agenda item 7.2 NOTICE OF MOTION 723 – QUESTION TIME AT COUNCIL MEETINGS at Ordinary Council Meeting 24 October 2018, Council resolved to amend policies that currently govern how questions may be asked at Council Meetings. The Public Participation in Meetings with Council Policy (C65) (the Policy), its guidelines and processes were identified as requiring amendments per the resolution. The amendments to the Policy in **Attachment [5.3.1]** are outlined in the following sections for Council's consideration.

### ***Submitting Questions for consideration at an Ordinary Council Meeting***

The Policy has been amended to include the ability for community members to submit question/s (up to three) in the Meeting. Clause 2.4 (b) has been amended to include this new step.

2.4 All community member questions for Ordinary Council Meetings are to be written and submitted to the Council Business Team as follows:

- a. Completion of an Expression of Interest (online form) by close of business on the Friday preceding the meeting (3 business days before the meeting, normally the third Friday of the month) to allow time for a response to be prepared, where possible, for the Council Meeting; or
- b. Completion of hard copy form, submitted to the 'Public Question Box' within the first 15 minutes located at an Ordinary Council Meeting. To allow time for the Mayor to read and determine approval of the question/s prior to Public Question Time (as per Council resolution 24 October 2018).

### ***Asking Questions in Open Council***

The Policy has been amended to include the ability for community members to read aloud their question/s, community members not wishing to read their questions can nominate the Chief Executive Officer (CEO) to do so. Clause 2.5 has been amended to include this new step.

2.5 At the Public Question Time section of the Ordinary Council Meeting questions will be read out when they have been approved by the CEO (when submitted 3 days prior to the Meeting) and/ or the Mayor (when submitted in the Meeting) and may take place as follows:

- a. By a community member who has nominated on their Expression of Interest form to read out their question/s.
- b. By the CEO where the community member has nominated on their Expression of Interest form that the CEO read out their question/s.
- c. Questions will not be read out where the community member is not present at the Public Question Time section of the Ordinary Council Meeting.



### ***Responses to Questions in Open Council***

The Policy also provides clarity around how responses to questions may be read aloud by the CEO and/or provided to community members (refer to Clause 2.6).

- 2.6 At the Public Question Time section of the Ordinary Council Meeting responses to questions may take place as follows:
- a. Responses are read out by the CEO following the questions being read out by the CEO, or at the conclusion of the community member reading questions aloud.
  - b. Responses are usually provided at the next Ordinary Council Meeting where a question has been taken on notice, to allow time for a considered response to be prepared.
  - c. Questions and responses will be included in the Minutes of the Council Meeting.
  - d. Questions and responses will be included in a letter to the submitter following the Ordinary Council Meeting.

### ***Requirements of all Participants in Council meetings***

The Policy also provides clarity around requirements of participants in Council meetings (refer to Clause 2.9(g)(iii)).

- 2.9 A further clarification and extension is provided to Clause 2.9(g)(iii) in order to meet the requirement to keep questions within the allocated time:
- g. Keeping the presentation/ questions within the allocated time:
    - iii. Council Ordinary Meeting Public Question Time provides time for Council to hear questions that were submitted by close of business on the Friday preceding the meeting, or in the first 15 minutes of the Meeting. The CEO or community member (as nominated) will read out the questions only. Additional personal views, commentary, opinions or background are not to be read out, as this is a time for public questions not public debate.

### **RISKS**

Council in conducting and inviting community members to participate in public participation sessions needs to be mindful of its Occupational Health and Safety and Risk Management responsibilities. Particularly regarding inappropriate and sometimes unsafe practices and creating a safe respectful environment for everyone.

### **STAFF DISCLOSURE**

Nil

## **ATTACHMENTS**

*Attachments are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*

1. C65 Public Participation in Meetings with Council Policy - draft 28 November 2018 **[5.3.1]**

## **REFERENCE DOCUMENTS**

### **Council Policy**

*Documents are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*

Public Participation in Meetings with Council Policy (C65) (May, 2017)

### **Legislative Provisions**

Local Government Act 1989

## **6. OTHER COUNCIL REPORTS**

**6.1. NIL**

## **7. NOTICES OF MOTION AND/OR RESCISSION**

**7.1. NIL**

## **8. PROCEDURAL REPORTS**

### **8.1. COUNCILLOR EXPENDITURE REPORT - JULY TO SEPTEMBER 2018**

Corporate and Community Services Directorate

#### **EXECUTIVE SUMMARY**

The Councillor Expenditure Report provides Council with an update on Councillor Expenditure from 1 July 2018 to 30 September 2018.

#### **RECOMMENDATION**

**That Council receives and notes the Councillor Expenditure Report for the period 1 July 2018 to 30 September 2018 in Table 1.**

#### **REPORT**

The Councillor Expenditure Report provides Council with an update on Councillor Expenditure from 1 July 2018 to 30 September 2018.

Councillor expenditure of \$112,879 for the period 1 July 2018 to 30 September 2018 is above budget by \$8,022. The variance was mainly due to timing of payments, with pre-payment of Councillor allowances for October 2018 of \$25,582, offset by lower reimbursements of \$11,904, lower mobile phone costs of \$3,009 and lower training and development expenses of \$1,900. Councillor expenditure is expected to be in line with budget at the end of the financial year.

Table 1- Councillor Expenditure 1 July 2018 – 30 September 2018

Councillor	Travel Expenditure			Other Expenditure							Total	Date of last claim
	Car	Councillor Car Operating Cost *	Other travel reimbursements **	Mobile Phone / I pads	Phone/Fax/ Modem	Training & Professional Development ***	Councillor Allowance	Remoteness Allowance	Printing / Sound recording transcripts	Other Costs		
<b>Cr. Aaron Brown</b>	Council	\$ 757	\$ -	\$ 39	\$ -	\$ -	\$ 9,307	\$ -	\$ 8	\$ -	\$ 10,111	09-May-2018
<b>Cr. Ray Argentio</b>	Personal	\$ -	\$ -	\$ 51	\$ -	\$ -	\$ 9,307	\$ -	\$ -	\$ 87	\$ 9,271	13-June-2018
<b>Cr. Alyson Skinner</b>	Council	\$ 1,412	\$ -	\$ 24	\$ -	\$ 2,175	\$ 9,307	\$ -	\$ -	\$ -	\$ 12,918	06-December-2017
<b>Cr. Jeremy Rich</b>	Personal	\$ -	\$ -	\$ 21	\$ -	\$ 930	\$ 9,307	\$ -	\$ -	\$ -	\$ 10,258	08-June-2018
<b>Cr. Maxine Kiel</b>	Personal	\$ -	\$ 606	\$ 42	\$ -	\$ -	\$ 9,307	\$ -	\$ -	\$ -	\$ 9,955	17-August-2018
<b>Cr. Meg Edwards</b>	Personal	\$ -	\$ -	\$ 49	\$ -	\$ -	\$ 9,307	\$ -	\$ -	\$ -	\$ 9,356	30-June-2018
<b>Cr. Don Hill</b>	Personal	\$ -	\$ 764	\$ 37	\$ -	\$ -	\$ 9,307	\$ -	\$ -	\$ 17	\$ 10,125	20-September-2018
<b>Cr. Andrew McEwen</b>	Personal	\$ -	\$ 884	\$ 89	\$ -	\$ -	\$ 9,307	\$ -	\$ 120	\$ -	\$ 10,400	02-August-2018
<b>Cr. Lorraine Brunt</b>	Council	\$ 1,575	\$ -	\$ 109	\$ -	\$ -	\$ 28,801	\$ -	\$ -	\$ -	\$ 30,485	12-February-2018
<b>Total Actual (Year to date September 2018)</b>		\$ 3,744	\$ 2,254	\$ 461	\$ -	\$ 3,105	\$ 103,257	\$ -	\$ 128	\$ 70	\$ 112,879	
<b>Total Budget (Year to date September 2018)</b>		\$ 3,461	\$ 14,158	\$ 3,470	\$ 261	\$ 5,005	\$ 77,675	\$ 129	\$ -	\$ 698	\$ 104,857	
<b>Variance</b>		\$ -	\$ 11,904	\$ 3,009	\$ 261	\$ 1,900	\$ -	\$ 129	\$ 128	\$ 768	\$ -	
<b>NOTES</b>												
* Car operating costs are for the 3 months ended 30 September and includes depreciation, insurance and notional interest.												
** Travelling expenditure for Councillors using private vehicles is at the prescribed rate of reimbursement and only includes claims processed up to 30/9/2018.												
*** Training & professional development includes accommodation, conference and parking expenses.												

## **RISKS**

Transparency in reporting is a risk management control measure that allows the community and Council to view the financial management and expenditure of Councillors.

## **STAFF DISCLOSURE**

Nil

## **REFERENCE DOCUMENTS**

### **Council Policy**

*Documents are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*  
Councillor Support and Expenditure Policy 2018

### **Legislative Provisions**

Local Government Act 1989 – s.75 Reimbursement of Expenses of Councillors

## **8.2. ASSEMBLY OF COUNCILLORS 22 SEPTEMBER TO 21 OCTOBER 2018**

Corporate and Community Services Directorate

### **EXECUTIVE SUMMARY**

As part of Council's ongoing efforts to enhance community engagement in Council processes, matters discussed at Councillor Briefing Sessions (other than those matters designated to be of a confidential nature) are reported at Ordinary Council Meetings.

The matters listed in this report were presented or considered, at either an Advisory Committee Meeting, Councillor Strategic Briefing Session or Public Presentation Session between 22 September and 21 October 2018.

### **RECOMMENDATION**

**That Council receives and notes this report.**

## REPORT

Meeting Title	Details
<b>Wednesday 26 September 2018</b>	
<b>Ordinary Council Agenda Topics Discussion 26 September 2018</b>	<p><b>Councillors Attending:</b> Councillors McEwen, Argento, Rich, Brown, Brunt, Kiel, Skinner and Hill.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered and asked questions relating to Agenda items for the Ordinary Meeting 26 September 2018.</p>
<b>Public Presentations</b>	<b>Nil Presentations booked by the community.</b>
<b>Ordinary Council Agenda Topics Discussion 26 September 2018</b>	<p><b>Councillors Attending:</b> Councillors McEwen, Argento, Rich, Brown, Brunt, Kiel, Skinner and Hill.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered and asked questions relating to Agenda items for the Ordinary Meeting 26 September 2018.</p>
<b>Wednesday 3 October 2018</b>	
<b>Rating Strategy 2019-2022</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Hill and Edwards.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors continued the process of developing a Rating Strategy 2019-2022.</p>



Meeting Title	Details
<b>Wednesday 3 October 2018</b>	
<b>Executive Update</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Hill and Edwards.</p> <p><b>Conflict of Interest:</b> Tim Tamlin, Chief Executive Officer was not present for the briefing as he has a direct conflict of interest in the matter as it relates directly to his employment and conditions.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• CEO Employment and Remuneration Advisory Committee</li> </ul>
<b>Council Plan Review and Annual Initiatives</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Hill and Edwards.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors continued the annual review of the 2017-21 Council Plan and development of 2019/20 Annual Initiatives.</p>
<b>Gippsland Shared Services Update</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Hill and Edwards.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors were provided a briefing on the update of the progress of the Gippsland Local Government Network (GLGN) Shared Services initiative.</p>
<b>Planning Briefing</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Hill and Edwards.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Strategic Planning Project List</li> <li>• Planning Applications of Interest</li> <li>• Decisions for August 2018</li> <li>• VCAT decisions</li> </ul>

Meeting Title	Details
<b>Wednesday 3 October 2018</b>	
<b>Economic Development &amp; Tourism Steering Briefing</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Hill and Edwards.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Presentation from Committee for Gippsland (C4G)</li> <li>• Spendmapp Economic Program</li> </ul>
<b>Wednesday 10 October 2018</b>	
<b>Coal Creek – Strategic Vision</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen and Brunt.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered and developed a Coal Creek Strategic Vision Statement that aims to help define a strategic direction for Coal Creek.</p>
<b>Council Plan Review and Annual Initiatives</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt and Edwards.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors continued the annual review of the 2017-21 Council Plan and development of 2019/20 Annual Initiatives.</p>
<b>Rating Strategy 2019 - 2022</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Edwards, Hill and Brown.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors continued the process of developing a Rating Strategy 2019-2022.</p>
<b>Recreation Vehicle (RV) Strategy Review</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Edwards, Hill and Brown.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors continued to review the Recreation Vehicle (RV) Strategy prior to undertaking a community consultation process.</p>

Meeting Title	Details
<b>Friday 12 October 2018</b>	
<b>Drainage and Parking concerns</b>	<p><b>Councillors Attending:</b> Councillor Argento.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>On-site meeting with residents of Jones Street, Foster regarding parking and drainage concerns</li> </ul>
<b>Wednesday 17 October 2018</b>	
<b>Ordinary Council Agenda Topics Discussion 24 October 2018</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen and Brunt.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered and asked questions relating to Agenda items for the Ordinary Meeting 24 October 2018.</p>
<b>Community Grants Round 1 Assessment 2018/19</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen and Brunt.</p> <p><b>Conflict of Interest:</b> Cr Ray Argento left the room with a declared indirect conflict of interest by close association on one of the grant applications being discussed in the briefing.</p> <p><b>Matters Considered:</b> Councillors considered assessments and recommendations for the 2018/19 Community Grants Program – Round 1.</p>
<b>Health and Wellbeing Plan 2017-2021</b>	<p><b>Councillors Attending:</b> Councillors McEwen, Argento, Edwards, Brown, Brunt and Hill.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered an update on the Health and Wellbeing Plan 2017-2021 outcomes.</p>

Meeting Title	Details
<b>Wednesday 17 October 2018</b>	
<b>Equestrian and Exhibition Centre</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen and Brunt.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered as part of the 2018/19 Priority Projects further consideration of the Stony Creek Equestrian/Expo Centre. The scope of the business case was considered.</p>
<b>Ordinary Council Agenda Topics Discussion 24 October 2018</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Hill, Edwards, and Brown.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered and asked questions relating to Agenda items for the Ordinary Meeting 24 October 2018.</p>
<b>Community Strengthening Activities – Monthly Update</b>  <b>Open Session</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Hill and Edwards.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered an update of current key community strengthening activities, including a presentation on Council's L2P learner driver program.</p>
<b>Municipal Emergency Management Plan – Audit Review Presentation</b>  <b>Open Session</b>	<p><b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Hill and Edwards.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered a presentation from Ken Bodinnar, Operations Officer SES regarding a summary of the successful audit outcomes and recommendations from the Municipal Emergency Management Plan (MEMP) for South Gippsland Shire Council.</p>

Meeting Title	Details
<b>Wednesday 17 October 2018</b>	
<b>Public Presentation</b>  <b>Open Session</b>	<b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Hill and Edwards.  <b>Conflict of Interest:</b> Cr Edwards did not attend the public presentations to Council as she declared a direct financial conflict of interest as her personal business interests are in direct competition with this type of business.
<b>A presentation was made to Council by the following community members:</b> <b>Colin Ure</b> , Managing Director and <b>Litsa Barberoglou</b> , Chief Marketing Officer from iCue Homes regarding a presentation on iCUE Homes plan to build sustainable developments in the Shire.	
<b>Executive Update</b>	<b>Councillors Attending:</b> Councillors Argento, McEwen, Brunt, Hill and Edwards. <b>Conflict of Interest:</b> Nil disclosed. <b>Matters Considered:</b> <ul style="list-style-type: none"> <li>• Rural Councils Victoria</li> <li>• Notification of an unqualified person acting as a lawyer in Victoria.</li> <li>• Contractual Matter</li> <li>• Mirboo North Heritage Study</li> </ul>
<b>Thursday 18 October 2018</b>	
<b>Active Retirees Advisory Committee</b>	<b>Councillors Attending:</b> Councillor McEwen <b>Conflict of Interest:</b> Nil disclosed. <b>Matters Considered:</b> <ul style="list-style-type: none"> <li>• Ambulance Victoria meeting in Foster</li> <li>• Digital Literacy Strategy</li> <li>• Seniors Week October 2018 review</li> <li>• Committee Terms of Reference</li> <li>• Staffing matters</li> </ul>

Meeting Title	Details
<b>Thursday 18 October 2018</b>	
<b>Korumburra Round Table</b>	<p><b>Councillors Attending:</b> Councillors McEwen, Brunt and Brown.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Council Update: <ul style="list-style-type: none"> <li>◦ Korumburra Community Hub</li> </ul> </li> <li>• Great Southern Rail Committee presentation</li> <li>• Community Groups update</li> <li>• 'Borough Department Store' upcoming Gala event</li> </ul>

## REFERENCE DOCUMENTS

### Council Policy

Public Participation in Meetings with Council Policy (C65)

### Legislative Provisions

Local Government Act 1989

### **8.3. DOCUMENTS SEALED AWARDED OR EXTENDED BY CEO 22 SEPTEMBER TO 26 OCTOBER 2018**

Corporate and Community Services Directorate

#### **EXECUTIVE SUMMARY**

This document reports to Council the following actions undertaken by the Chief Executive Officer (CEO) which occurred during the period from 22 September to 26 October 2018, as required by the Council's Instrument of Delegation to the Chief Executive Officer and Procurement Policy:

- Documents sealed;
- Contracts awarded after a public tender process within the CEO's delegation and;
- Contracts varied or extended by the CEO which exceeded the CEO's delegation.

#### **RECOMMENDATION**

**That Council receives and notes this report.**

#### **REPORT**

##### **Documents Sealed**

Under the Local Government Act 1989 (the Act), each Council is a body corporate and a legal entity in its own right. Each Council must have a common seal that is an official sanction of that Council.

Sealing a document makes it an official document of Council as a corporate body. Documents that require sealing may include agreements, contracts, leases or any other contractual or legally binding document that binds Council to another party.

Local law No. 3 2010, Part 9, Section 107 (f) (iv) – the Common Seal of Council, states that 'If the Chief Executive uses the Common Seal in a manner prescribed by sub-clause (c) then he/she must advise Council of such use on a regular basis.' Council's Instrument of Delegation to the CEO also delegates to the CEO the power to 'use the Common Seal of Council subject to that use being reported to Council'.

In accordance with the Local Law and Instrument of Delegation, the following are presented to Council as documents sealed during the period from 22 September to 26 October 2018:

- 1 Section 173 Agreement between South Gippsland Shire Council and the owner of 101-129 Station Road, Foster in relation to staged subdivision of the land – Seal applied 1 October 2018.
- 2 Section 173 Agreement between South Gippsland Shire Council and the owner of 40 Foster-Promontory Road, Foster in relation to the subdivision of the land into 13 lots – Seal applied 1 October 2018.
- 3 Section 173 Agreement between South Gippsland Shire Council and the owner of 134 Atherton Drive, Venus Bay in relation to the development of land with a single dwelling and domestic outbuilding, and remove vegetation – Seal applied 1 October 2018.
- 4 Section 173 Agreement between South Gippsland Shire Council and the owner of 38 Atherton Drive, Venus Bay in relation to the development of land with a single dwelling – Seal applied 1 October 2018.
- 5 Section 173 Agreement between South Gippsland Shire Council and the owner of 3 Peter Street, Venus Bay in relation to an extension to existing dwelling – Seal applied 1 October 2018
- 6 Section 173 Agreement between South Gippsland Shire Council and the owner of 11 Graham Avenue, Venus Bay in relation to the development of a dwelling and removal of vegetation – Seal applied 22 October 2018.
- 7 Section 173 Agreement between South Gippsland Shire Council and the owner of 185 Agnes River Road, Agnes in relation to use and develop land for group accommodation comprising two (2) cabins and associated works – Seal applied 24 October 2018 (replacement s173 from 14 July 2016).
- 8 Section 173 Agreement between South Gippsland Shire Council and the owner of 8252 Bass Highway, Leongatha South in relation to a two (2) lot subdivision (house lot excision) – Seal applied 24 October 2018.
- 9 Section 173 Agreement between South Gippsland Shire Council and the owner of 11 Cumberland Court, Tarwin Lower in relation to the development of a dwelling – Seal applied 24 October 2018.

**Contracts awarded after a public tender process within the CEO's delegation**

The CEO's delegation from Council allows the CEO to award contracts up to the value of \$250,000 (inclusive of GST), with the exception of Annual WorkCover and Council insurance premiums.



Council's Procurement Policy requires recording in the Council Minutes all contracts over the statutory threshold set out in the Act (\$150,000 inclusive of GST for goods and services and \$200,000 inclusive of GST for works) for a public tender which shows the contracts purpose, the successful tenderer, contract length and the total contract price.

Further, Council's Procurement Policy requires 'that Council will not disclose information about procurements below the statutory thresholds, however, to ensure compliance with Council's Procurement Policy, it will be noted in this report that a contract awarded below the statutory threshold has been entered into following a public tender.

The following contracts were awarded during the period 22 September to 26 October 2018 under the CEO's financial delegation of \$250,000 (inclusive of GST) following a public tender.

1. Nil

#### **Contracts awarded after a public tender process under the Statutory threshold by Staff other than the CEO**

The CEO has, within his Instrument of sub-delegation by the CEO to Staff delegated the power to enter into contracts (inclusive of GST), to specific staff as outlined within Council's Procurement Manual.

Further, Council's Procurement Policy requires 'that Council will not disclose information about procurements below the statutory thresholds, however, to ensure compliance with Council's Procurement Policy, it will be noted in this report that a contract awarded below the statutory threshold has been entered into following a public tender.

1. Nil

#### **Contract variations approved by the CEO**

Council's Procurement Policy authorises the CEO to approve any necessary variations to a contract which exceeds the CEO's delegation, to allow the proper fulfilment of the contract and to ensure delays to key projects are avoided, following consultation with the Mayor and subject to this variation being reported to the next practicable Council Meeting.

The following variations to a contract which exceeds the CEO's delegation, approved by the CEO during the period 22 September to 26 October 2018:

1. Nil

### **Contract extensions approved by the CEO**

Council's Procurement Policy authorises the CEO to enter into any contract extensions subject to the satisfactory performance of the contractor and the extension being reported to Council for any contracts which in total exceeds the CEO's delegation.

The following contract extensions approved by the CEO during the period 22 September to 26 October 2018:

1. Nil

### **STAFF DISCLOSURE**

Nil

### **REFERENCE DOCUMENTS**

#### **Council Policy**

*Documents are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*

Local Law No. 3 2010, Processes of Municipal Government (Meeting Procedures and Common Seal)

Procurement Policy (C32) (28 June 2017)

Instrument of Delegation to the Chief Executive Officer, 22 February 2017

#### **Legislative Provisions**

Local Government Act 1989, ss.5 and 186

## **9. COUNCILLOR REPORTS**

### **9.1. REQUESTS FOR LEAVE OF ABSENCE**

### **9.2. COUNCILLOR UPDATES**

### **9.3. COMMITTEE UPDATES**

## 10. URGENT OR OTHER BUSINESS

There are two basic parts to this section of the Agenda:

### 1. Urgent Business

Normally no motion should be debated by Councillors unless the matter is already included as an item on the Agenda. However, in some circumstances it is possible to raise urgent motions.

The Meeting Procedure Local Law No. 3 (Clause 46) allows for where a situation has not been provided for under the Local Law, the Council may determine the matter by resolution. Established practice has provided for urgent motions to be raised at Council provided the matter cannot be dealt with at the next Ordinary Meeting of Council or by Officers under delegation.

It is necessary for the Councillor wishing to raise a matter of urgent business to raise a motion similar to the following:

'That consideration of (the issue) be dealt with as a matter of urgent business and Councillor....be allowed a 'short period' to indicate the reason(s) why the matter should be considered as a matter of urgent business.' If the Chairperson accepts the motion as meeting the urgent business criteria, normal meeting procedures in Local Law No. 3 will apply.

If the motion to accept the item as a matter of urgent business is passed by Council, the motion relating to the specific issue can then be put and debated in the normal way.

### 2. Other Business

This provides an opportunity for Councillors to raise items of general interest to the Council and the community. It may relate to an up and coming event or the outcomes of a recent meeting with a Minister etc.

## **11. PUBLIC QUESTIONS**

### **11.1. PETITIONS AND JOINT LETTERS**

Petitions and Joint letters are written requests that have been signed by a number of community members. According to the Local Law No.3 2010 petitions may be presented to Council by a Councillor. A petition presented to the Council must lay on the table until the next Ordinary Meeting of Council and no motion, other than to receive the petition, may be accepted by the Chair unless the Council agrees to deal with it earlier.

The lead petitioner or person organising the petition may in presenting the petition to a Councillor at a Public Presentation session speak briefly to its contents. At the following Ordinary Meeting of Council, a Councillor would accept the petition and introduce it to Council for formal noting and actioning by Council.

The Councillor presenting the petition is responsible for ensuring that they are familiar with the contents and purpose of the petition and that it is not derogatory or defamatory.

## **11.2. ANSWERS TO PREVIOUS QUESTIONS ON NOTICE**

All community member questions for Ordinary Council Meetings are to be written and submitted to the Council Business Team by close of business on the Friday preceding the meeting to allow time for a response to be prepared, where possible, for the Council Meeting.

Public Question Time in Ordinary Council Meetings is to be used for matters that are generally political in nature or that cannot be addressed by other means. This session should not be used for questions on routine works or operational matters, planning (application) matters or for repeating previously answered questions.

Source: Public Participation in Meetings with Council Policy (C65) – adopted 23 May 2017.

**Nil**

### 11.3. SUBMITTED PUBLIC QUESTIONS

All community member questions for Ordinary Council Meetings are to be written and submitted to the Council Business Team by close of business on the Friday preceding the meeting to allow time for a response to be prepared, where possible, for the Council Meeting.

Public Question Time in Ordinary Council Meetings is to be used for matters that are generally political in nature or that cannot be addressed by other means. This session should not be used for questions on routine works or operational matters, planning (application) matters or for repeating previously answered questions.

*Source: Public Participation in Meetings with Council Policy (C65) – adopted 23 May 2017.*

## **12. CLOSED SESSION**

### **Consideration of confidential matters under the Local Government Act 1989, section 89(2).**

According to section 89 of the Local Government Act 1989, Council may consider items in closed session. There must be a resolution to move 'In-Committee' stating the reasons why the matter(s) need to be considered in this way. The reasons provided for within the Act are matters concerning personnel, personal hardship, industrial issues, contracts, proposed developments, legal advice or any other matter that Council considers would be prejudicial, to it or any other person.

Once 'In-Committee' discussions and debate have concluded, a further resolution to resume open Council is required.

### **RECOMMENDATION**

**That Council close the meeting to the public to allow for consideration of:**

- 1. Closed ITEM 14.1 a matter which the Council considers would prejudice the Council, pursuant to section 89(2)(h) of the Local Government Act 1989; and**
- 2. Closed ITEM 14.2 CONTRACTUAL MATTER pursuant to section 89(2)(d) a contractual matter of the Local Government Act 1989.**
- 3. Closed ITEM 14.3 PERSONNEL MATTER pursuant to section 89(2)(a) a personnel matter of the Local Government Act 1989.**



## **13. MEETING CLOSED**

### **NEXT MEETING**

The next Ordinary Meeting of Council open to the public will be held on Wednesday, 19 December 2018 commencing at 2pm in the Council Chambers, Leongatha.