

SOUTH GIPPSLAND SHIRE COUNCIL

# Council Minutes

Ordinary Meeting of Council  
27 February 2019

**Ordinary Meeting No. 431**  
**Council Chambers, Leongatha**  
**Commenced at 2pm**



# minutes



*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.***

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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).

## PRESENT

COUNCILLORS:

Cr Don Hill, Mayor  
 Cr Alyson Skinner, Deputy Mayor  
 Cr Lorraine Brunt  
 Cr Aaron Brown  
 Cr Ray Argento  
 Cr Rosemary Cousin  
 Cr Andrew McEwen  
 Cr Jeremy Rich  
 Cr James Fawcett

COUNCILLORS  
 NOT PRESENT:

-

OFFICERS:

Tim Tamlin, Chief Executive Officer  
 Faith Page, Director Corporate and Community Services  
 Anthony Seabrook, Director Infrastructure Services  
 Bryan Sword, Director Development Services  
 Rick Rutjens, Manager Executive Support and Community Information  
 June Ernst, Coordinator Council Business  
 Natasha Berry, Corporate and Council Business Officer  
 Jodi Cumming, Corporate and Council Business Officer

## **SOUTH GIPPSLAND SHIRE COUNCIL**

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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**

**Nil**

## **1.6. CONFIRMATION OF MINUTES**

### **RECOMMENDATION**

That the Minutes of the South Gippsland Shire Council Ordinary Meeting No. 430, held on 19 December 2018 in the Council Chambers, Leongatha be confirmed.

**MOVED:** Cr Skinner

**SECONDED:** Cr Brunt

**THAT THE MINUTES OF THE SOUTH GIPPSLAND SHIRE COUNCIL ORDINARY MEETING NO. 430, HELD ON 19 DECEMBER 2018 IN THE COUNCIL CHAMBERS, LEONGATHA BE CONFIRMED.**

**CARRIED UNANIMOUSLY**

### 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*.

**Councillor Rich declared a direct conflict of interest in Agenda Item 4.1. WALKERVILLE RETARDING BASIN - CAPACITY MAINTENANCE as he is a Director of Ansevata Nominees Pty Ltd who are a party to the matter before Council.**



### **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*.

**Tim Tamlin, Chief Executive Officer has a direct conflict of interest in a closed session Item 14.3 Personnel Matter.**

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

### **2.1. VICTORIAN SMALL BUSINESS ENGAGEMENT GUIDELINES**

Development Services Director

#### **EXECUTIVE SUMMARY**

The 'Victorian Small Business Engagement Guidelines – Working with Small Businesses during Disruptive Infrastructure Projects' (Guidelines) is a document that has been developed by the Victorian Small Business Commission (VSBC) (refer to **Attachment [2.1.1]**). The Guidelines are aimed at encouraging organisations and small businesses to work together during disruptive infrastructure projects.

These Guidelines are designed to minimise the negative impact that infrastructure projects can have on small businesses and will provide a tool for constructive engagement between small businesses and organisations within their area.

The Guidelines are grouped into three key processes:

Impact Assessment

Communication Strategy

Disruption Mitigation Plan

These processes will be used as a guide by Council when implementing key infrastructure projects such as streetscapes, and/or roadwork upgrades.

#### **RECOMMENDATION**

That Council:

1. Endorses the 'Victorian Small Business Engagement Guidelines – Working with Small Businesses during Disruptive Infrastructure Projects' (Attachment [2.1.1]);
2. Uses the Guidelines to guide Council's engagement with businesses for capital works activities; and
3. Writes to the Victorian Small Business Commission to advise Council's endorsement.

**MOVED:** Cr Cousin

**SECONDED:** Cr Skinner

**THAT COUNCIL:**

- 1. ENDORSES THE 'VICTORIAN SMALL BUSINESS ENGAGEMENT GUIDELINES – WORKING WITH SMALL BUSINESSES DURING DISRUPTIVE INFRASTRUCTURE PROJECTS' (ATTACHMENT [2.1.1]);**
- 2. USES THE GUIDELINES TO GUIDE COUNCIL'S ENGAGEMENT WITH BUSINESSES FOR CAPITAL WORKS ACTIVITIES; AND**
- 3. WRITES TO THE VICTORIAN SMALL BUSINESS COMMISSION TO ADVISE COUNCIL'S ENDORSEMENT.**

**CARRIED UNANIMOUSLY**

[Link to Next Agenda Item.](#)

## **REPORT**

The Guidelines were developed by the VSBC in response to the numerous applications for dispute resolution where disruption by infrastructure works impacted on small businesses. Examples of disruptive infrastructure projects include temporary construction works, streetscape reformation, roadworks or utility upgrades.

The Guidelines provide a tool for constructive engagement between small businesses and infrastructure or service organisations.

They are grouped into three key processes which inform each other:

### **1. Impact Assessment**

Ascertains the zone and scale of the impact that the infrastructure project may have on small businesses in the area.

### **2. Communications Strategy**

Ensures that clear and transparent communication occurs between the project managers and the affected small businesses through each stage of the project.

The Communications Strategy will outline:

- The scope of the project;
- Who it will affect and when and;
- How to engage with affected businesses.

### **3. Communications Strategy Disruption Mitigation Plan**

Provides a range of support measures for project managers to mitigate the impact that the project has on affected small businesses.

The Disruption Mitigation Plan is developed from the Impact Assessment Communications Strategy and includes five sections:

1. Practical consideration for the process of construction;  
Marketing support to raise awareness of affected small businesses;  
Education and tools for businesses to assist their operations;  
Discussion of alternative dispute resolution; and  
Quality assurance.

Council is planning significant infrastructure improvements in commercial precincts over the next few years and seeks to minimise disruption to businesses during these activities. The principles outlined in the Guidelines will be used to guide Council's engagement with businesses before, during and after these works are undertaken.

### **CONSULTATION**

Consultation was held with the Economic Development and Tourism Steering Committee on 5 December 2018. A draft of the Council report was sent to Engineering who provided comments on 15 January 2019.

### **RESOURCES**

Implementation of the Guidelines will be done within existing resources.

### **RISKS**

By endorsing these Guidelines, Council will enable small businesses and Council to work together and mitigate potential risks that may occur through local infrastructure projects.

### **STAFF DISCLOSURE**

Nil

### **ATTACHMENTS**

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

1. Victorian Small Business Engagement Guidelines – Working with Small Businesses during Disruptive Infrastructure Projects **[2.1.1]**

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

**Nil**

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

**Councillor Rich left the Council Meeting at 2.05pm with a declared direct conflict of interest in Agenda Item 4.1. WALKERVILLE RETARDING BASIN - CAPACITY MAINTENANCE as he is a Director of Ansevata Nominees Pty Ltd who are a party to the matter before Council.**

##### **4.1. WALKERVILLE RETARDING BASIN - CAPACITY MAINTENANCE**

Infrastructure Directorate

##### **EXECUTIVE SUMMARY**

At its Ordinary Meeting on 25 October 2017, Council resolved to endorse the design and construction of a modified outlet structure for the Walkerville Retarding Basin by raising it by 100mm, thus increasing the capacity of the basin to approximately 14ML. It resolved to fund the works from the 2017/18 Capital Works Program.

At the Ordinary Council Meeting on 28 March 2018, this position was re-affirmed when Council resolved to proceed with the minor works to reinstate the capacity of the Walkerville Retarding Basin.

Upon receipt of advice from both Southern Rural Water (SRW) and Ansevata a revised design has resulted in an increased scope of works. It is considered that these works should now proceed. Approval from Council is sought for an increased budget to cover the proposed works at this site.

##### **RECOMMENDATION**

That Council:

1. Approves the commencement of the upgrade works at the Walkerville Retarding Basin; and
2. Approves a budget allocation of \$100,000 for the upgrade works at the Walkerville Retarding Basin.

**MOVED:** Cr Skinner

**SECONDED:** Cr Argento

**THAT COUNCIL:**

- 1. APPROVES THE COMMENCEMENT OF THE UPGRADE WORKS AT THE WALKERVILLE RETARDING BASIN; AND**
- 2. APPROVES A BUDGET ALLOCATION OF \$100,000 FOR THE UPGRADE WORKS AT THE WALKERVILLE RETARDING BASIN.**

**CARRIED UNANIMOUSLY**

[Link to next Agenda Item.](#)



## REPORT

The Walkerville Retarding Basin was built in 1988. In 1990, the Shire of Woorayl entered into a water taking agreement with Ansevata Nominees Pty Ltd to facilitate a retarding basin for the storm water management of the Prom Views Estate. Under the agreement, Council is obliged to maintain the capacity of the basin. Currently the basin is under capacity.

It is implicit in the water taking agreement that the Walkerville Retarding Basin maintains a capacity of 13.5ML. Based on a survey carried out in 2017, the current capacity is 13.03ML. To increase the capacity to approximately 14ML (to provide some tolerance over the required 13.5ML) a design had been prepared to raise the level of the outlet structure by 100mm.

After this design was provided to Ansevata the company forwarded a report from Australian Dams & Water Consultants Pty Ltd (**Confidential Attachment [15.1.1]**). The report contained a number of suggested changes to the proposed design.

Coincidentally, the Walkerville Retarding Basin was also the subject of an inspection by SRW in August 2017 as part of the 2017/18 Local Government Authority (LGA) Dam Safety Program on behalf of the Department of Environment Land Water and Planning (DELWP). The inspection was carried out in accordance with the 2003 ANCOLD (Australian National Committee on Large Dams<sup>1</sup>) Guidelines on Dam Safety Management. The final report was received from SRW in March 2018. Council subsequently had its design reviewed by dam engineers at GHD Pty Ltd to incorporate any improvements to the design to take account of comments from Australian Dams & Water Consultants and the findings in the SRW final report.

A copy of the final design and associated specification is included in **Attachment [4.1.1]**. This design has been reviewed and costed by Council's Infrastructure Delivery department and it is considered that Council should complete all the works specified by GHD with the exception of the spillway. It is now proposed to install a new outlet structure with a larger outlet pipe with sufficient capacity to cater for normal flows plus the 100 year storm event for which the spillway was designed. The area of 150mm diameter rock spalls in the drain below the outlet structure will be reduced accordingly. It is also proposed to reduce the capping of the crest from the currently specified 150mm thick Class 3 road base material to a 75mm thick layer.

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<sup>1</sup> **ANCOLD** – The Australian National Committee on Large Dams is an Australian-based non-government, non-profit and voluntary association of organisations and individual professionals with a common technical interest in large dams and their environs.

The original preliminary estimate for raising the level of the outlet structure was \$20,000 including design. However, the estimate for the works now detailed by GHD in response to the matters raised by Australian Dams & Water Consultants and the SRW report totals \$190,000. The amendments to the design as detailed above result in a saving of \$90,000 to the \$190,000 estimate. The proposed changes to the GHD design have been discussed with SRW staff and they are generally in agreement with the amendments.

## **CONSULTATION**

Consultation with SRW has been carried out in reviewing the GHD design to investigate realistic options to reduce construction costs. GHD will be requested to modify the existing design drawings following Council's consideration of this report.

Advice will be provided to Ansevata Nominees Pty Ltd on the timing of these works if Council endorses the recommendations in this report.

## **RESOURCES**

There is currently no budget for these works. Design works which total \$13,540 to date have been paid for out of the Civil – Capital Works Design budget. The proposed construction works will need to be funded from the budget bottom line.

## **RISKS**

If Council does not undertake these works to rectify the capacity of the Walkerville Retarding Basin, it will be in breach of the conditions implied in the 1990 Agreement for Taking of Water with Ansevata Nominees Pty Ltd.

In addition, Council needs to remedy the items raised in the SRW report to make the basin compliant with the 2003 ANCOLD Guidelines on Dam Safety Management.

## **STAFF DISCLOSURE**

Nil

## **ATTACHMENTS**

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

1. Drawings - Walkerville Retarding Basin Upgrade Works **[4.1.1]**

## **CONFIDENTIAL ATTACHMENTS**

**Confidential Attachment [15.1.1]** – Letter and Consultants Report – 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)(f) - legal advice.

## **REFERENCE DOCUMENTS**

### **Council Policy**

1990 Agreement for Taking of Water with Ansevata Nominees Pty Ltd

### **Legislative Provisions**

Local Government Act 1989

**Cr Rich returned to the Council Meeting at 2.10pm.**

## 4.2. ENDORSE ROAD NAME CHANGE - MCDONALD STREET EAST, FOSTER

Infrastructure Directorate

### EXECUTIVE SUMMARY

Council is proposing to rename 'McDonald Street East' in Foster to 'Simpson Street' (the Proposal). The location and extents of the road proposed to be renamed is detailed in **Figure 1** of this report.

Geographic Names Victoria - Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2016, provide a strong basis for standardised and unambiguous naming procedures across the state. **Under these rules** - *Principle (K) Cardinal directions (**north, south, east and west**) must be avoided* and *Principle (D) Ensuring names are not duplicated*. Duplicates are considered to be two (or more) names within close proximity, or names that are identical or have similar spelling or pronunciation such as '**McDonald Street**'.

'**McDonald St East**' is considered as a duplication and therefore must be renamed. The proposed name is '**Simpson Street**' and this will become a continuation of Simpson Street from Toora Road to Reservoir Street.

Public safety is paramount and by renaming '**McDonald Street East**' to '**Simpson Street**' and registering the new name 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.

Affected land owners/occupiers were consulted via a survey to gauge the level of support for the proposed name change with the majority in favour.

It is recommended Council considers the survey responses and determines the new road renaming of '**McDonald Street East**' to '**Simpson Street**'.

### RECOMMENDATION

That Council:

1. Considers the results of the survey noting that the majority of surveys returned were in agreeance with the Proposal.
2. Determines the entire road from Toora Road to Reservoir Street – including the section currently known as McDonald Street East, Foster – be recognised as "Simpson Street".
3. Renumbers all affected properties accordingly.

4. Forwards the proposed road name change to Geographic Names Victoria for final consideration and approval.
5. Subject to Geographic Names Victoria's approval of the proposed new name, places a notice in local newspapers and advises abutting land owners, local organisations, and local stakeholders of the new road name.

**MOVED:** Cr Argento

**SECONDED:** Cr Skinner

**THAT COUNCIL:**

1. **CONSIDERS THE RESULTS OF THE SURVEY NOTING THAT THE MAJORITY OF SURVEYS RETURNED WERE IN AGREEANCE WITH THE PROPOSAL.**
2. **DETERMINES THE ENTIRE ROAD FROM TOORA ROAD TO RESERVOIR STREET – INCLUDING THE SECTION CURRENTLY KNOWN AS MCDONALD STREET EAST, FOSTER – BE RECOGNISED AS “SIMPSON STREET”.**
3. **RENUMBERS ALL AFFECTED PROPERTIES ACCORDINGLY.**
4. **FORWARDS THE PROPOSED ROAD NAME CHANGE TO GEOGRAPHIC NAMES VICTORIA FOR FINAL CONSIDERATION AND APPROVAL.**
5. **SUBJECT TO GEOGRAPHIC NAMES VICTORIA'S APPROVAL OF THE PROPOSED NEW NAME, PLACES A NOTICE IN LOCAL NEWSPAPERS AND ADVISES ABUTTING LAND OWNERS, LOCAL ORGANISATIONS, AND LOCAL STAKEHOLDERS OF THE NEW ROAD NAME.**

**CARRIED UNANIMOUSLY**

[Link to next Agenda Item.](#)

## REPORT

### Background

Council is proposing to rename 'McDonald Street East' to 'Simpson Street', Foster. Council has received numerous complaints from the public not being able to find houses along McDonald Street East as there are confusion between 'McDonald Street' and 'McDonald Street East'.

Geographic Names Victoria - Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2016, provide a strong basis for standardised and unambiguous naming procedures across the state. Under these rules - *Principle (K) Cardinal directions (**north, south, east and west**) must be avoided & Principle (D) Ensuring names are not duplicated* - Duplicates are considered to be two (or more) names within close proximity, or names that are identical or have similar spelling or pronunciation such as '**McDonald Street**'.

'**McDonald St East**' is considered a duplication and therefore must be renamed. The proposed name is '**Simpson Street**', this will become a continuation of Simpson Street from Toora Road to Reservoir Street.

Public safety is paramount and by renaming McDonald Street East to Simpson Street and registering the new name 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.

Affected land owners/occupiers were consulted via a survey to gauge the level of support for the proposed name change with the majority in favour of changing the road name to 'Simpson Street'.

The location and extent of the road proposed to be renamed is detailed in **Figure 1** and **Figure 2** located at the end of this report.

### 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 for places in Victoria – Statutory Requirements for Naming Roads, Features and Localities – 2016*.

## First Round Consultation – Immediate / Wider Community (Survey) – Closed 30 November 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** below and copies of the survey results are available in **Attachment [4.2.1]**.

**Table 1 - Survey Results (Attachment [4.2.1])**

ANALYSING THE SURVEY RESULTS	RESPONSE
Population in immediate community	9
Respondents who objected	0
Respondents who expressed consent	4
Non-responses (tacit consent)	5
<b>Total community that consents</b>	<b>9 [100%]</b>
<i>This proposal can be considered to have community consent</i>	

## Internet and Public Notice – Building Awareness – closed 11 January 2019

A public notice was placed in the local newspapers on 11 December 2018 and a notice also placed on Council's website under naming roads, places and features – current projects (**Attachment [4.2.2]**).

Members of the public were asked to provide feedback on the Proposal.

On conclusion of the public notice process, no submissions have been received to the notice.

This proposal conforms to the principals and requirements of the [Naming rules for Places in Victoria, Statutory Requirements for Naming Roads, Features and Localities 2016](#).

## RESOURCES

The only future cost to Council will be for the erection of two new signs at approximately \$150 each, and this can be 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 this section 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] - Foster - 27 February 2019 **[4.2.1]**
2. Public Notice - Building Awareness - Road Name Change McDonald St East - Foster - 11 January 2019 **[4.2.2]**

## **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 - Statutory Requirements for Naming Roads, Features and Localities - 2016

Road Management Act 2004



Figure 1 – Locality Map

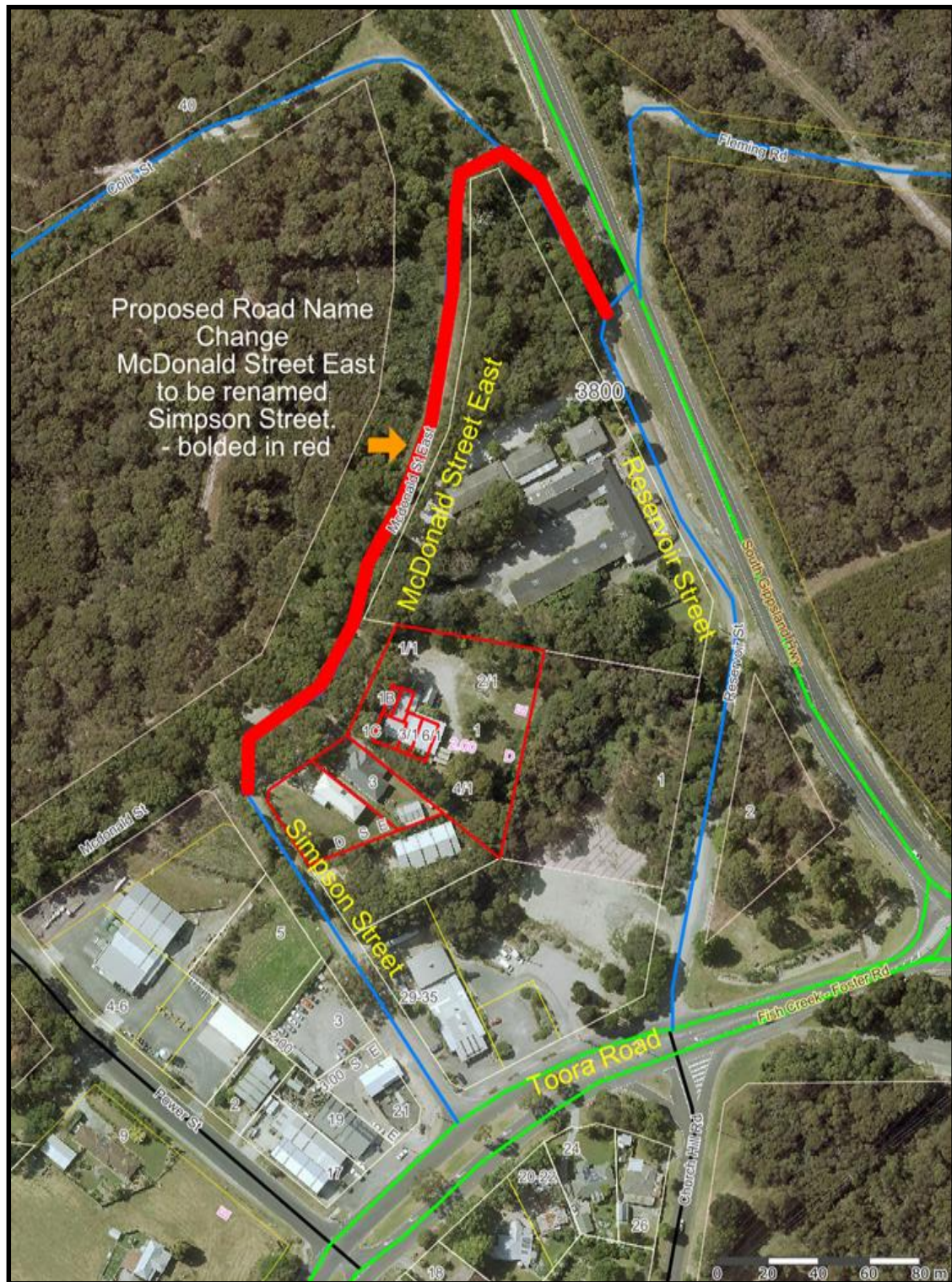
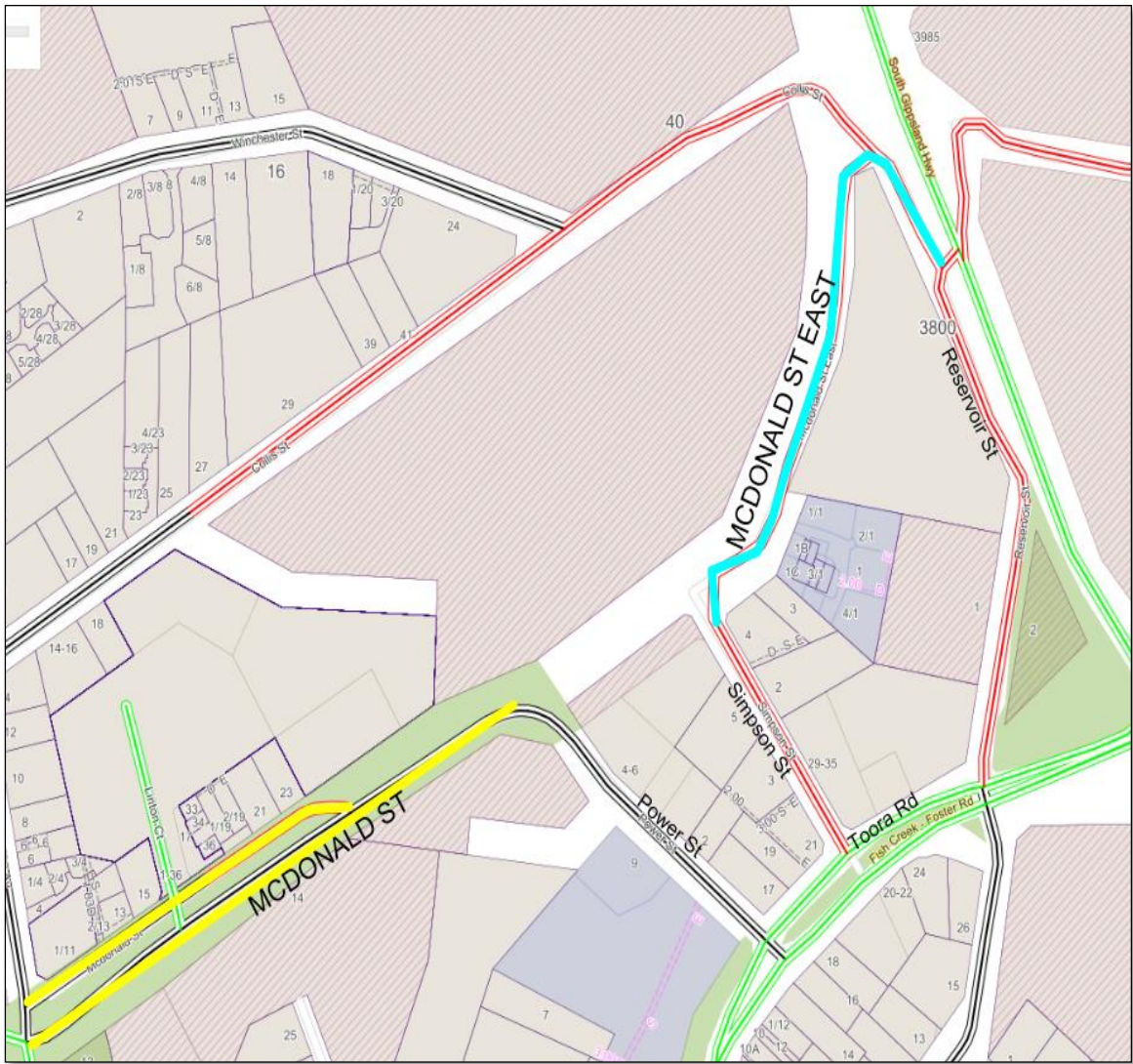




Figure 2 – Locality Map



#### **4.3. ENDORSE NEW ROAD NAME - UNNAMED ROAD OFF MAIN STREET, STONY CREEK**

Infrastructure Directorate

##### **EXECUTIVE SUMMARY**

Council is proposing to name an unnamed road off Main Street, Stony Creek. The Leongatha and District Historical Society has proposed two names – **"Crole"** or **"Slade"**.

This naming will provide a unique name and rural road numbering for this section of road. Public safety is paramount. Roads need to be officially named and registered with the Office of Geographic Names to ensure emergency services can locate them.

The location and extents of the road proposed to be named is detailed in **Figure 1** of this report.

Affected land owners were consulted via a voting poll to gauge the level of support for the proposed names with the majority in favour of "Slade".

It is recommended Council considers the Voting Poll responses and determines the new road name as outlined in the recommendation.

##### **RECOMMENDATION**

That Council:

1. Considers the results of the voting poll noting that 100 per cent of votes returned were in favour of 'Slade'.
2. Determines the unnamed road traversing in a north-east direction for approximately 170 metres off Main Street, Stony Creek be named as 'Slade Street' and renumbers all affected properties accordingly.
3. Forward the proposed new road name to Geographic Names Victoria for final consideration and approval.
4. Subject to Geographic Names Victoria's approval of the proposed new name, places a notice in local newspapers and advises abutting land owners, local organisations, and local stakeholders of the new road name.

**Councillor McEwen moved a Motion different from the Recommendation.**

**MOVED:** Cr McEwen

**SECONDED:** Cr Argento

**THAT COUNCIL:**

- 1. CONSIDERS THE RESULTS OF THE VOTING POLL NOTING THAT 100 PER CENT OF VOTES RETURNED WERE IN FAVOUR OF 'SLADE'.**
- 2. DETERMINES THE UNNAMED ROAD TRAVERSING IN A NORTH-EAST DIRECTION FOR APPROXIMATELY 170 METRES OFF MAIN STREET, STONY CREEK BE NAMED AS 'SLADE COURT' AND RENUMBERS ALL AFFECTED PROPERTIES ACCORDINGLY.**
- 3. FORWARD THE PROPOSED NEW ROAD NAME TO GEOGRAPHIC NAMES VICTORIA FOR FINAL CONSIDERATION AND APPROVAL.**
- 4. SUBJECT TO GEOGRAPHIC NAMES VICTORIA'S APPROVAL OF THE PROPOSED NEW NAME, PLACES A NOTICE IN LOCAL NEWSPAPERS AND ADVISES ABUTTING LAND OWNERS, LOCAL ORGANISATIONS, AND LOCAL STAKEHOLDERS OF THE NEW ROAD NAME.**

**CARRIED UNANIMOUSLY**

[Link to next Agenda Item.](#)


## REPORT

### Background

Council has received a request from property owners in the township of Stony Creek to name an unnamed road off Main Street, Stony Creek. Council has contacted the Leongatha and District Historical Society requesting proposed names for this unnamed road. The two names put forward by the Leongatha and District Historical Society have a history associated with the road and area.

1. **Vernon Crole** – Vernon Jack Crole was associated with Stony Creek. He service in the First World War (WWI) and was killed in action on 20 September 1917.
2. **Ethel Slade** – Ethel Slade was the first teacher at the school in Stony Creek.

This naming will provide a unique name and rural road numbering for this section of road. Public safety is paramount. Roads need to be officially named and registered with the Office of Geographic Names to ensure emergency services can locate them.

This unnamed road traverses in a north-east direction for approximately 170 metres (shown as  in **Figure 1**, below).

**Figure 1 – Locality Map****VICNAMES Compliance Check**

Compliance with the Naming Rules for Places in Victoria - Roads, Features, and Places 2016 a VICNAMES 15km duplicate<sup>2</sup> or similar sounding/spelling name search was carried out on the suggested names – refer to **Table 1** below:

This proposal complies with the [Naming Rules for Places in Victoria, Statutory Requirements for Naming Roads, Features and Localities 2016](#).

**Table 1 - VICNAMES 15 km Compliance Check**

PROPOSED ROAD NAMES	ROAD TYPE	ORIGIN OF ROAD NAME
<b>SLADE</b>	STREET	Ethel Slade was the first teacher at the school in Stony Creek.
<b>CROLE</b>	STREET	Vernon Jack Crole was associated with Stony Creek. He was in action in WWI on 20 September 1917.

<sup>2</sup> **Duplicates** are considered to be two (or more) names within close proximity, or names that are identical or have similar spelling or pronunciation.



VICNAMES COMPLIANCE CHECK	CONFORMS	VICNAMES 15km duplicate <sup>1</sup> or similar sounding/spelling name search was carried out on the suggested names
<b>SLADE</b>	✓	No duplications or similar sounding names where found for the proposed name
<b>CROLE</b>	✓	No duplications or similar sounding names where found for the proposed name

## 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 for Places in Victoria – Statutory Requirements for Naming Roads, Features and Localities 2016*.

### **First Round Consultation – Immediate / Wider Community (Voting Poll) – Closed 17 December 2018**

Affected land owners were consulted via a voting poll to choose between the two names proposed.

Voting polls 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 if they will be affected by an address change arising from the successful outcome of a proposal.

Council sent out a voting poll to four abutting land owners of this unnamed road to gain an indication of community support for one of the 2 names proposed.

All votes returned to Council have been counted and 100 per cent of votes returned have indicated 'Slade' as the preferred road name. This will become the official road name of the unnamed road, subject to South Gippsland Shire Council's approval and Geographic Names Victoria approval.

The outcome of the consultation is noted in **Table 2** below.

The voting poll results are available in **Attachment [4.3.1] – Submissions - Round 1 Consultation – Voting Poll Results**

**Table 2 – Voting Poll Results**

	Sent out	Returned	In favour	Object
Abutting land owners	4	4	4	0
Proposed Names	In Favour		Majority Votes	
SLADE	4		✓	
CROLE	0		X	

**Internet and Public Notice – Building awareness – closed 5 January 2019**

A public notice was placed in the local newspapers, on Council's Facebook page and on Council's website under naming roads, places and features – current projects in November 2018.

Members of the public were asked to provide feedback on the Proposal and Council called for consent from the family or requests family contact details from the community seeking permission to use the proposed names.

On Conclusion of the public notice process no submissions or family contact information has been received to the notice.

The Public Notice is available in **Attachment [4.3.2]** – Public Notice –Council Noticeboard – Proposed new road name – Stony Creek.

This proposal conforms to the principals and requirements of the [Naming rules for places in Victoria, Statutory requirements for naming roads, features and localities –2016.](#)

**RESOURCES**

The only future cost to Council will be for the erection of a new sign at a cost of approximately \$150, and this can be 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.

Naming this section 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.



## **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 – Voting Poll Results [redacted] - Stony Creek **[4.3.1]**
2. Public Notice – Council Noticeboard – Proposed New Road Name – Stony Creek **[4.3.2]**

## **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 - Statutory Requirements for Naming Roads, Features and Localities - 2016

Road Management Act 2004

**4.4. GRANT APPLICATION - PORT WELSHPOOL LONG JETTY ENHANCEMENT PROJECT - CAR PARK & TOILET (RECREATIONAL FISHING GRANTS PROGRAM)**

Infrastructure Directorate

**EXECUTIVE SUMMARY**

An application was submitted to the Victorian Fisheries Authority *Recreational Fishing Grants Program (Large Grants)* for the proposed Port Welshpool Long Jetty Enhancement Project – Stage One.

Every year the Victorian Government, through the Recreational Fishing Licence Trust Account, disburses revenue derived from the sale of Recreational Fishing Licences to projects that will improve recreational fishing in Victoria.

**RECOMMENDATION**

That Council:

1. Endorses the application for \$100,000 to the Victorian Fisheries Authority Recreational Fishing Grants Program (Large Grants) for the proposed Port Welshpool Long Jetty Enhancement Project.
2. Allocates an additional \$150,000 from the 2019/20 Capital Works Budget, taking the total Council contribution for the Port Welshpool Long Jetty Enhancement Project to \$150,000 should the application to the Victorian Fisheries Authority Recreational Fishing Grants Program (Large Grants) be approved.
3. Allocates annual funding and resources from 2019/20 onwards totalling \$10,537 for the ongoing maintenance and daily cleaning of the public amenities should the application to the Victorian Fisheries Authority Recreational Fishing Grants Program (Large Grants) be approved.

**MOVED:** Cr Argento

**SECONDED:** Cr Skinner

**THAT COUNCIL:**

- 1. ENDORSES THE APPLICATION FOR \$100,000 TO THE VICTORIAN FISHERIES AUTHORITY RECREATIONAL FISHING GRANTS PROGRAM (LARGE GRANTS) FOR THE PROPOSED PORT WELSHPOOL LONG JETTY ENHANCEMENT PROJECT.**
- 2. ALLOCATES AN ADDITIONAL \$150,000 FROM THE 2019/20 CAPITAL WORKS BUDGET, TAKING THE TOTAL COUNCIL CONTRIBUTION FOR THE PORT WELSHPOOL LONG JETTY ENHANCEMENT PROJECT TO \$150,000 SHOULD THE APPLICATION TO THE VICTORIAN FISHERIES AUTHORITY RECREATIONAL FISHING GRANTS PROGRAM (LARGE GRANTS) BE APPROVED.**
- 3. ALLOCATES ANNUAL FUNDING AND RESOURCES FROM 2019/20 ONWARDS TOTALLING \$10,537 FOR THE ONGOING MAINTENANCE AND DAILY CLEANING OF THE PUBLIC AMENITIES SHOULD THE APPLICATION TO THE VICTORIAN FISHERIES AUTHORITY RECREATIONAL FISHING GRANTS PROGRAM (LARGE GRANTS) BE APPROVED.**

**CARRIED UNANIMOUSLY**

[Link to next Agenda Item.](#)

## **REPORT**

### **Recreational Fishing Grants Program**

Every year the Victorian Government, through the Recreational Fishing Licence Trust Account, disburses revenue derived from the sale of Recreational Fishing Licences to projects that will improve recreational fishing in Victoria.

Since its inception in 2001, the Recreational Fishing Grants Program (RFGP) has funded over 600 projects worth more than \$21M throughout Victoria. The RFGP comprises three separate programs including:

- Small Grants Program that is continually open to fund small projects up to \$5,000 - GST exclusive;
- Large Grants Program for projects from \$5,001 to \$100,000 - GST exclusive; and
- Commissioning Program for large priority projects generally in excess of \$100,000.

### **Large Grants Program**

This program provides funding for projects in the following categories:

- Recreational Fishing Access and Facilities
- Recreational Fisheries' Sustainability and Habitat Improvement
- Recreational Fisheries – Related Education, Information, and Training
- Recreational Fisheries Research

Preference will be given to projects that leverage off other projects, and/or when some financial co-funding or in-kind contribution can be made by the project proponent(s) to the funds being sought.

The 2018/19 round of the Large Grants Program opened on 1 October 2018 and closes on 28 February 2019.

### **Port Welshpool Long Jetty Enhancement Project**

The rehabilitation of the Port Welshpool Long Jetty was a key priority project for Council. The rehabilitation project was funded jointly by the Commonwealth Government, the State Government and Council. Once complete, the project is expected to significantly enhance regional economic growth through the increased tourism and employment opportunities. For this

reason, it is the largest tourism infrastructure project to ever be undertaken in the Shire.

The Port Welshpool Long Jetty rehabilitation is nearing completion with interpretative signage and connecting paths the main components remaining. It is expected that all funds will be fully expended once these works have been finished.

Although an official opening will occur at the completion of the project, a 'soft' opening of the jetty took place prior to Christmas to allow the public and recreational fishers to take advantage of the nearly-completed jetty. The response and interest in the jetty has been overwhelming. As a result, opportunities for enhancement have been identified. The requirement for sealed car parking and accessible toilets is evident in supporting the objective of the project, which included providing all-abilities access.

The Port Welshpool Long Jetty Enhancement Project will include the formalisation and sealing of a carpark along with a two-unit accessible unisex public amenity. The concept design is complete is available in **Attachment [4.4.1]**.

### **CONSULTATION**

Extensive consultation has occurred with the relevant internal and external key stakeholders during the development of the Port Welshpool Long Jetty Rehabilitation project. The project was previously adopted as a 2016 Priority Project at the Ordinary Meeting of Council 24 February 2016 and fully funded mid-2016.

The proposed enhancement has been further discussed with Gippsland Ports and the Victorian Fisheries Authority.

### **RESOURCES**

The Port Welshpool Long Jetty Enhancement project – Stage One total cost is estimated at \$250,000.

Council will be required to allocate \$150,000 through the 2019/20 Capital Works Program, should the application be approved.

<b>Estimated Total Cost:</b>	<b>\$250,000</b>
Recreational Fishing Grants Program	\$100,000
Council Contribution (2019/20 Capital Works Program)	\$150,000

Council would also be required to allocate adequate funds for the maintenance and daily cleaning of the public amenities annually as well as

staff resources in future budgets. This has been costed at a total of \$10,537 per annum and broken down as follows:

<b>Estimated Total Maintenance and Cleaning Costs:</b>	<b>\$10,537</b>
260 hours per year	\$8,728
15 per cent on-cost	\$1,309
Materials	\$500

## **RISKS**

If Council does not formally support this application for the project, it will miss an opportunity to obtain external funding for the Port Welshpool Long Jetty Enhancement project and may be required to fully fund the project if other funding opportunities are not secured.

## **STAFF DISCLOSURE**

Nil

## **ATTACHMENTS**

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

1. Port Welshpool Long Jetty Enhancement Project – Stage One – Concept Design **[4.4.1]**

## **REFERENCE DOCUMENTS**

### **Legislative Provisions**

Local Government Act 1989

#### **4.5. GRANT APPLICATION - REPLACEMENT OF STANDFIELDS BRIDGE, POOWONG NORTH (BRIDGES RENEWAL PROGRAM)**

Infrastructure Directorate

##### **EXECUTIVE SUMMARY**

The Commonwealth Government's *Bridges Renewal Program* provides funding to upgrade and replace bridges to enhance access for local communities and facilitate higher productivity vehicle access.

Baw Baw Shire Council (BBSC) submitted an application to the *Bridges Renewal Program* on 5 February 2019 for the replacement of the Standfields Road Bridge. The bridge borders both Baw Baw and South Gippsland Shires therefore this is a joint project between both councils.

##### **RECOMMENDATION**

That Council:

1. Supports Baw Baw Shire Council's application to the Commonwealth Government's Bridges Renewal Program Fund for the replacement of the Standfields Road Bridge;
2. Allocates \$130,000 from the extra funding received from Roads to Recovery funding in the 2019/20 Annual Budget to Standfields Road Bridge should the application to the Bridges Renewal Program be approved;
3. Notes that Baw Baw Shire Council will manage the project in consultation with South Gippsland Shire Council; and
4. Provides staff resources within the funding allocated in the total project cost in supporting Baw Baw Shire Council with the management of the project if approved through the Bridges Renewal Program.

**MOVED:** Cr Brunt

**SECONDED:** Cr McEwen

**THAT COUNCIL:**

- 1. SUPPORTS BAW BAW SHIRE COUNCIL'S APPLICATION TO THE COMMONWEALTH GOVERNMENT'S BRIDGES RENEWAL PROGRAM FUND FOR THE REPLACEMENT OF THE STANDFIELDS ROAD BRIDGE;**
- 2. ALLOCATES \$130,000 FROM THE EXTRA FUNDING RECEIVED FROM ROADS TO RECOVERY FUNDING IN THE 2019/20 ANNUAL BUDGET TO STANDFIELDS ROAD BRIDGE SHOULD THE APPLICATION TO THE BRIDGES RENEWAL PROGRAM BE APPROVED;**
- 3. NOTES THAT BAW BAW SHIRE COUNCIL WILL MANAGE THE PROJECT IN CONSULTATION WITH SOUTH GIPPSLAND SHIRE COUNCIL; AND**
- 4. PROVIDES STAFF RESOURCES WITHIN THE FUNDING ALLOCATED IN THE TOTAL PROJECT COST IN SUPPORTING BAW BAW SHIRE COUNCIL WITH THE MANAGEMENT OF THE PROJECT IF APPROVED THROUGH THE BRIDGES RENEWAL PROGRAM.**

**CARRIED UNANIMOUSLY**

[Link to next Agenda Item.](#)



## **REPORT**

### **Bridges Renewal Program**

On 7 January 2019, the Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development, the Hon Michael McCormack MP, announced that Round Four of the *Bridges Renewal Program* was open for proposals from 7 January 2019 to 5 February 2019.

Round Four is only open to local governments which are eligible to apply for funding for up to two timber bridges that will enhance access for local communities or facilitate higher productivity vehicle access.

The Commonwealth Government will contribute up to 50 per cent of the total project cost of successful projects, up to a maximum of \$700,000 for one bridge or \$1.4M for two bridges, in the same local government area. Proponents are encouraged to consult with industry and the community on their proposed projects to ensure industry priorities and community views are considered in the development of proposals.

### **Standfields Road Bridge Replacement Project**

Standfields Road Bridge is a timber structure that crosses over the Lang Lang River that borders South Gippsland and Baw Baw Shires. The bridge is identified in a Boundary Road Agreement executed by both councils in April 2015. The agreement identifies each council's operational responsibility for those parts of the road that lie within its municipal district. These include roads that start in one municipality and end in the other municipality and/or where the municipal boundary runs down the centre of the road or is immediately adjacent. Bridges that traverse watercourses that delineate the municipal boundary are also included.

The Boundary Road Agreement identifies that whilst maintenance of the road management function responsibility for the Standfields Road Bridge sits with BBSC, the bridge is jointly owned by South Gippsland Shire Council (SGSC) and BBSC with capital improvement/replacement being a shared responsibility – subject to negotiation.

A reduced load limit for the bridge was applied in 2014 by BBSC. A recent bridge inspection supports the proposal to replace the timber bridge with a concrete structure that would remove the load limit and improve the longevity of the asset.

## CONSULTATION

BBSC approached SGSC in January 2019 with the potential funding opportunity for the replacement of the Standfields Road Bridge noting that the project was eligible and met the objectives of the *Bridges Renewal Program*.

Previous correspondence has been formally received from BBSC in relation to the standard of the bridge and the requirement in load limit reduction.

## RESOURCES

BBSC has provided a total cost estimate for the replacement of the Standfields Road Bridge at \$520,000.

Funding of up to 50 per cent is available through the *Bridges Renewal Program*. Due to shared responsibility arrangements for the replacement of the bridge, both BBSC and SGSC will be required to contribute \$130,000 each to the project if the application is approved.

Council's contribution of \$130,000 is available from the extra Roads to Recovery funding of \$235,716 in the 2019/20 Annual Budget.

<b>Estimated Total Cost:</b>	<b>\$520,000</b>
Bridges Renewal Program	\$260,000
Baw Baw Shire Council contribution	\$130,000
South Gippsland Shire Council contribution	\$130,000

## RISKS

If Council does not formally support the BBSC's application for the project, it will miss an opportunity to obtain external funding for the replacement of the Standfields Road Bridge and may be required to partially fund the project in the future if other funding opportunities are not secured.

## STAFF DISCLOSURE

Nil

## REFERENCE DOCUMENTS

### Legislative Provisions

Local Government Act 1989

**4.6. GRANT APPLICATION - LEONGATHA BUSINESS PRECINCT  
REDEVELOPMENT PROJECT (BAIR STREET) - TIMMS ROAD BRIDGE  
REPLACEMENT (FIXING COUNTRY ROADS PROGRAM - ROUND 2)**

Infrastructure Directorate

**EXECUTIVE SUMMARY**

The Fixing Country Roads Program is the Victorian Government's commitment to regional Victorians to improve the condition of their local roads. Under this program, \$100M has been provided for grants to rural and regional councils to undertake local road projects beyond regular road maintenance.

Two projects have been identified as eligible under Round 2 of the program and it is recommended that applications be submitted. These projects are the Leongatha Business Precinct (Bair Street) Redevelopment and Timms Road Bridge, Poowong North upgrade.

**RECOMMENDATION**

That Council:

1. Endorses the application for \$1.5M to the Victorian Government's Fixing Country Roads Program – Round Two for the Leongatha Business Precinct (Bair Street) Redevelopment project.
2. Notes that a \$2.7M application for the Leongatha Business Precinct (Bair Street) Redevelopment project was submitted to the Australian Government's Building Better Regions Fund – Infrastructure Projects Stream – Round 3 on the 15 November 2018 and is currently pending.
3. Notes that there is \$2.7M available in the 15 Year Capital Works Program (2019/20) for the Leongatha Business Precinct Redevelopment project to cover Council's contribution of \$1.2M.
4. Endorses the application for up to \$400,000 (or two thirds of the total project cost once estimates have been completed) to the Victorian Government's Fixing Country Roads Program – Round Two for the Timms Road Bridge, Poowong North upgrade project.
5. Notes that there is \$600,000 available in the 15 Year Capital Works Program (2020/21) for the Timms Road Bridge, Poowong North upgrade project to cover Council's contribution of up to \$200,000 (or one third of the total project cost once estimates have been completed).

**MOVED:** Cr Fawcett

**SECONDED:** Cr Brunt

**THAT COUNCIL:**

- 1. ENDORSES THE APPLICATION FOR \$1.5M TO THE VICTORIAN GOVERNMENT'S FIXING COUNTRY ROADS PROGRAM – ROUND TWO FOR THE LEONGATHA BUSINESS PRECINCT (BAIR STREET) REDEVELOPMENT PROJECT.**
- 2. NOTES THAT A \$2.7M APPLICATION FOR THE LEONGATHA BUSINESS PRECINCT (BAIR STREET) REDEVELOPMENT PROJECT WAS SUBMITTED TO THE AUSTRALIAN GOVERNMENT'S BUILDING BETTER REGIONS FUND – INFRASTRUCTURE PROJECTS STREAM – ROUND 3 ON THE 15 NOVEMBER 2018 AND IS CURRENTLY PENDING.**
- 3. NOTES THAT THERE IS \$2.7M AVAILABLE IN THE 15 YEAR CAPITAL WORKS PROGRAM (2019/20) FOR THE LEONGATHA BUSINESS PRECINCT REDEVELOPMENT PROJECT TO COVER COUNCIL'S CONTRIBUTION OF \$1.2M.**
- 4. ENDORSES THE APPLICATION FOR UP TO \$400,000 (OR TWO THIRDS OF THE TOTAL PROJECT COST ONCE ESTIMATES HAVE BEEN COMPLETED) TO THE VICTORIAN GOVERNMENT'S FIXING COUNTRY ROADS PROGRAM – ROUND TWO FOR THE TIMMS ROAD BRIDGE, POOWONG NORTH UPGRADE PROJECT.**
- 5. NOTES THAT THERE IS \$600,000 AVAILABLE IN THE 15 YEAR CAPITAL WORKS PROGRAM (2020/21) FOR THE TIMMS ROAD BRIDGE, POOWONG NORTH UPGRADE PROJECT TO COVER COUNCIL'S CONTRIBUTION OF UP TO \$200,000 (OR ONE THIRD OF THE TOTAL PROJECT COST ONCE ESTIMATES HAVE BEEN COMPLETED).**

**CARRIED UNANIMOUSLY**

**[Link to next Agenda Item.](#)**

## **REPORT**

### **Fixing Country Roads Program – Round Two**

The Fixing Country Roads Program was created to assist councils improve the current state of their local roads to enhance the connectivity, reliability, and efficiency of regional communities through projects such as:

- pavement quality improvements including, pavement rehabilitations, and sealing of gravel roads;
- reconstructing damaged roads, with priority given to strategic transport links or connections to essential community services;
- bridge improvement works including bridge strengthening/replacement on strategic routes;
- capacity upgrades to promote better traffic flow and journey efficiency and reliability including intersection improvements;
- local road intersection improvements; or
- safety upgrades on local roads.

Regional and rural councils can now apply for a share in more than \$70M for safer and more reliable roads as part of Round 2 of this program.

Grants of up to \$1.5M per project will be available to eligible councils to carry out important road rehabilitation and resealing works, road safety improvements, bridge strengthening, and other upgrades. Mandatory funding contribution is required on a 2:1 ratio (State/Council).

Applications for Round 2 close on 18 March 2019, with successful projects to be announced in April. Councils must deliver these projects by 30 June 2020.

### **Leongatha Business Precinct (Bair Street) Redevelopment**

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

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

On the 28 November 2018, Council endorsed an application to the Australian Government's Building Better Regions Fund Infrastructure Projects Stream –

Round 3 requesting \$2.7M towards the \$5.4M project. This application is currently pending.

It is recommended that Council also submit an application for the project to the Fixing Country Roads Program Round 2 for the maximum \$1.5M with Council contributing \$1.2M should both applications to the Building Better Regions Fund and Fixing Country Roads Program be approved.

### **Timms Road Bridge, Poowong North Replacement**

The Timms Road Bridge upgrade proposal is to essentially strengthen and widen the bridge by:

- Removing the existing bridge deck and guard rails.
- Using existing abutments and wing-walls, install new wider (increase width by approximately 800mm) and stronger deck to enable Heavy Mass Limits (HML) and Performance Based Standards (PBS) vehicles (B-double, A-double, etc.) to safely use the bridge into the future.
- Install new beams and concrete deck to match existing road pavement levels.
- Install new barrier railing on the bridge and approach guard rails to comply with AustRoads standards.

The project is identified in the 15 year Capital Works Program.

A concept design and cost estimate are currently being finalised in preparation for an application to the Fixing Country Roads Program – Round 2, however, \$600,000 has been initially estimated for the project.

It is recommended that Council submit an application for the project to the Fixing Country Roads Program – Round 2 with a request of up to \$400,000 based on the grant funding ratio. Council would be required to contribute up to \$200,000 to the project if the application is approved.

### **CONSULTATION**

Discussions with Regional Roads Victoria took place in Traralgon on the 16 January 2019 to discuss the eligibility of these two projects.

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 upgrade of the Timms Road Bridge, Poowong North was identified in the Level 3 Bridge Inspections undertaken on the pre-approved B-double routes across the shire.

## **RESOURCES**

### **Leongatha Business Precinct Redevelopment project**

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

On the 28 November 2018, Council approved an application to the Building Better Regions Fund requesting \$2.7M with Council contributing \$2.7M.

An opportunity now exists to apply for additional funding through the Fixing Country Roads Program – Round 2 for the maximum \$1.5M.

<b>Estimated Total Cost:</b>	<b>\$5.4M</b>
Building Better Regions Fund (Australian Government) – pending	\$2.7M
Fixing Country Roads – Round Two (Victorian Government)	\$1.5M
Council contribution (2019/20 Capital Works Program)	\$1.2M

### **Timms Road, Poowong North Bridge Replacement**

There is \$600,000 currently allocated in the 15 year Capital Works Program (2020/21) for the Timms Road Bridge upgrade project to cover Council's required contribution of \$200,000.

The estimated \$600,000 total project cost will be confirmed once the concept design and more detailed cost estimates have been completed prior to 18 March 2019 when applications close. This may require the grant request (up to \$400,000) and subsequent Council contribution (up to \$200,000) to be amended.

<b>Estimated Total Cost:</b>	<b>\$600,000</b>
Fixing Country Roads – Round 2 (Victorian Government)	\$400,000
Council contribution (2020/21 Capital Works Program)	\$200,000

If both projects are successful, there will be \$1.9M available for other projects.

## **RISKS**

If Council does not formally support the applications for these projects, it will miss an opportunity to obtain external funding for the Leongatha Business Precinct Redevelopment project and the Timms Road Bridge upgrade and may be required to fully fund both projects 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)  
Road Management Plan

### **Legislative Provisions**

Local Government Act 1989



#### **4.7. JOINT GRANT APPLICATION - GIPPSLAND COMMUNITY EMISSIONS PROFILING AND EMISSION REDUCTION ACTION PLAN (SUSTAINABILITY FUND PARTNERSHIPS PROGRAM)**

Infrastructure Directorate

##### **EXECUTIVE SUMMARY**

A joint application by four Gippsland councils (South Gippsland, Baw Baw, East Gippsland, and Wellington) to the Collaborative Council – Sustainability Fund Partnerships (CCSFP) Program – Round 9 was submitted for the proposed Gippsland Community Emissions Profiling and Emission Reduction Action Plan project.

The CCSFP supports councils to collaborate on projects focused on environmental sustainability and improved services.

##### **RECOMMENDATION**

That Council:

1. Endorses a joint application by South Gippsland, Baw Baw, East Gippsland, and Wellington Shire Councils for \$33,000 to the Collaborative Council – Sustainability Fund Partnerships (CCSFP) Program – Round 9 for the proposed Gippsland Community Emissions Profiling and Emission Reduction Action Plan project;
2. Notes that the funding application for the Gippsland Community Emissions Profiling and Emission Reduction Action Plan was submitted prior to the deadline for submissions (1 February 2019);
3. Notes that Wellington Shire Council will manage the project in partnership with South Gippsland, Baw Baw, and East Gippsland Shire Councils;
4. Notes that Council's contribution to the project is \$7,000 which includes \$2,000 from the 2018/19 Annual Budget and \$5,000 in-kind.

**MOVED:** Cr McEwen

**SECONDED:** Cr Rich

**THAT COUNCIL:**

- 1. ENDORSES A JOINT APPLICATION BY SOUTH GIPPSLAND, BAW BAW, EAST GIPPSLAND, AND WELLINGTON SHIRE COUNCILS FOR \$33,000 TO THE COLLABORATIVE COUNCIL – SUSTAINABILITY FUND PARTNERSHIPS (CCSFP) PROGRAM – ROUND 9 FOR THE PROPOSED GIPPSLAND COMMUNITY EMISSIONS PROFILING AND EMISSION REDUCTION ACTION PLAN PROJECT;**
- 2. NOTES THAT THE FUNDING APPLICATION FOR THE GIPPSLAND COMMUNITY EMISSIONS PROFILING AND EMISSION REDUCTION ACTION PLAN WAS SUBMITTED PRIOR TO THE DEADLINE FOR SUBMISSIONS (1 FEBRUARY 2019);**
- 3. NOTES THAT WELLINGTON SHIRE COUNCIL WILL MANAGE THE PROJECT IN PARTNERSHIP WITH SOUTH GIPPSLAND, BAW BAW, AND EAST GIPPSLAND SHIRE COUNCILS;**
- 4. NOTES THAT COUNCIL'S CONTRIBUTION TO THE PROJECT IS \$7,000 WHICH INCLUDES \$2,000 FROM THE 2018/19 ANNUAL BUDGET AND \$5,000 IN-KIND.**

**CARRIED UNANIMOUSLY**

[Link to next Agenda Item.](#)

## **REPORT**

### **Collaborative Council – Sustainability Fund Partnerships (CCSFP) Program – Round 9**

The CCSFP supports councils to collaborate on projects focused on environmental sustainability and improved services.

Through grants, councils can collectively find new ways to:

- Improve procurement or shared service delivery;
- Invest in more socially, economically, environmentally, and financially sustainable technologies;
- Reduce waste; and
- Support innovation in recycling.

The CCSFP supports councils to make informed investment decisions on collaboration. Councils with less experience in collaborative projects have the opportunity to develop mutually beneficial relationships with neighbouring councils. They can also receive assistance in preparing CCSFP funding submissions.

Joint proposals from groups of councils that meet the program criteria will be funded up to \$75,000. This grant is to develop a business case or feasibility study with the group matching a minimum of 50 per cent of the total proposed project amount by in-kind services or financial contribution. Other parties may form part of project consortia, provided two or more councils are involved.

Funding supports business cases or feasibility studies expected to lead to councils investing in project implementation themselves, without additional government support. Proposed business cases or feasibility studies should be fully costed, and include the expected benefits and measurement criteria to support collaboration.

Applications to Round 9 closed on 1 February 2019.

### **Gippsland Community Emissions Profiling and Emission Reduction Action Plan**

South Gippsland Shire Council has worked with Baw Baw, East Gippsland, and Wellington Shire Councils to propose a joint project that aims to create targeted actions and interventions to address and reduce total community greenhouse gas emissions across Gippsland.

At present, Gippsland councils are effective at measuring their corporate emissions, setting emissions reduction targets, implementing actions to

reduce those emissions, and monitoring and evaluating the outcomes of those actions. However, council corporate emissions only account for approximately 1.5 per cent of a typical municipality's emissions. To date, only fragmented work has been undertaken to understand emissions from the broader community.

The project will involve developing community emissions profiles for each of the individual municipalities, as well as for Gippsland as a whole, and use these profiles to understand the key sectors and activities for targeted greenhouse gas emissions reductions. An understanding of the community's emissions profile, as well as the development of science-based targets for emissions reductions, will be combined with an understanding of the ability of participating councils to influence these emissions to create an action plan for Gippsland-wide community emissions reduction.

The key aspects of this project include:

- The development of community emissions profiles for each of the individual municipalities, as well as for Gippsland as a whole.
- Creation of science-based targets for community emissions reduction.
- Work with stakeholders to understand existing strategies for emissions reduction across the region.
- The development of an understanding of councils' ability to influence the key sectors and activities of emissions.
- The creation of an action plan outlining the actions councils should be taking to have the greatest impact in reducing emissions at the lowest cost, as well as highlighting which actions can be taken across municipalities.
- The identification of voluntary practical actions for climate change mitigation for local residents (to overcome the barrier of not knowing where to start).
- Translation of the global, national, and Victorian emissions budget into a local context.

At present, actions undertaken by councils across Gippsland to reduce community emissions are many and varied – from solar bulk-buy schemes to low-interest loans offered to businesses for environmental upgrades. However, these actions are fragmented from council to council, and the potential emissions reductions achievable from these programs is not always clear. More importantly, whether they are the 'best' actions for councils to be

taking – in terms of having the biggest impact on reducing emissions at the lowest cost to council – remains unknown.

This project aims to create a hierarchy of potential council interventions, both in terms of scale of emissions reductions achievable, as well as the cost to council, in order to target council actions. In addition, having a community-wide emissions profile combined with science-based targets for emissions reduction, will enable Gippsland councils to work with the community to inform them of the actions they can take in order to have the greatest impact.

The total project cost is \$61,000 with each of the four councils contributing \$7,000 (\$2,000 cash and \$5,000 in-kind) towards the project.

### **CONSULTATION**

The project idea was envisaged at a Gippsland-wide council sustainability officer meeting on Friday 21 December 2018.

### **RESOURCES**

The project will be led by Wellington Shire Council in partnership with the other three councils. Each council will be contributing a total of \$7,000 towards the project, which is made up of \$2,000 cash and \$5,000 in-kind.

Council's contribution of \$2,000 is available in the 2018/19 Annual Budget.

### **RISKS**

If Council does not support the joint application by the four Gippsland councils, Council will miss an opportunity to obtain external funds to assist with pursuing environmental sustainability and improved services.

### **STAFF DISCLOSURE**

Nil

### **REFERENCE DOCUMENTS**

#### **Council Policy**

Sustainability Strategy 2016-2020

#### **Legislative Provisions**

Local Government Act 1989

#### **4.8. AWARD CONTRACT CON/208 - DESIGN, SUPPLY AND CONSTRUCTION OF SHEDS AT RECYCLING AND WASTE TRANSFER STATIONS**

Infrastructure Directorate

##### **EXECUTIVE SUMMARY**

The Victorian State Government has passed legislation that bans the disposal to landfill of all electronic waste (e-waste) from 1 July 2019.

To assist councils across the state to upgrade waste transfer station infrastructure to divert e-waste from landfill, the State Government has provided grants of up to \$100,000 per eligible waste transfer station.

Of Council's six waste transfer stations, five were assessed as eligible for the full amount of funding per facility (\$100,000), meaning that \$500,000 has been allocated to council to upgrade e-waste storage infrastructure at the Koonwarra, Korumburra, Mirboo North, Foster and Venus Bay waste transfer stations. Upgrades will include the construction of industrial sheds on each site with bunded concrete floors to meet the Australian Standard for the handling, transport and recycling of e-waste.

Council is not required to contribute any funds towards these grant funded e-waste infrastructure upgrade projects.

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/208 Design, Supply and Construction of Sheds at Recycling and Waste Transfer Stations, three tender submissions were received.

The total budget for the project is \$500,000 (ex GST) which is entirely grant funded.

##### **RECOMMENDATION**

That Council:

1. Approves the award of contract CON/208 Design, Supply and Construction of Sheds at Recycling and Waste Transfer Stations (Confidential Attachment [15.2.1]) for version two of the specified designs included in the tender documents for the five specified locations;
2. Publishes on Council's website the name of the successful contractor and lump sum amount within one week of Council's decision to approve the award of contract CON/208 to allow sufficient time for the formal award of the contract;

3. Authorises the Manager Infrastructure Planning to approve variations to the contract up to the total budget for the project (\$500,000 excluding GST); and
4. Authorises the Chief Executive Officer to sign and affix the Common Seal of the Municipality to the contract documents.

**MOVED:** Cr Brunt

**SECONDED:** Cr Rich

**THAT COUNCIL:**

1. **APPROVES THE AWARD OF CONTRACT CON/208 DESIGN, SUPPLY AND CONSTRUCTION OF SHEDS AT RECYCLING AND WASTE TRANSFER STATIONS (CONFIDENTIAL ATTACHMENT [15.2.1]) FOR VERSION TWO OF THE SPECIFIED DESIGNS INCLUDED IN THE TENDER DOCUMENTS FOR THE FIVE SPECIFIED LOCATIONS;**
2. **PUBLISHES ON COUNCIL'S WEBSITE THE NAME OF THE SUCCESSFUL CONTRACTOR AND LUMP SUM AMOUNT WITHIN ONE WEEK OF COUNCIL'S DECISION TO APPROVE THE AWARD OF CONTRACT CON/208 TO ALLOW SUFFICIENT TIME FOR THE FORMAL AWARD OF THE CONTRACT;**
3. **AUTHORISES THE MANAGER INFRASTRUCTURE PLANNING TO APPROVE VARIATIONS TO THE CONTRACT UP TO THE TOTAL BUDGET FOR THE PROJECT (\$500,000 EXCLUDING GST); AND**
4. **AUTHORISES THE CHIEF EXECUTIVE OFFICER TO SIGN AND AFFIX THE COMMON SEAL OF THE MUNICIPALITY TO THE CONTRACT DOCUMENTS.**

**CARRIED UNANIMOUSLY**

[Link to next Agenda Item.](#)

## **REPORT**

In response to Council's Request for Tender RFT/208 Design, Supply and Construction of Sheds at Recycling and Waste Transfer Stations (RFT/208), Council received three tender submissions. One submission was well in excess of the total budget for the project and was not assessed.

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

The tender documents included two alternative shed and concrete versions for each of the five sites. These were designated as Version 1 and Version 2 for each site. Due to budget constraints the recommendation is to award the contract for the construction of Version 2 at each site.

## **CONSULTATION**

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

RFT/208 was advertised on 8 December 2018 and closed on 22 January 2019.

The tenders were assessed in accordance with the criteria specified in the contract documentation by an evaluation panel on 30 January 2019. The evaluation panel consisted of the Acting Director Infrastructure/Manager Infrastructure Planning (Tony Peterson acting Director), Coordinator Sustainability, Supervisor Waste Management and Procurement Officer.

A summary of the tender evaluation has been included in **Confidential Attachment [15.2.1]**.

## **RESOURCES**

The budget for this project is entirely grant funded. The State Government has allocated a total of \$500,000 to Council for the works. No financial contribution from Council is required.



## **RISKS**

If Council does not award the contract it is almost certain that no suitable infrastructure could be in place at the waste transfer stations before the state landfill ban on e-waste commences on 1 July 2019. In this circumstance e-waste would still be collected for recycling but Council would be unable to meet the requirements of the Australian Standard for the handling, transport and recycling of e-waste, meaning that material collected and transported by Council, could be rejected by recyclers.

## **STAFF DISCLOSURE**

Nil

## **CONFIDENTIAL ATTACHMENTS**

**Confidential Attachment [15.2.1]** – Tender Evaluation Summary - RFT/208 Design, Supply and Construction of Sheds at Recycling and Waste Transfer Stations – 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 amount 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)*  
Procurement Policy

### **Legislative Provisions**

Local Government Act 1989

Waste Management Policy (E-waste)

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

### **5.1. REVISED: RISK MANAGEMENT FRAMEWORK AND POLICY 2021**

Corporate and Community Services Directorate

#### **EXECUTIVE SUMMARY**

This report recommends that Council approves a revised Risk Management Framework (**Attachment [5.1.1]**) and C35 Risk Management Policy (**Attachment [5.1.2]**).

#### **RECOMMENDATION**

That Council adopts the revised:

1. Risk Management Framework (Attachment [5.1.1]);
2. C35 Risk Management Policy (Attachment [5.1.2]); and
3. Publishes both documents on Council's website.

**MOVED:** Cr Rich

**SECONDED:** Cr Brunt

#### **THAT COUNCIL ADOPTS THE REVISED:**

1. **RISK MANAGEMENT FRAMEWORK (ATTACHMENT [5.1.1]);**
2. **C35 RISK MANAGEMENT POLICY (ATTACHMENT [5.1.2]); AND**
3. **PUBLISHES BOTH DOCUMENTS ON COUNCIL'S WEBSITE.**

**CARRIED UNANIMOUSLY**

[Link to next Agenda Item.](#)

## **REPORT**

Council last formally reviewed its Risk Management Framework (RMF) and Risk Management Policy (Policy) on 22 March 2017.

Council's current Policy requires the Policy and RMF be reviewed on a biennial basis. The most recent review was conducted in late 2018 by Council's Strategic Risk Committee and Audit Committee, followed by a Council Briefing held on 12 December 2018. Minor changes were made to the two documents.

## **CONSULTATION**

The revised RMF and Policy follow the recommendations set out in AS/NZS ISO 31000: 2009 and have been developed with input and review from the Strategic Risk Committee, Audit Committee and Council.

## **RESOURCES**

The proposed RMF and Policy have been developed by, and will be implemented using, internal Council resources that are funded within current and forward budgets.

## **RISKS**

Council's RMF and Policy enable Council to effectively manage its risks and opportunities by providing clear guidance and processes, in a manner consistent with AS/NZS ISO 31000: 2009.

Both documents enable Council to manage its key strategic and operational risks and support the achievement of Council's objectives.

Failure to effectively review or implement the RMF and Policy may contribute to increased adverse operational and financial impacts. It may also limit Council's ability to harness opportunities, innovate and grow.

## **STAFF DISCLOSURE**

Nil

## **ATTACHMENTS**

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

1. Risk Management Framework - South Gippsland Shire Council - 27 February 2019 **[5.1.1]**
2. C35 - Risk Management Policy - 27 February 2019 **[5.1.2]**

## **REFERENCE DOCUMENTS**

### **Council Policy**

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

Risk Management Policy (C35)

### **Legislative Provisions**

Local Government Act 1989

Local Government (Planning and Reporting) Regulations 2015

Audit Committees – A Guide to Good Practice for Local Government, January 2011

SGSC Audit Committee Charter and Terms of Reference 2015

## **6. OTHER COUNCIL REPORTS**

**6.1. NIL**

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

**7.1. NIL**

## **8. PROCEDURAL REPORTS**

### **8.1. ORGANISATIONAL PERFORMANCE REPORT - OCTOBER TO DECEMBER 2018**

Corporate and Community Services Directorate

#### **EXECUTIVE SUMMARY**

The Organisational Performance Report for the period July to December 2018 (refer to **Attachment [8.1.1]**) provides detailed reporting on Council's performance against the 2018/19 Annual Initiatives, Performance Indicators, Capital Works Program and Department Highlights.

The covering report outlines the key achievements, updates and events that occurred during this reporting period and highlights the progress against the Council Plan 2017-2021 and Annual Initiatives.

This Organisational Performance Report (**Attachment [8.1.1]**) will be presented to Council's Audit Committee on 12 March 2019.

#### **RECOMMENDATION**

That Council:

1. Receives and notes the Organisational Performance Report for the period July 2018 to December 2018 (Attachment [8.1.1]).
2. Publishes the Organisational Performance Report (Attachment [8.1.1]) to Council's website and distributes it to local libraries.
3. Presents the Organisational Performance Report (Attachment [8.1.1]) to Council's Audit Committee on 12 March 2019.

**MOVED:** Cr Fawcett

**SECONDED:** Cr Skinner

#### **THAT COUNCIL:**

1. **RECEIVES AND NOTES THE ORGANISATIONAL PERFORMANCE REPORT FOR THE PERIOD JULY 2018 TO DECEMBER 2018 (ATTACHMENT [8.1.1]).**
2. **PUBLISHES THE ORGANISATIONAL PERFORMANCE REPORT (ATTACHMENT [8.1.1]) TO COUNCIL'S WEBSITE AND DISTRIBUTES IT TO LOCAL LIBRARIES.**
3. **PRESENTS THE ORGANISATIONAL PERFORMANCE REPORT (ATTACHMENT [8.1.1]) TO COUNCIL'S AUDIT COMMITTEE ON 12 MARCH 2019.**

**CARRIED UNANIMOUSLY**

## **REPORT**

### **BACKGROUND**

The 2017-2021 Council Plan adopted in June 2017 and reviewed annually, includes key Strategic Outcomes, Objectives and Strategies. A series of indicators are allocated to the four Strategic Objectives and progress against these indicators is included in the Annual Plan 2018/19 Performance Update. These indicators have been reviewed annually and are also reflected in the 2018/19 Annual Budget.

The 2018/19 Annual Budget (inclusive of the Annual Initiatives) was adopted by Council on 27 June 2018. It sets the indicators and initiatives/activities which are reported in the Organisational Performance Report – July to December 2018 (**Attachment [8.1.1]**).

### **DISCUSSION**

This report provides an overview of the major activities undertaken by Council for the previous six months. Where possible, comparisons of results have been made and reflected throughout the report.

Significant highlights during the period include:

- Ninety-four per cent of the 16 Annual Plan initiatives for 2018/19 are on track or completed by December 2018.
- One-hundred per cent of the ten Council Plan Performance Indicators for 2018/19 are on track or have been completed by December 2018.
- Ninety-five per cent of the 177 Capital Works Program initiatives for 2018/19 are on-track and in progress or have been completed by December 2018.

The Organisational Performance Report highlights the 28 completed Capital Works project as at December 2018. A breakdown for all the Capital Work project costs for each capital and major work will be included in the 2018/19 Annual Report.

### **CONSULTATION**

Each Directorate has contributed to the report. The Organisational Performance Report – July to December 2018 (**Attachment [8.1.1]**) will be presented to Council's Audit Committee on the 12 March 2019.

### **RESOURCES**

The 2018/19 Annual Initiatives and Capital Works Program are funded through the 2018/19 Budget.

## **RISKS**

The Organisational Performance Report – July 2018 to December 2018 (**Attachment [8.1.1]**) mitigates the risk of annual initiatives and capital works activities not being managed, as every Department is required to monitor and report on the progress of their respective responsibilities on a regular basis.

Reporting periodically on Council's performance, through the Organisational Report, provides Council and Community accessible and transparent oversight of the Organisation's major functions. The Community is then able to assess the effectiveness of Council in delivering on the Annual Initiatives that achieve the strategic directions adopted in the 2017-2021 Council Plan.

## **STAFF DISCLOSURE**

Nil

## **ATTACHMENTS**

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

1. Organisational Performance Report – July to December 2018 **[8.1.1]**

## **REFERENCE DOCUMENTS**

### **Council Policy**

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

Revised Council Plan 2017-2021

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

### **Legislative Provisions**

Local Government Act 1989, ss.125, 127 and 223

Local Government Act 1989, Environmental Upgrade Agreement, s.138

Local Government Better Practice Guide – Performance Reporting Framework Indicator Workbook, May 2018



## **8.2. COUNCILLOR EXPENDITURE REPORT - JULY TO DECEMBER 2018**

Corporate and Community Services Directorate

### **EXECUTIVE SUMMARY**

The Councillor Expenditure Report provides Council with an update on Councillor Expenditure from 1 July to 31 December 2018.

### **RECOMMENDATION**

That Council receives and notes the Councillor Expenditure Report for the period 1 July to 31 December 2018 in Table 1: Councillor Expenditure 1 July – 31 December 2018.

**MOVED:** Cr Brunt

**SECONDED:** Cr Skinner

**THAT THE RECOMMENDATIONS IN AGENDA ITEMS 8.2, 8.3, 8.4 AND 8.5 BE ADOPTED.**

**CARRIED UNANIMOUSLY**

[Link to next Agenda Item.](#)

## REPORT

The Councillor Expenditure Report provides Council with an update on Councillor Expenditure from 1 July to 31 December 2018.

Councillor expenditure of \$206,484 for the period 1 July to 31 December 2018 is below budget by \$3,231. The variance was mainly due to timing of payments, with pre-payment of Councillor allowances for January 2019 of \$26,547, offset by lower reimbursements of \$16,355, lower mobile phone costs of \$3,910 and lower training and development expenses of \$5,031. Councillor expenditure is expected to be in line with budget at the end of the financial year.

**Table 1- Councillor Expenditure 1 July – 31 December 2018**

Councillor	Travel Expenditure			Other Expenditure							Total	Date of last claim
	Car	Councillor Car Operating Cost*	Other travel reimbursements**	Mobile Phone / Ipad	Phone/Fax / Modem	Training & Professional Development***	Councillor Allowance	Remoteness Allowance	Printing / Sound recording transcripts	Other Costs		
Cr. Aaron Brown	Personal****	\$ 757	\$ 594	\$ 184	\$ -	\$ -	\$ 16,365	\$ -	\$ 22	\$ 9	\$ 17,931	21-November-2018
Cr. Ray Argento	Personal	\$ -	\$ 1,597	\$ 167	\$ -	\$ 87	\$ 16,365	\$ -	\$ 20	\$ 87	\$ 18,149	26-October-2018
Cr. Alyson Skinner	Council	\$ 2,794	\$ -	\$ 104	\$ -	\$ 3,275	\$ 16,365	\$ -	\$ -	\$ -	\$ 22,538	06-December-2017
Cr. Jeremy Rich	Personal	\$ -	\$ -	\$ 82	\$ -	\$ 930	\$ 16,365	\$ -	\$ -	\$ -	\$ 17,377	08-June-2018
Cr. Don Hill	Personal	\$ -	\$ 1,816	\$ 226	\$ -	\$ -	\$ 27,892	\$ -	\$ 32	\$ 46	\$ 30,012	21-November-2018
Cr. Andrew McEwen	Personal	\$ -	\$ 3,857	\$ 698	\$ -	\$ 500	\$ 16,365	\$ -	\$ 192	\$ 192	\$ 21,804	31-October-2018
Cr. Lorraine Brunt	Council	\$ 3,205	\$ -	\$ 1,165	\$ -	\$ 188	\$ 39,106	\$ -	\$ -	\$ -	\$ 43,664	12-February-2018
Cr. Rosemary Cousin	Personal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,133	\$ -	\$ 22	\$ -	\$ 7,155	N/A
Cr. Jim Fawcett	Personal	\$ -	\$ -	\$ 55	\$ -	\$ -	\$ 6,148	\$ -	\$ -	\$ -	\$ 6,203	N/A
Ex Cr. Maxine Kiel	Personal	\$ -	\$ 959	\$ 82	\$ -	\$ -	\$ 6,659	\$ -	\$ -	\$ -	\$ 7,700	15-October-2018
Ex Cr. Meg Edwards	Personal	\$ -	\$ 3,138	\$ 267	\$ -	\$ -	\$ 9,232	\$ -	\$ -	\$ 1,314	\$ 13,951	30-October-2018
Total Actual (Year to date December 2018)		\$ 6,756	\$ 11,961	\$ 3,030	\$ -	\$ 4,980	\$ 177,995	\$ -	\$ 288	\$ 1,474	\$ 206,484	
Total Budget (Year to date December 2018)		\$ 6,921	\$ 28,316	\$ 6,940	\$ 522	\$ 10,011	\$ 155,351	\$ 257	\$ -	\$ 1,397	\$ 209,715	
Variance		\$ 165	\$ 16,355	\$ 3,910	\$ 522	\$ 5,031	\$ 22,644	\$ 257	\$ 288	\$ 77	\$ 3,231	

### NOTES

\* Car operating costs are for the 6 months ended 31 December 2018 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 31 December 2018.

\*\*\* Training & professional development includes accommodation, conference and parking expenses.

\*\*\*\* Cr. Aaron Brown used a Council Car until 29 August 2018

## 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 C51 (2018)

**Legislative Provisions**

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

### **8.3. ASSEMBLY OF COUNCILLORS 22 NOVEMBER TO 21 JANUARY 2019**

Corporate and Community Services Directorate

#### **EXECUTIVE SUMMARY**

Council is committed to making relevant, timely and useful information available for members of the public with the aim of enhancing transparency. 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 November 2018 and 21 January 2019.

The matters summarised in this report also satisfy Council's requirements under the Local Government Act 1989, s.80A(2):

*The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable –*

- a. reported at an ordinary meeting of the Council; and*
- b. incorporated in the minutes of that Council meeting.*

#### **RECOMMENDATION**

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

**NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 65.**

[Link to next Agenda Item.](#)

## REPORT

Meeting Title	Details
<b>Wednesday 28 November 2018</b>	
<b>Public Presentations</b>	<b>Nil Presentations booked by the community.</b>
<b>Councillor Strategic Discussions</b>	<p><b>Councillors Attending:</b> Councillors McEwen, Argento, Rich, Brunt, Skinner, Fawcett, Cousin and Hill.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Meeting protocols and procedures</li> <li>• Update for ongoing/ upcoming issues</li> </ul>
<b>Ordinary Council Agenda Topics Discussion 28 November 2018</b>	<p><b>Councillors Attending:</b> Councillors McEwen, Argento, Rich, Brunt, Skinner, Fawcett, Cousin and Hill.</p> <p><b>Conflict of Interest:</b> Crs Argento and Skinner declared a Conflict of Interest in Confidential Session Item 14.1. The matters were not discussed in the session.</p> <p><b>Matters Considered:</b> Councillors considered and asked questions relating to Agenda items for the Ordinary Meeting 28 November 2018.</p>
<b>Age Friendly South Gippsland – Implementation Progress Update</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Argento, Cousin, Hill, Brunt, Skinner, McEwen and Rich.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered a summary of the first twelve months of the Age Friendly South Gippsland Annual Implementation Plan 2017/18.</p>
<b>Sunday 2 December 2018</b>	
<b>Korumburra Supermarket</b>	<p><b>Councillors Attending:</b> Councillors Hill and Rich.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Korumburra Supermarket Development</li> </ul>

Meeting Title	Details
<b>Wednesday 5 December 2018</b>	
<b>Executive Update</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Cousin, Brunt, Hill, Argento, Brown, Skinner and McEwen.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• 2019 Customer Satisfaction Survey Results – first wave</li> <li>• Bald Hills Wind Farm</li> <li>• Local Law No.3 – Meeting Procedure</li> <li>• Rural Councils Transformation Program – Gippsland Shared Services</li> </ul>
<b>Information Technology Update</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Cousin, Hill, Argento, Brown, Skinner and McEwen.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors were provided information to assist them with new technology and software updates.</p>
<b>Council Plan Review and Annual Initiatives</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Cousin, Brunt, Hill, Argento, Brown, Skinner and McEwen.</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>CEO Employment and Remuneration Committee Meeting</b>	<p><b>Councillors Attending:</b> Councillors Argento, Cousin, Hill, Skinner, McEwen, Brown, Brunt and Rich.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered the CEO employment and remuneration performance and contractual arrangements.</p>

Meeting Title	Details
<b>Wednesday 5 December 2018</b>	
<b>Rating Strategy 2019 - 2022</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Cousin, Brunt, Hill, Argento, Brown, Skinner, McEwen and Rich.</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>Planning Briefing</b>	<p><b>Councillors Attending:</b> Councillors Cousin, Skinner, Brown, Argento, Hill, Fawcett and Brunt.</p> <p><b>Conflict of Interest:</b> Cr Brunt declared a Conflict of Interest in Confidential Item Planning Permit and was not present in the assembly when the matter was discussed.</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 October 2018</li> <li>• VCAT decisions</li> <li>• Applications received 1 October to 31 October 2018</li> </ul>
<b>Economic Development &amp; Tourism Steering Briefing</b>	<p><b>Councillors Attending:</b> Councillors Cousin, Skinner, Brown, Argento, Hill, Fawcett and Brunt.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Tourism update</li> <li>• Economic development update</li> <li>• Victorian Small Business Engagement Guidelines</li> </ul>
<b>Wednesday 12 December 2018</b>	
<b>Australia Day Review Committee (Advisory Committee)</b>	<p><b>Councillors Attending:</b> Councillors Hill and Brown.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillor members of the Australia Day Review Committee considered applications and made recommendations that were considered at the Ordinary Council Meeting on 19 December 2018.</p>

Meeting Title	Details
<b>Wednesday 12 December 2018</b>	
<b>Annual Risk Briefing and Strategic Risk Register</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Cousin, McEwen, Brunt, Argento, Hill and Brown.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered changes to the Risk Management Framework.</p>
<b>Councillor Strategic Discussions</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Cousin, McEwen, Brunt, Hill, Argento, Brown and Rich.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Councillor speaking times</li> <li>• Future Projects for GLGN/ State/ Federal Government</li> <li>• Political strategy for council priorities</li> </ul>
<b>Executive Update</b>	<p><b>Councillors Attending:</b> Councillors Cousin, McEwen, Brunt, Argento, Hill, Brown and Rich.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Bald Hills Wind Farm</li> <li>• GLGN Mayoral discussions</li> </ul>
<b>Ordinary Council Agenda Topics Discussion 19 December 2018</b>	<p><b>Councillors Attending:</b> Councillors Cousin, McEwen, Brunt, Argento, Hill, Brown and Rich.</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 19 December 2018.</p>



Meeting Title	Details
<b>Wednesday 12 December 2018</b>	
<b>Community Strengthening Activities – Monthly Update</b>  <b>Open Session</b>	<b>Councillors Attending:</b> Councillors Cousin, McEwen, Brunt, Argento, Hill, Brown and Rich. <b>Conflict of Interest:</b> Nil disclosed. <b>Matters Considered:</b> <ul style="list-style-type: none"> <li>Road Safety Awareness Projects</li> <li>FReeZa Youth Events and leadership</li> </ul>
<b>Audit Committee</b>  <b>Open Session</b>	<b>Councillors Attending:</b> Councillors Cousin, Rich, Hill, Brown, Argento, McEwen and Brunt. <b>Conflict of Interest:</b> Nil disclosed. <b>Matters Considered:</b> South Gippsland Shire Council Independent Audit Chair, Dr AJ Purcell explained the role of the Committee and its compliance requirements and gave an update of the previous year's activities.
<b>Parking Matters</b>	<b>Councillors Attending:</b> Councillors Cousin, Rich, Hill, Brown, Argento and McEwen. <b>Conflict of Interest:</b> Nil disclosed. <b>Matters Considered:</b> <ul style="list-style-type: none"> <li>Management of on-street parking.</li> </ul>
<b>Public Presentation Sessions</b>  <b>Open Session</b>	<b>Councillors Attending:</b> Councillors Cousin, Rich, Hill, Brown, Argento and McEwen. <b>Conflict of Interest:</b> Nil disclosed.
<b>A presentation was made to Council by the following community members:</b> <b>Craig Watson and Paul Hoffman</b> , members representing the Venus Bay Surf Life Saving Club regarding an update on the progress for future building works on the Club. <b>Paul Norton</b> regarding Councillor conduct. <b>Brett Hume and Daryl Smith</b> , members representing the Nyora Recreation Reserve Committee regarding a progress report on the Reserve. <b>Mark Avery</b> , applicant representing Ordinary Meeting Agenda Item 2.4 Planning Application – 10 Lance Drive, Yanakie – Development of Horse and Machinery Shed.	

Meeting Title	Details
<b>Wednesday 12 December 2018</b>	
<b>Customer Service – Continuous Feedback</b>	<p><b>Councillors Attending:</b> Councillors Cousin, Hill, Brown, Argento, McEwen and Brunt.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered options to achieve 2017-2021 Council Plan Strategic Objective 4.2.2 – Enhance customer service experiences through the development of a continuous feedback and improved customer service experience.</p>
<b>Annual Budget 2019/20 – Annual Fees and Charges</b>	<p><b>Councillors Attending:</b> Councillors Cousin, Hill, Brown, Argento, McEwen and Brunt.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered a list of draft Annual Budget Fees and Charges for the 2019/20 financial year.</p>
<b>Proposed 2019/20 Capital Works Program</b>	<p><b>Councillors Attending:</b> Councillors Cousin, Hill, Brown, Argento, McEwen and Brunt.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered the proposed 2019/20 Capital Works Program and associated project scopes.</p>

Meeting Title	Details
<b>Thursday 13 December 2018</b>	
<b>Korumburra Round Table</b>	<p><b>Councillors Attending:</b> Councillors Hill and McEwen.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Council report including: <ul style="list-style-type: none"> <li>◦ Korumburra Supermarket Development</li> </ul> </li> <li>• Korumburra Streetscape</li> <li>• Community Groups update</li> </ul>
<b>Wednesday 19 December 2018</b>	
<b>Ordinary Council Agenda Topics Discussion 19 December 2018</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Brunt, Cousin, Hill, Argento, Brown, Skinner and McEwen.</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 19 December 2018.</p>
<b>Public Presentation</b>  <b>Open Session</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Brunt, Cousin, Hill, Argento, Brown, Skinner and McEwen.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p>
<p><b>A presentation was made to Council by the following community members:</b></p> <p><b>Lewis Sayer</b>, representing Burra Foods from WSC Planning Pty Ltd and <b>Glenn Falke</b>, from Burra Foods regarding Ordinary Meeting Agenda Item 2.5 Planning Application – Station Street Korumburra – Development Of Industrial Building.</p> <p><b>Stephen Scimonello</b> from the Australian Institute of Building Surveyors presented Fraser Orr, Coordinator Compliance &amp; Municipal Building Surveyor with an award for Young Municipal Building Surveyor of the Year.</p>	

Meeting Title	Details
<b>Wednesday 19 December 2018</b>	
<b>Executive Update</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Brunt, Cousin, Hill, Argento, Brown, Skinner, McEwen and Rich.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• State Emergency Services Enquiry</li> <li>• Disclosures of interest</li> <li>• Gippsland Regional Plan Project Identification</li> <li>• Van Cleef Reserve, Venus Bay</li> <li>• Staffing update</li> </ul>
<b>Port Welshpool Marine Precinct Plan</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Brunt, Cousin, Hill, Argento, Brown, Skinner, McEwen and Rich.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered an update on the progress of the Port Welshpool Marine Precinct Plan.</p>
<b>Venus Bay Activity Centre Plan</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Brunt, Cousin, Hill, Argento, Brown, Skinner, McEwen and Rich.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered a draft concept plan for the Venus Bay Activity Centre Concept Streetscape.</p>
<b>1<sup>st</sup> Draft Annual Budget 2019/20 including Annual Initiatives and Capital Works</b>	<p><b>Councillors Attending:</b> Councillors Fawcett, Cousin, McEwen, Skinner, Brunt, Argento, Hill, Brown and Rich.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b> Councillors considered an overview of the 1<sup>st</sup> draft 2019/20 Annual Budget, Annual Initiatives, Long Term Financial Plan (LTFP) and Capital Works.</p>

Meeting Title	Details
<b>Saturday 19 January 2019</b>	
<b>Venus Bay Streetscape Concept Plan</b>	<p><b>Councillors Attending:</b> Councillor Skinner</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Streetscape Concept Plan</li> <li>• Location of proposed skate park and car parking</li> </ul>
<b>Monday 21 January 2019</b>	
<b>Turtons Creek Scenic Corridor Meeting</b>	<p><b>Councillors Attending:</b> Councillor Cousin</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Planning Scheme and partnership/ stewardship options to seek greater protection of the scenic and biodiversity values of the Turtons Creek catchment.</li> <li>• DELWP managed Turtons Creek camp ground – concerns regarding antisocial behaviour and its impact to the public space.</li> <li>• Tourism value and need for signage.</li> </ul>

## REFERENCE DOCUMENTS

### Council Policy

Public Participation in Meetings with Council Policy (C65)

### Legislative Provisions

Local Government Act 1989

#### **8.4. DOCUMENTS SEALED AWARDED OR EXTENDED BY CEO 17 NOVEMBER 2018 TO 25 JANUARY 2019**

Corporate and Community Services Directorate

##### **EXECUTIVE SUMMARY**

This document reports the following actions undertaken by the Chief Executive Officer (CEO) that occurred between 17 November 2018 and 25 January 2019, as required by the Council's Instrument of Delegation to the CEO 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.**

**NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 65.**

[Link to next Agenda Item.](#)

## **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 between 17 November 2018 and 25 January 2019:

1. Section 173 Agreement between South Gippsland Shire Council and the owner of 68 McIndoe Avenue, Venus Bay in relation to developing the land with a dwelling and domestic outbuilding – Seal applied 21 November 2018.
2. Section 173 Agreement between South Gippsland Shire Council and the owner of 2435 Meeniyan-Promontory Road, Fish Creek in relation to use and development of land with a dwelling, associated works and removal of native vegetation – Seal applied 21 November 2018.
3. Section 173 Agreement between South Gippsland Shire Council and the owner of 6470 South Gippsland Highway, Welshpool in relation to a two-lot subdivision and removal of easements – Seal applied 26 November 2018.
4. Section 173 Agreement between South Gippsland Shire Council and the owner of 243 Lees Road, Venus Bay in relation to development of land with a single dwelling and remove native vegetation – Seal applied 3 December 2018.
5. Section 173 Agreement between South Gippsland Shire Council and the owner of 605 Bena-Kongwak Road, Bena in relation to a two-lot subdivision – Seal applied 17 December 2018.

6. Section 173 Agreement between South Gippsland Shire Council and the owner of 32-34 Farmers Road, Dumbalk in relation to a two-lot subdivision – Seal applied 17 December 2018.
7. Section 173 Agreement between South Gippsland Shire Council and the owner of 2180 Meeniyan-Promontory Road, Fish Creek in relation to a three-lot subdivision – Seal applied 17 December 2018.
8. Section 173 Agreement between South Gippsland Shire Council and the owner of 9 Atkinson Avenue, Venus Bay in relation to a single dwelling and native vegetation removal – Seal applied 24 January 2019.
9. Section 173 Agreement between South Gippsland Shire Council and the owner of 74 Inlet View Road, Venus Bay in relation to development of land with a dwelling – Seal applied 24 January 2019.
10. Section 173 Agreement between South Gippsland Shire Council and the owner of 38 Dalglish Road, Yanakie in relation to the use and development of land for dwelling associated with existing group accommodation – Seal applied 24 January 2019.
11. Instrument of Appointment and Authorisation – Seal applied 19 December 2018.

#### **Contracts Awarded, Varied or Extended**

1. Contracts awarded after a public tender process within the CEO's delegation between 17 November 2018 and 25 January 2019 – Nil.
2. Contracts awarded after a public tender process under the Statutory threshold by Staff other than the CEO between 17 November 2018 and 25 January 2019 – Nil.
3. Contract variations approved by the CEO between 17 November 2018 and 25 January 2019 – Nil.
4. Contract extensions approved by the CEO between 17 November 2018 and 25 January 2019:
  - SGC15/23 Provision of Catering Services for Council Meetings and Civic Functions.

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.



## **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, 28 June 2017

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

### **Legislative Provisions**

Local Government Act 1989, ss.5 and 186

## **8.5. INSTRUMENTS OF AUTHORISATION AND APPOINTMENT TO STAFF UNDER THE PLANNING AND ENVIRONMENT ACT 1987**

Corporate and Community Services Directorate

### **EXECUTIVE SUMMARY**

This report recommends that Council adopts the attached *Instruments of Appointment and Authorisation Council to Staff under the Planning and Environment Act 1987* (**Attachment [8.5.1]**).

### **RECOMMENDATION**

That Council resolves that, in the exercise of the powers conferred by s.224 of the Local Government Act 1989 and the other legislation referred to in the attached Instruments of Appointment and Authorisation (Attachment [8.5.1]):

1. The members of Council staff referred to in the Instrument Appointment and Authorisation be appointed and authorised as set out in the instrument;
2. The instrument of Appointment and Authorisation come into force immediately the Common Seal of Council is affixed instruments, and remains in force until Council determines to vary or revoke them; and
3. The Instruments of Appointment and Authorisation be sealed.

**NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 65.**

[Link to next Agenda Item.](#)

## **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 are current. The staff nominated in the instruments all play an important role in the carrying out of the Planning and Environment Act 1987.

The Instruments of Appointment and Authorisation come into force immediately the common seal of Council is affixed to the instruments, and remains in force until Council resolves to vary or revoke them.

## **CONSULTATION**

The attached Instruments of Appointment and Authorisation have been recommended following consultation with relevant Council staff, including the Manager Planning.

## **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

## **ATTACHMENTS**

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

1. Instruments of Appointment Council to Staff under the Planning and Environment Act 1987 **[8.5.1]**

## **REFERENCE DOCUMENTS**

### **Legislative Provisions**

Local Government Act 1989

Planning and Environment Act 1987

## **9. COUNCILLOR REPORTS**

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

**MOVED:** Cr Brown

**THAT COUNCILLOR AARON BROWN BE GRANTED LEAVE OF ABSENCE FOR ORDINARY COUNCIL MEETING 27 MARCH 2019.**

**CARRIED UNANIMOUSLY**

### **9.2. COUNCILLOR UPDATES**

<b>Cr McEwen</b>
Cr McEwen addressed Council by reporting on: <ul style="list-style-type: none"><li>• Italian Festa at Mirboo North and noted that it is an incredible community event with record attendance of possibly 15,000 people.</li><li>• Garlic Festival at Meeniyan and also noted a record attendance of 8,000 people.</li><li>• Attendance at Municipal Association Victoria (MAV) Local Government Workshop.</li></ul>

<b>Cr Skinner</b>
Cr Skinner addressed Council by reporting on attendance at: <ul style="list-style-type: none"><li>• Venus Bay Community Forum</li><li>• Toora Community Meeting</li><li>• Tarwin Lower Community Meeting</li><li>• Australia Day event and Citizenship Ceremony</li><li>• Australia Day Awards Ceremony</li><li>• West Gippsland Regional Library meeting and provided an update on the Foster Library Upgrade.</li></ul>

<b>Cr Brown</b>
Cr Brown addressed Council by reporting on attendance at: <ul style="list-style-type: none"><li>• Korumburra Business Association meeting</li><li>• Rural Councils Victoria meeting and noted the success of its Advocacy Program for rural roads as they received funding from State Government. Advocacy efforts will continue on Black Spot Program – Telecommunications, Main Street Upgrades and more road funding.</li></ul>

**Cr Argento**

Cr Argento addressed Council by reporting on:

- Attendance at bush fires with the CFA outside the Shire, and that South Gippsland has been lucky in this regard so far. He highlighted that this Council needs to ensure that it is ready for any type of emergency.
- Long Jetty opening at Corner Inlet that saw large numbers of people in attendance.
- Driving the Venus Bay Community Bus and noted that he sought community feedback from constituents.

**Cr Rich**

Cr Rich addressed Council by reporting on:

- The increased numbers of visitors to the area over the summer period and that Council need to ensure they have the proper planning and infrastructure in place.
- Attendance at South East Australian Transport Strategy (SEATS) and commented that the group is creating a communication strategy to align SEATS priority projects with Councils Priority Projects.
- Attendance at the Garlic Festival, Meeniyah and noted how enjoyable the day was and how it showcased the regions food.
- Agriculture and fire risk due to the weather conditions and the importance of maintaining Emergency Services.

**Cr Cousin**

Cr Cousin addressed Council by reporting on attendance at Municipal Emergency Planning Committee meeting and noted how highly organised this group is at keeping our region safe.

**Cr Brunt**

Cr Brunt addressed Council by reporting on attendance at Korumburra Agricultural Show and commented on the staying power of the community despite the downpour of rain.

**Cr Fawcett**

Cr Fawcett addressed Council by reporting on attendance at community meetings over the summer period.

[Link to next Agenda Item.](#)

**9.3. COMMITTEE UPDATES**

Nil

## 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.

**Nil**

[Link to next Agenda Item.](#)

## **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.

**Nil**



## **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.

Questions can also be submitted in hard copy format into the 'Public Question Box' within the first 15 minutes of an Ordinary 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 28 November 2018.*

**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.

Questions can also be submitted in hard copy format into the 'Public Question Box' within the first 15 minutes of an Ordinary 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 28 November 2018.*

**The Chief Executive Officer addressed Council informing them that written questions had been received at Council from Paul Norton.**

#### **Question 1**

**Will on behalf of then Mayor Brunt state the name and the time of the committee meeting and if possible Mayor Brunt's appointment diary.**

#### **Response**

A Councillor is not bound to attend nor report on their personal conduct and whereabouts. Cr Brunt was not able to attend the meeting of the 4 October 2018. No explanation will be given.

**Question 2 was disallowed as it was a question that has already been asked and responded to by Council, pursuant to Public Participation in Meetings with Council Policy (C65) clause 2.1 (h) – 'this session should not be used for questions...repeating previously answered questions'.**

#### **Question 3**

**What is in fact the part as of "the" vact [VCAT] hearing is listed on the "brief" relates to occupational work and safety for council staff and other road users.**

#### **Response**

Council does not understand what "brief" you refer to.

**The Chief Executive Officer addressed Council informing them that written questions had been received at Council from Walter Birkenbeil. The questions were taken on notice and will be answered at the next Ordinary Council Meeting.**

**Question 1**

**How was the quarry at 175 Meikle Road Fish Creek recently granted an authority to recommence operations without access to the 1992 planning permit nor Administrative Appeals Tribunal ruling?**

**Question 2**

**What action(s) did council take when the quarry's permit expired in 2002 including site rehabilitation?**

**Question 3**

**How has council monitored the operations of the quarry since 2002?**

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**The Chief Executive Officer addressed Council informing them that a written question had been received by Rob Waycott, from Mirboo North. The CEO read out the question and provided a response.**

**Question**

**What steps has Council taken to make this [Mirboo North Pool Project] a priority?**

**Response**

Council adopted its Priority Projects at Ordinary Council Meeting held 26 July 2017 and reconfirmed at Ordinary Council Meeting held 11 months later on 27 June 2018. Refer to the Council Minutes from 27 June 2018 on Council's website, Item 4.1. PRIORITY PROJECTS FOR ADVOCACY AND FUNDING 2018/19.

Council has also developed and adopted an "Advocacy Framework" which was adopted at Council's Ordinary Meeting held on 22 August 2018.

The Advocacy Framework provides a more structured, pro-active and coordinated approach to deliver and secure funding for Priority Projects. It assists by providing clarity of roles and responsibilities and facilitates ways to achieve more successful strategic outcomes.

Using this approach, Council focuses on seeking funding by monitoring for grant opportunities and liaising with stake holders to maximise awareness of the Priority Projects. This all leads up to meetings with key politicians where Council advocates for the Priority Projects. Council use specifically developed information

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sheets and brochures which summarises the key project aspects and clearly details our ask.

To that end, meetings have been held with both state and federal politicians, the most recent being with the Federal Member of Monash Mr Russell Broadbent and the Labour candidate for Monash Ms Jessica O'Donnell. Further meetings will be held in the lead up to the election.

Council Minutes are located on Council's website at:

<http://www.southgippsland.vic.gov.au/meetings>

[Link to next Agenda Item.](#)

## **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 pursuant to the Local Government Act 1989 to allow for consideration of:

1. Closed ITEM 14.1 and 14.2 pursuant to section 89(2)(h) a matter which the Council or Special Committee considers would prejudice the Council or any person; and
2. Closed ITEM 14.3 pursuant to section 89(2)(a) a personnel matter.

**MOVED:** Cr Fawcett

**SECONDED:** Cr Skinner

**THAT COUNCIL CLOSE THE MEETING TO THE PUBLIC PURSUANT TO THE LOCAL GOVERNMENT ACT 1989 TO ALLOW FOR CONSIDERATION OF:**

1. **CLOSED ITEM 14.1 AND 14.2 PURSUANT TO SECTION 89(2)(H) A MATTER WHICH THE COUNCIL OR SPECIAL COMMITTEE CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON; AND**
2. **CLOSED ITEM 14.3 PURSUANT TO SECTION 89(2)(A) A PERSONNEL MATTER.**

**CARRIED UNANIMOUSLY**

**The Mayor adjourned the Council Meeting for 5 minutes in order to clear the Chambers prior to the Closed Session.**

**14.3. PERSONNEL MATTER - CHIEF EXECUTIVE OFFICER EMPLOYMENT AND REMUNERATION COMMITTEE REPORT**

- 6. MAKE PUBLIC IN THE ORDINARY MEETING OF COUNCIL MINUTES OF 27 FEBRUARY 2019 THAT THE CHIEF EXECUTIVE OFFICER POSITION FOR SOUTH GIPPSLAND SHIRE COUNCIL WILL BE ADVERTISED FOR THE PERIOD COMMENCING 25 JUNE 2019, IN ACCORDANCE WITH S.94(3) OF THE LOCAL GOVERNMENT ACT 1989, ONCE COUNCIL STAFF HAVE BEEN ADVISED.**

**13. MEETING CLOSED**

**NEXT MEETING**

The next Ordinary Meeting of Council open to the public will be held on Wednesday, 27 March 2019 commencing at 2pm in the Council Chambers, Leongatha.

**The Council Meeting closed at 4.12pm.**

**Confirmed this**

**27<sup>th</sup> day of March 2019.**

**Mayor, Councillor Don Hill**