

SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting Minutes

Wednesday 21 May 2025



Council Chambers, Leongatha
Commenced at 2:00 PM



*South Gippsland
Shire Council*



OUR COUNCIL VISION

We care deeply about our people, the land and the future of South Gippsland.

Our Vision is to support the whole Shire in creating economic, environmental and social prosperity for this and future generations.

The Council Agenda relates to the following Strategic Objectives of the Council Plan 2022-2026:

- ◆ Connecting our People and Places ◆
 - ◆ Economy and Industry ◆
- ◆ Healthy and Engaged Communities ◆
 - ◆ Leading with Integrity ◆
- ◆ Protecting and Enhancing our Environment ◆
 - ◆ Sustainable Growth ◆

PRESENT

COUNCILLORS:	<p><i>Coastal Promontory Ward</i> Councillor Sarah Gilligan, Deputy Mayor Councillor Steve Finlay Councillor Scott Rae</p> <p><i>Strzelecki Ward</i> Councillor Bron Beach Councillor Nathan Hersey Councillor John Kennedy</p> <p><i>Tarwin Valley Ward</i> Councillor Brad Snell Councillor Clare Williams Councillor John Schelling, Mayor</p>
NOT PRESENT:	Allison Jones, Chief Executive Officer
OFFICERS:	<p>Tony Peterson – Acting Chief Executive Officer Jareth Goss – Acting Director Sustainable Infrastructure Lucas Gardiner, Director Future Communities Michelle Jorgensen, Acting Director Performance and Innovation Christian Stefani, Acting Director Strategy and Partnerships Rhys Matulis, Manager Governance & Integrity Jodi Cumming, Governance Coordinator Ally Low, Governance Officer Thomas Hender, Desktop Support Officer</p>

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Council Chambers, Leongatha, commenced at 2:00pm

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Tony Peterson
Interim Chief Executive Officer

Privacy Statement

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

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*.

Access to the live stream through Council's Internet is an option to view the 'open' component of a Council Meeting. Link to the Live Stream on Council's website: [Live Streaming | Live Streaming | South Gippsland Shire Council](#)

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.

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

Thank you

1.2. WELCOME TO THE COUNCIL MEETING

Public Questions

In accordance with *Governance Rules (C82)*, clause 56.4(d) the placement of public questions has now closed. Questions must be received prior to the commencement of the Council Meeting and placed in the receptacle at Governance Officers table. Questions received after the commencement of the Meeting will be considered at the next Council Meeting.

1.3. OPENING PRAYER

As we gather here from diverse backgrounds and beliefs, may we hold privilege with good care and trust. As we deliberate and discuss, may we be wise in our discernment, fair in our decisions and visionary in our planning. May we be guided by our common goal of a strong and united South Gippsland.

The Opening Prayer was read by Councillor Williams

1.4. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

We acknowledge the Bunurong and Gunaikurnai people as the Traditional Custodians of South Gippsland and pay respect to their Elders, past, present, and future, for they hold the memories, traditions, culture, and hopes of Aboriginal and Torres Strait Islander people of Australia.

The Acknowledgement of Traditional Custodians was read by Councillor Beach

1.5. APOLOGIES

Nil

1.6. CONFIRMATION OF MINUTES

RECOMMENDATION

That Council confirm the Minutes of the South Gippsland Shire Council Meetings, held on:

- 16 April 2025 in the Council Chambers, Leongatha; and
- 30 April 2025 in the Council Chambers, Leongatha be confirmed.

RESOLUTION

MOVED: Councillor Hersey

SECONDED: Councillor Gilligan

That Council confirm the Minutes of the South Gippsland Shire Council Meetings, held on:

- 16 April 2025 in the Council Chambers, Leongatha; and
- 30 April 2025 in the Council Chambers, Leongatha be confirmed.

CARRIED UNANIMOUSLY

1.7. DECLARATION OF CONFLICTS OF INTEREST FOR COUNCILLORS

The *Local Government Act 2020* (the Act), Division 2 sets out the requirements relating to Conflict of Interest. Disclosure of a conflict of interest in respect of a matter to be considered at a Council Meeting is required under section 130(1)(a) and specifically applies to a relevant person being a Councillor, member of a delegated committee who is not a Councillor and a member of Council staff.

Council's *Governance Rules (C82)* (the Rules), clause 3.0 Disclosure of a Conflict of Interest at a Council Meeting sets out the prescribed manner required to disclose a conflict of interest at South Gippsland Shire Council.

The Rules require a Councillor and/ or staff member who has a conflict of interest in a matter being considered at a Council Meeting to announce before the matter is considered and disclose this in a written notice to the Chief Executive Officer. The details included in the disclosure, explain the nature conflict of interest, whether it is classified as general or material (s.127 and s.128), the name of the relevant person(s) and their relationship to them.

Failure to comply with disclosures of conflict of interest (s.130) may be subject to penalty points and/ or other disciplinary measures depending on the nature of the conflict.

The *Local Government Act 2020* can be accessed from the Victorian Legislation and Parliamentary documents website at www.legislation.vic.gov.au.

Council's *Governance Rules (C82)* can be accessed from [Council's Policies](#) webpage.

Nil

1.8. DECLARATION OF CONFLICTS OF INTEREST FOR STAFF

The *Local Government Act 2020* (the Act), Division 2 sets out the requirements relating to Conflict of Interest. Disclosure of a conflict of interest in respect of a matter to be considered at a Council Meeting is required under section 130(1)(a) and specifically applies to a relevant person being a Councillor, member of a delegated committee who is not a Councillor and a member of Council staff.

Council's *Governance Rules (C82) (the Rules)*, Chapter 5, clause 7, 8 and 9 sets the prescribed manner required for staff to disclose a conflict of interest when:

- Preparing Reports for Meetings
- Exercise of Delegated Power
- Exercise of a Statutory Function

Council staff must immediately upon becoming aware of a conflict of interest provide a written notice to the Chief Executive Officer disclosing the conflict of interest, explain the nature of the conflict and how it will be managed. Upon becoming aware and declaring a conflict of interest, a staff member may not exercise a power or perform a function in the matter. All prepared reports will record that staff member(s) have considered a conflict of interest and include if any, the details of a disclosure.

Failure to comply with disclosures of conflict of interest (s.130) may be subject to penalty points and/ or other disciplinary measures depending on the nature of the conflict.

The *Local Government Act 2020* can be accessed from the Victorian Legislation and Parliamentary documents website at www.legislation.vic.gov.au.

Council's *Governance Rules (C82)* can be accessed from [Council's Policies](#) webpage.

Nil

2. COUNCIL REPORTS

2.1. ORGANISATIONAL PERFORMANCE REPORT - JULY 2024 TO MARCH 2025

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

Council Plan

Objective - Leading with Integrity

Council's governance is strengthened by regular organisational and financial performance reporting against the 2024/25 Budget and the Council Plan 2022-2026 Annual Initiatives.

EXECUTIVE SUMMARY

The purpose of this report is to update Council on the organisation's progress in the delivery of the Council Plan 2022-2026, as well as the responsible management of the Budget.

The Organisational Performance Report for the period of 1 July 2024 to 31 March 2025 (**Attachment [2.1.1]**) includes the financial and organisational performance updates against the adopted Council Budget and highlights progress of the 2024/25 Annual Initiatives from the Council Plan 2022-2026 (Council Plan). Of the 21 Annual Initiatives, two are completed, and the remaining are on-track to be completed by 30 June 2025.

RECOMMENDATION

That Council:

1. Receives and notes the Organisational Performance Report for the period July 2024 to March 2025 (Attachment [2.1.1]);
2. Approves the changes to the Council Budget 2024/25 Full-Year Approved Forecast;
3. Endorses the capital forecast changes to enable delivery of the committed Capital Works Program in 2024/25; and
4. Provides the Organisational Performance Report for the period July 2024 to March 2025 to Council's Audit and Risk Committee for information.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Kennedy

That Council:

- 1. Receives and notes the Organisational Performance Report for the period July 2024 to March 2025 (Attachment [2.1.1]);**
- 2. Approves the changes to the Council Budget 2024/25 Full-Year Approved Forecast;**
- 3. Endorses the capital forecast changes to enable delivery of the committed Capital Works Program in 2024/25; and**
- 4. Provides the Organisational Performance Report for the period July 2024 to March 2025 to Council's Audit and Risk Committee for information.**

CARRIED UNANIMOUSLY

2.2. LANDCARE MEMORANDUM OF UNDERSTANDING (MOU)

Directorate:	Sustainable Infrastructure
Department:	Open Space and Environment

Council Plan

Objective - Protecting and Enhancing our Environment

This report recommends the endorsement of a Memorandum of Understanding between South Gippsland Shire Council and the South Gippsland Landcare Network providing for a stronger partnership, the leveraging of resources and creating enhanced value and investment outcomes.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's endorsement of the draft Memorandum of Understanding (MOU) between South Gippsland Shire Council and the South Gippsland Landcare Network (SGLN).

RECOMMENDATION

That Council endorses the Memorandum of Understanding between South Gippsland Shire Council and the South Gippsland Landcare Network and the 2024/25 Proposed Action Plan (Attachment [2.2.1]) and (Attachment [2.2.2]).

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Beach

That Council endorses the Memorandum of Understanding between South Gippsland Shire Council and the South Gippsland Landcare Network and the 2024/25 Proposed Action Plan (Attachment [2.2.1]) and (Attachment [2.2.2]).

CARRIED

Councillor Rae called for a division.

FOR: Councillor Gilligan, Councillor Beach, Councillor Williams, Councillor Snell, Councillor Schelling

AGAINST: Councillor Hersey, Councillor Kennedy, Councillor Finlay, Councillor Rae

CARRIED

2.3. ACCESS AND INCLUSION ADVISORY COMMITTEE - NEW MEMBERS

Directorate:	Future Communities
Department:	Community, Customer and Visitor

Council Plan

Objective - Connecting our People and Places

Objective - Healthy and Engaged Communities

An active Access and Inclusion Advisory Committee supports the positive representation of people experiencing barriers to access and/or inclusion, and implementation of the Municipal Public Health and Wellbeing Plan.

EXECUTIVE SUMMARY

The purpose of this report to Council is to consider the community representative submissions received in response to the Expressions of Interest for membership of the South Gippsland Shire Council Access and Inclusion Advisory Committee (Committee).

The report recommends that the submitters be endorsed to participate on the Committee.

RECOMMENDATION

That Council thank the community representatives for their submissions and endorse their membership in Confidential Attachment [10.1.1] on to the South Gippsland Shire Council Access and Inclusion Advisory Committee.

RESOLUTION

MOVED: Councillor Beach

SECONDED: Councillor Gilligan

That Council thank the community representatives for their submissions and endorse their membership in Confidential Attachment [10.1.1] on to the South Gippsland Shire Council Access and Inclusion Advisory Committee.

CARRIED UNANIMOUSLY

CONFIDENTIAL ATTACHMENTS

The consideration of confidential information in a closed session of Council is in accordance with s.66(2)(a) and s.66(5)(a) and (b) of the *Local Government Act 2020*.

Confidential Attachments [10.1.1], [10.1.2], [10.1.3] – Expression of Interest – is designated confidential information pursuant to the *Local Government Act 2020*, s.3(1)(f) - personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

The grounds for designation have been made to protect the privacy of an individual's personal information.

2.4. NAMING OF ROADS IN POOWONG - COMMUNITY CONSULTATION

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

Council Plan

Objective - Leading with Integrity

Ensuring that Council meets its statutory obligations to consult with the community before making decisions as naming authority, is consistent with the objective of Leading with Integrity.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider undertaking community consultation for the commemorative naming of two new roads to be created as part of the approved plans for Planning Permit - 2021/321 for 14 Brisbane Street, Poowong.

It is proposed that community consultation is undertaken from the 22 May 2025 to 23 June 2025.

RECOMMENDATION

That Council:

1. Undertake community consultation for a period of four weeks from 22 May 2025 to the 23 June 2025, inviting the community to provide feedback on the proposed naming of the two roads to be created as part of approved plans for Planning Permit - 2021/321; and
2. Notes a report will be presented at the July 2025 Council Meeting, outlining the outcome of the community consultation and any relevant next steps.

RESOLUTION

MOVED: Councillor Hersey

SECONDED: Councillor Rae

That Council:

- 1. Undertake community consultation for a period of four weeks from 22 May 2025 to the 23 June 2025, inviting the community to provide feedback on the proposed naming of the two roads to be created as part of approved plans for Planning Permit - 2021/321; and**
- 2. Notes a report will be presented at the July 2025 Council Meeting, outlining the outcome of the community consultation and any relevant next steps.**

CARRIED UNANIMOUSLY

2.5. VICTORIAN ELECTORAL COMMISSION ELECTION REPORT

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

Council Plan

Objective - Leading with Integrity

The running of effective and compliant Council elections is important for ensuring that the community has confidence that Council can lead with integrity.

EXECUTIVE SUMMARY

The purpose of this report is for Council to receive the *Election Report - South Gippsland Shire Council 2024 Local Government Elections (Attachment [2.5.1])*.

This report has been created by the Victorian Electoral Commission (VEC) and provides a summary of the recent Council Election in accordance with s.83 of the *Local Government (Electoral) Regulations 2020*.

RECOMMENDATION

That Council receives and notes the Victorian Electoral Commission's Election Report - South Gippsland Shire Council 2024 Local Government Elections (Attachment [2.5.1]).

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Williams

That Council receives and notes the Victorian Electoral Commission's Election Report - South Gippsland Shire Council 2024 Local Government Elections (Attachment [2.5.1]).

CARRIED UNANIMOUSLY

2.6. INTERNAL RESOLUTION PROCEDURE

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

Council Plan

Objective - Leading with Integrity

To support leading with integrity and compliance with the Model Councillor Code of Conduct, the Internal Resolution Procedure is designed to provide a framework to attempt to resolve any alleged non-compliance between Councillors.

EXECUTIVE SUMMARY

The purpose of this report is to present the Internal Resolution Procedure (**Attachment [2.6.1]**) for consideration by Council.

This Internal Resolution Procedure has been created in accordance with s.140 of the *Local Government Act 2020* and regulation 12A of the *Local Government (Governance and Integrity) Regulations 2020*.

RECOMMENDATION

That Council endorses the Internal Resolution Procedure (Attachment [2.6.1]).

RESOLUTION

MOVED: Councillor Beach

SECONDED: Councillor Gilligan

That Council endorses the Internal Resolution Procedure (Attachment [2.6.1]).

CARRIED UNANIMOUSLY

2.7. CEO EMPLOYMENT AND REMUNERATION POLICY

Directorate:	Performance and Innovation
Department:	People and Culture

Council Plan

Objective - Leading with Integrity

This Policy ensures that the Council meets its obligations to support the ongoing high performance of the CEO through recruitment, professional development, performance planning and management and appropriate recognition and remuneration.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider a revised Chief Executive Officer (CEO) Employment & Remuneration Policy (C71) (the Policy) **(Attachment [2.7.1])**.

This proposed Policy has been updated to align with, and reflect, Council's policy review cycle, reporting requirements and notice of termination provisions.

RECOMMENDATION

That Council:

1. Adopts the revised Chief Executive Officer Employment & Remuneration Policy (C71) (Attachment [2.7.2]); and
2. Publishes the revised Chief Executive Officer Employment & Remuneration Policy (C71) (Attachment [2.7.2]) on Council's website.

RESOLUTION

MOVED: Councillor Hersey

SECONDED: Councillor Gilligan

That Council:

- 1. Adopts the revised Chief Executive Officer Employment & Remuneration Policy (C71) (Attachment [2.7.2]); and**
- 2. Publishes the revised Chief Executive Officer Employment & Remuneration Policy (C71) (Attachment [2.7.2]) on Council's website.**

CARRIED UNANIMOUSLY

2.8. COUNCIL POLICY REVIEWS AND REVOCATION

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

Council Plan

Objective - Leading with Integrity

Council's transparency is demonstrated by reviewing the Council Policies which are relevant to support the governance and direction of the organisation.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the revocation of nine (9) Council Policies. These policies have been reviewed and considered to now be superseded, covered in other strategic documents, merged with another existing policy or no longer serve a function of Council.

Revoking these Policies will aid in the utilisation of the most current Policies and Guidelines, encouraging effective and efficient operations of Council.

RECOMMENDATION

1. That Council revokes the following Council Policies:
 - a. C20 Heavy Vehicle Usage on Council Roads Policy (Attachment [2.8.1]);
 - b. C45 Waste Disposal Privileges for Fundraisers and Community Groups Policy (Attachment [2.8.2]);
 - c. C68 Public Amenities Policy (Attachment [2.8.3]);
 - d. C23 Intellectual Property Policy (Attachment [2.8.4]);
 - e. C55 Audit Policy (Attachment [2.8.5]);
 - f. C80 Citizenship Ceremony Dress Code Policy (Attachment [2.8.6]);
 - g. C56 Civic and Mayoral Reception Policy (Attachment [2.8.7]);

- h. C57 Mayor, Deputy Mayor and Councillor Attendance at Functions Policy ([Attachment 2.8.8]);
 - i. C19A Business Investment and Attraction Policy (Attachment [2.8.9]);
and
2. The Policies listed in this report be removed from the Council website.

RESOLUTION

MOVED: Councillor Rae

SECONDED: Councillor Snell

RECOMMENDATION

1. That Council revokes the following Council Policies:
- a. C20 Heavy Vehicle Usage on Council Roads Policy (Attachment [2.8.1]);
 - b. C45 Waste Disposal Privileges for Fundraisers and Community Groups Policy (Attachment [2.8.2]);
 - c. C68 Public Amenities Policy (Attachment [2.8.3]);
 - d. C23 Intellectual Property Policy (Attachment [2.8.4]);
 - e. C55 Audit Policy (Attachment [2.8.5]);
 - f. C80 Citizenship Ceremony Dress Code Policy (Attachment [2.8.6]);
 - g. C56 Civic and Mayoral Reception Policy (Attachment [2.8.7]);
 - h. C57 Mayor, Deputy Mayor and Councillor Attendance at Functions Policy ([Attachment 2.8.8]);
 - i. C19A Business Investment and Attraction Policy (Attachment [2.8.9]);
and
2. The Policies listed in this report be removed from the Council website.

CARRIED UNANIMOUSLY

2.9. CHANGES TO COUNCIL MEETING TIMETABLE - 25 JUNE 2025

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

Council Plan

Objective - Leading with Integrity

Council's transparency and governance is demonstrated at its Council Meetings where decisions are made on behalf of the community.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council consideration to reschedule the June Council Meeting. The Meeting was originally scheduled for 25 June 2025 and this report recommends it be rescheduled to 18 June 2025.

RECOMMENDATION

That Council:

1. Move the scheduled Council Meeting to be held in the Council Chambers, Leongatha on 2:00pm Wednesday 25 June 2025 to 2:00pm Wednesday 18 June 2025; and
2. Provide public notice of Council Meeting changes.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Hersey

That Council:

1. **Move the scheduled Council Meeting to be held in the Council Chambers, Leongatha on 2:00pm Wednesday 25 June 2025 to 2:00pm Wednesday 18 June 2025; and**
2. **Provide public notice of Council Meeting changes.**

CARRIED UNANIMOUSLY

2.10. SUMMARY OF STRATEGIC BRIEFINGS - 13 MARCH 2025 - 12 APRIL 2025

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

Council Plan

Objective - Leading with Integrity

Council's transparency and governance is strengthened by regularly reporting on summaries of briefings held, that assist Council to make informed decisions in Council Meetings on behalf of the community.

EXECUTIVE SUMMARY

The purpose of this report is to provide a summary of the information presented to Councillors between 13 March 2024 and 12 April 2025.

This aligns with the principles of the *Local Government Act 2020* and supports transparency around Council decisions and actions.

RECOMMENDATION

That Council receives and notes this report, the Summary of Strategic Briefings - 13 March 2025 – 12 April 2025.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Hersey

That Council receives and notes this report, the Summary of Strategic Briefings - 13 March 2025 – 12 April 2025.

CARRIED UNANIMOUSLY

2.11. DOCUMENTS SEALED, CONTRACTS VARIED, AWARDED OR EXTENDED BY CEO - 13 MARCH 2025 -12 APRIL 2025

Directorate:	Performance and Innovation
Department:	Financial Strategy

Council Plan

Objective - Leading with Integrity

Council's transparency of financial decisions made and overall financial sustainability is strengthened by regularly reporting on documents sealed, contracts awarded, varied or extended under the CEO's delegation.

EXECUTIVE SUMMARY

This report documents the following actions undertaken by the Chief Executive Officer (CEO) which occurred during the period 13 March 2025 to 12 April 2025. Council's *Procurement Policy (C32)* requires the CEO to report to Council any of the following actions undertaken to the next appropriate Meeting:

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

RECOMMENDATION

That Council receives and notes the Documents Sealed, Contracts Varied, Awarded or Extended by CEO - 13 March 2025 -12 April 2025.

RESOLUTION

MOVED: Councillor Beach

SECONDED: Councillor Snell

That Council receives and notes the Documents Sealed, Contracts Varied, Awarded or Extended by CEO - 13 March 2025 -12 April 2025.

CARRIED UNANIMOUSLY

3. NOTICES OF MOTION AND/OR RESCISSION

3.1. NIL

4. COUNCILLOR REPORTS

4.1. REQUESTS FOR LEAVE OF ABSENCE

Nil

4.2. COUNCILLOR UPDATES

Councillor Bron Beach, addressed Council by reporting on attendance at or made comments on:

- SES contribution to community
- Shout-out to Volunteers in celebrating Volunteer Week
- Encouraged Community Day engagement

Councillor Scott Rae, addressed Council by reporting on attendance at or made comments on:

- Mentioned Sandy Point Art Show, Meeniyan & Orange Wednesday.
- Appreciation and respect for Volunteers
- Acknowledged engagement in Council's IDAHOBIT day
- Mentioned One Gippsland with regards to Wind Farm productions
- Noted the dry weather

Councillor Brad Snell, addressed Council by reporting on attendance at or made comments on:

- Presented his orange beanie to show respect and acknowledged; Candlelight vigil, Volunteer week, background in social work and SES volunteers.
 - Spoke about the Youth Community and Youth Council
 - Spoke about AGM – Strategic incorporations
-

Councillor Nathan Hersey, addressed Council by reporting on attendance at or made comments on:

- Spoke about ANZAC day – thanked organisers and community
 - Acknowledged engagement in Council's IDAHOBIT day
 - Noted state budget funding for Leongatha Highschool
 - Attended Coastal Round Table – JLT & MAV
 - Spoke to MAV and the Emergency Services Levy
-

Councillor Sarah Gilligan, addressed Council by reporting on attendance at or made comments on:

- Engagement in Coastal round table
 - Celebrated Council's IDAHOBIT day
 - Acknowledged Councillor Hersey's involvement with MAV
 - Acknowledged and thanked Volunteers, in particular the Venus Bay and Tarwin Lower Response Team
-

Councillor John Schelling, Mayor, addressed Council by reporting on attendance at or made comments on:

- Thanked Councillors for their advocacy work
 - Acknowledged multiple community events and programs, such as Mirboo North Men's Shed; Mirboo North Lions Anniversary Celebrations; Gippsland Sport awards; Leongatha Community gardens; Druin South Gippsland Transport; Myli Library board; Freight Network; AGM with Councillor Snell; Australian citizenship ceremony.
 - Commemorated ANZAC day around the Shire
 - Mentioned the Emergency Services Levy
 - Attended Go Girls Golf Day with Councillor Rae, which raised over \$22,000.
 - Attended Gippsland Skies Offshore wind presentation with Council staff members
 - Acknowledged Volunteers around the shire
 - Attended the Family Violence Candlelight Vigil
 - Acknowledged the orange lights surrounding the Council building and did a shout-out to the members of the SES.
-

5. 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.

Council's *Governance Rules 2020* (clause 22 - Urgent Business) adopted on 19 October 2022, allows for where a situation has not been provided for under the *Governance Rules*, 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 Council Meeting 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 Council's *Governance Rules 2020*, clause 22 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.

Nil

6. PUBLIC QUESTIONS

6.1. PETITIONS AND JOINT LETTERS

Petitions and Joint Letters are written requests that have been signed by a number of community members. According to the *Governance Rules (C82)*, *clause 57*, members of the community may submit a valid petition or joint letter to a Councillor or to Council addressed to the Chief Executive Officer.

At the Meeting a petition or joint letter is presented, Council will consider a motion to receive it, the matter itself will not be considered unless determined as urgent business.

The Councillor presenting the petition or joint letter is responsible for ensuring that they are familiar with the contents and purpose of the petition or joint letter and that it does not contain language disrespectful to Council.

The requirements of the lead petitioner are detailed in the *Governance Rules (C82)*, *clause 57*.

Source: [Governance Rules \(C82\)](#) – adopted 19 October 2022.

Council has received four petitions and one joint letter for consideration.

Councillor Gilligan presented a petition to Council on behalf of lead petitioner Mark Radley. There were 339 signatures. The prayer of the petition is set out below:

We would like council to design and construct traffic calming measures in key risk areas.

- 1. Lees Road, Venus Bay, between the bend east of Merkani Ave and 30m east of Game St on the bend.*
- 2. 'The Mad Mile' (Lees Road, Venus Bay) entry to the second estate, on the bend just before Anita Crescent.*
- 3. Drop the 80km an hour speed limit on Lees Road, Venus Bay, in the third estate to 50km an hour so there is a consistent speed limit across the peninsula or at least consider traffic calming measures.*

RECOMMENDATION

That Council;

1. Receives and notes this petition;
2. Receive a report on the matter at 16 July 2025 Meeting of Council; and
3. Notifies the lead petitioner.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Snell

That Council:

- 1. Receives and notes this petition;**
- 2. Receive a report on the matter at 16 July 2025 Meeting of Council; and**
- 3. Notifies the lead petitioner.**

CARRIED UNANIMOUSLY

Councillor Rae presented a petition to Council on behalf of lead petitioner Yanakie Progress Association (YPA). There were 30 signatures. The prayer of the petition is set out below:

*We, the undersigned petition in Support of the Yanakie Weather Station (AWS)
ID 085301*

RECOMMENDATION

That Council;

1. Receives and notes this petition;
2. Receive a report on the matter at 16 July 2025 Meeting of Council; and
3. Notifies the lead petitioner.

RESOLUTION

MOVED: Councillor Rae

SECONDED: Councillor Hersey

That Council;

1. **Receives and notes this petition;**
2. **Receive a report on the matter at 16 July 2025 Meeting of Council; and**
3. **Notifies the lead petitioner.**

CARRIED UNANIMOUSLY

Councillor Rae presented a petition to Council on behalf of lead petitioner Brad Anderson. There were 267 signatures. The prayer of the petition is set out below:

Stop the changes to streetscape of Falls Road, Fish Creek, that removes the existing parking bays directly outside the Hardware and put the street crossing elsewhere and not in front of the hardware store.

RECOMMENDATION

That Council;

1. Receives and notes this petition;
2. Receive a report on the matter at 16 July 2025 Meeting of Council; and
3. Notifies the lead petitioner.

RESOLUTION

MOVED: Councillor Rae

SECONDED: Councillor Williams

That Council;

- 1. Receives and notes this petition;**
- 2. Receive a report on the matter at 16 July 2025 Meeting of Council; and**
- 3. Notifies the lead petitioner.**

CARRIED UNANIMOUSLY

Councillor Finlay presented a petition to Council on behalf of lead petitioner Brad Anderson. There were 298 signatures. The prayer of the petition is set out below:

Stop the removal of the parking around and behind the Fish Creek War Memorial and make designated parking bays there resurfaced to relevant Australian standard i.e. drainage, guttering and line marking.

RECOMMENDATION

That Council;

1. Receives and notes this petition;
2. Receive a report on the matter at 16 July 2025 Meeting of Council; and
3. Notifies the lead petitioner.

RESOLUTION

MOVED: Councillor Finlay

SECONDED: Councillor Kennedy

That Council;

- 1. Receives and notes this petition;**
- 2. Receive a report on the matter at 16 July 2025 Meeting of Council; and**
- 3. Notifies the lead petitioner.**

CARRIED UNANIMOUSLY

Councillor Kennedy presented a joint letter to Council by Robert Paterson and Leanne Thomson on behalf of residential property owners of Elmores Road, Korumburra. The joint letter invited the 32 properties residents/owners, to submit statements explaining the impact of the condition of Elmores Road on themselves, their families, properties and any other parties. 25 statements were received (21 were residents of Elmores Road and 4 statements were from adjacent properties). The submission is outlined below:

Submission by residents/owners of properties situated on or adjacent to Elmores Road, Korumburra, to the South Gippsland Shire Council requesting works to be undertaken to seal the road due to poor road condition and significant impact of dust and damage to property.

RECOMMENDATION

That Council;

1. Receives and notes this joint letter;
2. Receive a report on the matter at 16 July 2025 Meeting of Council; and
3. Notifies the lead petitioner.

RESOLUTION

MOVED: Councillor Kennedy

SECONDED: Councillor Hersey

That Council;

1. **Receives and notes this joint letter;**
2. **Receive a report on the matter at 16 July 2025 Meeting of Council; and**
3. **Notifies the lead petitioner.**

CARRIED UNANIMOUSLY

6.2. ANSWERS TO PREVIOUS QUESTIONS ON NOTICE

Answers to previous questions taken on notice at a former Council Meeting, are included in the Minutes of this Meeting.

Background material submitted with a question will not be recorded in the Council Meeting Minutes.

Source: [Governance Rules \(C82\)](#) – adopted 19 October 2022.

Nil

6.3. SUBMITTED PUBLIC QUESTIONS

All community member questions for Council Meetings are to be written and submitted to the Governance Team by 9.00am on the Monday morning preceding the Council Meeting to allow time for a response to be prepared, where possible, for the Council Meeting. All reasonable attempts will be made to answer pre-submitted questions at the Meeting. When further time is required to prepare an answer, questions may be taken on notice and responses will be provided at the next Council Meeting.

On the day of the Meeting, questions on the prescribed form must be received prior to the commencement of the Council Meeting by 2.00pm and placed in the receptacle at the Governance Officers table. These questions will be taken on notice, included in the Minutes and responses provided at the next Council Meeting.

Public Question Time in Council Meetings is to be used for matters that are relevant to the business or functions of Council and are clear and legible. Questions may not be allowed where the question(s) is deemed to be:

- Related to a matter beyond or outside the powers of Council;
- Trivial or frivolous;
- Defamatory, indecent, abusive or objectionable;
- Derogatory or designed to embarrass a Councillor, a member of Council staff or a member of the community;
- Related to subject matter previously received and responded to;
- Related to a matter already considered and resolved upon by Council;
- Breach Council's confidentiality obligations; and/or
- Illegible, vague or not make sense.

A person may submit a maximum of three (3) questions for any one Council Meeting, this includes a combined total of three (3) questions for related parties or groups. The total word count of all questions submitted is to be 100 words or fewer.

Background material submitted with a question will not be read out or recorded in the Council Meeting Minutes.

The CEO retains the discretion, in consultation with the Mayor, to not refer questions to Council meetings if there is a more effective or appropriate way to respond to the matters raised. Answers to questions from a member of the community who is present in the gallery will be read out at the Council Meeting by the CEO or Mayor.

Source: [Governance Rules \(C82\)](#) – adopted 19 October 2022.

Council received four public questions. The response to all questions are provided in these minutes.

Jenny Barton submitted one public question relating to footpaths in Loch.

Question 1:

The footpaths in Clarence St Loch do not extend all the way up the hill to all residences. What plans are there for addressing this issue. If there are none, how can I put forward a motion for this to be done?

Response:

Council has extensive requests for extensions to the footpath network across the municipality and appreciates the value of pathways in towns and villages. Balancing the need to renew existing pathways with adding to the network is an ongoing challenge.

Council maintains a prioritised list of potential pathway extension projects for when funding is available. Extensions of the paths in Clarence Street, Loch can be added to the list.

In answer to the second part of the question – “how to put forward a motion for this to be done” a petition may be submitted to Council in which Council’s website outlines the process of how to submit a Petition.

David Amor submitted three public questions on various topics.

Question 1:

Unable to be answered as it does not comply with the Governance Rules relating to public questions

Question 2:

Why and how has the New CEO been appointment, due to Tony Peterson, the acting CEO I understood by Council had 3 months to do his role?

Response:

Following a closed meeting on the 15 January 2025 the Mayor announced in a Media Release (PR2941) on the 17 January 2025 announcing, the following information:

At Wednesday's Council Meeting held on 15 January 2025, arrangements for an acting Chief Executive Officer (CEO) for South Gippsland Shire Council were confirmed. Allison Jones, Council's Director of Performance and Innovation, will be Acting CEO from 8 February to 3 May. Tony Peterson, Council's Director of Sustainable Infrastructure, will be Acting CEO from 4 May until the appointment of a permanent CEO. It is expected that a permanent CEO will be appointed no later than 25 July 2025. The acting arrangement follow the resignation of Kerry Ellis in December last year. Kerry's last day of work at Council is Friday 7 February.

Question 3:

We understand there was a procedure of how the CEO is to be promoted. Were there no candidates and was this CEO position made available to outside the organisation as it is a very important role for the next 4/5 years.

Response:

The CEO recruitment process was conducted in accordance with Council's C71 - CEO Employment and Remuneration Policy. This process included the public advertising of the vacancy, careful consideration of all internal and external candidates and the outcome of this process was to appoint Allison Jones as Chief Executive Officer.

7. CLOSED SESSION

The *Local Government Act 2020* (the Act), section 66 provides that if a council or delegated committee determines that a meeting is to be closed to the public to consider confidential information, the Council or delegated committee must record in the minutes of the meeting that are available for public inspection –

- a) the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of ***confidential information*** in section 3(1); and
- b) an explanation of why the specified ground or grounds applied.

The Act defines ***confidential information*** in s.3(1)(a)-(l), and includes information that may prejudice or impact; commercial negotiations, the security of Council, land use planning, law enforcement, legal privilege, personal information, private commercial information, confidential meeting information, internal arbitration, Councillor conduct panel information and information specified under s.77 of the previous *Local Government Act 1989*.

Once confidential information has been considered and decided in a closed session of a Council Meeting, a further resolution to resume open Council is required.

RECOMMENDATION

That Council pursuant to section 66(5)(a) and (b) of the *Local Government Act 2020* close the Council Meeting to the public to consider the following confidential information:

1. Per s.3(1)(a) Agenda item 9.1 – Award Contract CON/439 Swimming Pools Maintenance, designated as Council business information;
 - a. being information that would prejudice the Council's position in commercial negotiations if prematurely released; and
 - b. the grounds for designation have been made to protect Council's commercial negotiations position, as the contract has not yet been awarded.

RESOLUTION

MOVED: Councillor Rae

SECONDED: Councillor Gilligan

That Council pursuant to section 66(5)(a) and (b) of the *Local Government Act 2020* close the Council Meeting to the public to consider the following confidential information:

- 2. Per s.3(1)(a) Agenda item 9.1 – Award Contract CON/439 Swimming Pools Maintenance, designated as Council business information;**
 - a. being information that would prejudice the Council's position in commercial negotiations if prematurely released; and**
 - b. the grounds for designation have been made to protect Council's commercial negotiations position, as the contract has not yet been awarded.**

CARRIED UNANIMOUSLY

The council meeting closed for closed session at 3:20pm.

8. MEETING CLOSED

NEXT MEETING

The next Council Meeting open to the public will be held in June 2025, in which the date was determined at this Council Meeting for Agenda item 2.9 Changes to Council Meeting Timetable - 25 June 2025 commencing at 2.00pm in the Council Chambers, Leongatha.

The Council meeting closed at 3:29pm.

Confirmed this 18th day of June 2025

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Councillor John Schelling, Mayor