

SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting Minutes

Wednesday 16 July 2025



Council Chambers, Leongatha
Commenced at 2:00 PM



*South Gippsland
Shire Council*

SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting South Gippsland Shire Council Wednesday 16 July 2025
Council Chambers, Leongatha, commenced at 2:00pm

TABLE OF CONTENTS

1. PRELIMINARY MATTERS	5
1.1. LIVE-STREAMING COUNCIL MEETING DISCLAIMER	5
1.2. WELCOME TO THE COUNCIL MEETING	5
1.3. OPENING PRAYER	5
1.4. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS	6
1.5. APOLOGIES	6
1.6. CONFIRMATION OF MINUTES.....	6
1.7. DECLARATION OF CONFLICTS OF INTEREST FOR COUNCILLORS	7
1.8. DECLARATION OF CONFLICTS OF INTEREST FOR STAFF	8
2. COUNCIL REPORTS.....	9
2.1. EMERGENCY SERVICES VOLUNTEER FUND IMPACT PAPER.....	9
2.2. ACCESS AND INCLUSION ADVISORY GROUP - NEW MEMBERS EXPRESSIONS OF INTEREST.....	10
2.3. GIPPSLAND ALLIANCE FOR CLIMATE ACTION (GACA)	12
2.4. PLANNING SCHEME AMENDMENT C131 - REZONING 108 & 110 PARR STREET LEONGATHA	13
2.5. NAMING OF ROADS IN POOWONG - CONSIDERATION OF COMMUNITY FEEDBACK.....	14
2.6. PROPOSED ROAD DISCONTINUANCE – UNUSED ROAD – ROONEY STREET FOSTER	16
2.7. PETITION RESPONSE – YANAKIE WEATHER STATION.....	18
2.8. PETITION RESPONSE – VENUS BAY TRAFFIC CALMING MEASURES ...	19
2.9. PETITION RESPONSE – FISH CREEK STREETScape PARKING AND PEDESTRIAN CROSSING	20
2.10. PETITION RESPONSE – FISH CREEK STREETScape PARKING AROUND WAR MEMORIAL	22
2.11. JOINT LETTER RESPONSE – SEALING OF ELMORES ROAD KORUMBURRA	24
2.12. CULTURAL AND RECREATIONAL CHARGES POLICY (C104)	25
2.13. PROCUREMENT POLICY (C32).....	27
2.14. INSTRUMENT OF APPOINTMENT - S11A PLANNING AND ENVIRONMENT ACT 1987 - TEMPLATE CHANGES	28

2.15. SUMMARY OF STRATEGIC BRIEFINGS - 13 MAY 2025 - 12 JUNE 2025 .	30
2.16. DOCUMENTS SEALED, CONTRACTS VARIED, AWARDED OR EXTENDED BY CEO - 13 MAY 2025 -12 JUNE 2025	31
3. NOTICES OF MOTION AND/OR RESCISSION	32
3.1. NIL	32
4. COUNCILLOR REPORTS.....	33
4.1. REQUESTS FOR LEAVE OF ABSENCE	33
4.2. COUNCILLOR UPDATES.....	33
5. URGENT BUSINESS	35
6. PUBLIC QUESTIONS.....	36
6.1. PETITIONS AND JOINT LETTERS.....	36
6.2. ANSWERS TO PREVIOUS QUESTIONS ON NOTICE	37
6.3. SUBMITTED PUBLIC QUESTIONS	38
7. CLOSED SESSION	40
8. MEETING CLOSED.....	42



Allison Jones
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.

PRESENT

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

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 Rae

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 Acknowledgment of Traditional Custodians was read by Councillor Beach

1.5. APOLOGIES

Councillor John Kennedy was granted request of leave at the 18 June Council Meeting.

1.6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council Meeting held on 18 June 2025 in the Council Chambers, Leongatha be confirmed.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Williams

That the Minutes of the South Gippsland Shire Council Meeting held on 18 June 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.

Allison Jones has declared a general conflict of interest for Confidential Agenda Item 9.1 - CEO Employment and Remuneration Committee Independent Chair, as the Committee oversee matters relating to the CEO position at Council.

2. COUNCIL REPORTS

2.1. EMERGENCY SERVICES VOLUNTEER FUND IMPACT PAPER

Directorate:	Performance and Innovation
Department:	Financial Strategy

Council Plan

Theme - Leading with Integrity

This report aligns with the Council Plan objective of Leading with Integrity by ensuring transparency in governance, advocacy for fairness, support for community wellbeing and evidence-based decision making.

EXECUTIVE SUMMARY

The purpose of this report is to examine the implementation of the Emergency Services and Volunteers Fund (ESVF), its impact on South Gippsland ratepayers, and Council's legislative and administrative responsibilities. It outlines challenges, financial implications, options for policy revision and hardship support mechanisms.

RECOMMENDATION

That Council:

1. Receives and notes the report on the Emergency Services and Volunteers Fund (ESVF), and:
 - a. Continues to advocate to the Victorian Government for legislative reform to allow local governments greater flexibility in the allocation of ratepayer payments, specifically to prioritise Council rates and charges before State-imposed levies.
 - b. Continues to clearly distinguish between Council-imposed charges and State Government levies on all rate notices and communications to ensure transparency for ratepayers.
 - c. Enhances communication and engagement with the community regarding the ESVF, including the purpose of the levy, its impact, and available hardship support options.
 - d. Monitors and reviews the financial and administrative impacts of the ESVF on Council operations and ratepayer hardship, and reports back to Council with any recommended policy adjustments.

Councillor Gilligan moved an alternate motion different to the recommendation.

RESOLUTION

MOVED: Councillor Gilligan
SECONDED: Councillor Williams

That Council:

- 1. Receives and notes the report on the Emergency Services and Volunteers Fund (ESVF), and:**
 - a. Continues to advocate to the Victorian Government for legislative reform to allow local governments greater flexibility in the allocation of ratepayer payments, specifically to prioritise Council rates and charges before State-imposed levies;**
 - b. Continues to clearly distinguish between Council-imposed charges and State Government levies on all rate notices and communications to ensure transparency for ratepayers;**
 - c. Enhances communication and engagement with the community regarding the ESVF, including the purpose of the levy, its impact, and available hardship support options; and**
 - d. Monitors and reviews the financial and administrative impacts of the ESVF on Council operations and ratepayer hardship, and reports back to Council with any recommended Policy adjustments; and**
 - e. Writes to the Premier of Victoria to:**
 - i. Advise that whilst Council maintains its opposition to the proposed levy, it acknowledges the Victorian Government's intention to proceed. Council strongly urges that all funds collected from South Gippsland be transparently accounted for and publicly reported.**
 - ii. Ask the Victorian Government to formally recognise the complex disaster risk environment faced by our food and energy-producing regional communities. It is essential that the fund's collection and distribution model addresses long-standing inequities in emergency services resourcing between metropolitan and regional Victoria. The current model of different calculations between agricultural and commercial rates unfairly places the load on our regional producers, we seek equity.**
 - iii. Advise that Council urges that all funds collected from regional and rural Victoria be fully reinvested into emergency services within those same communities.**

CARRIED UNANIMOUSLY

2.2. ACCESS AND INCLUSION ADVISORY GROUP - NEW MEMBERS EXPRESSIONS OF INTEREST

Directorate:	Future Communities
Department:	Community, Customer and Visitor

Council Plan

Theme - Empowering 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 is to consider a community representative Expression of Interest submission for membership of the South Gippsland Shire Council Access and Inclusion Advisory Committee (the Committee).

RECOMMENDATION

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

RESOLUTION

MOVED: Councillor Beach

SECONDED: Councillor Rae

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

CARRIED UNANIMOUSLY

2.3. GIPPSLAND ALLIANCE FOR CLIMATE ACTION (GACA)

Directorate:	Sustainable Infrastructure
Department:	Infrastructure Planning

Council Plan

Theme - Developing a Sustainable Future

There are advantages in collaborating with other Council's to achieve a sustainable future.

EXECUTIVE SUMMARY

The purpose of this report is to seek endorsement for Council's continued involvement in the Gippsland Alliance for Climate Action for five years, through the signing of a Memorandum of Understanding (MOU).

RECOMMENDATION

That Council authorise the Chief Executive Officer to sign the Gippsland Alliance for Climate Action Memorandum of Understanding (MOU) for a period of five years.

Councillor Rae moved an alternate motion different to the recommendation.

RESOLUTION

Moved: Councillor Rae
Seconded: Councillor Hersey

That Council:

- 1. Not enter into the Gippsland Alliance for Climate Action (GACA) Memorandum of Understanding (MOU) at this time; and**
- 2. Receives a further Council report clearly outlining the benefits, costs and opportunities in relation to the MOU.**

CARRIED UNANIMOUSLY

2.4. PLANNING SCHEME AMENDMENT C131 - REZONING 108 & 110 PARR STREET LEONGATHA

Directorate:	Future Communities
Department:	Planning and Building

Council Plan

Theme - Developing a Sustainable Future

Amendment C131 will support sustainable growth within established township boundaries and provide much needed residential land release and promote economic growth.

EXECUTIVE SUMMARY

The purpose of this report is to present Planning Scheme Amendment C131 for Council's consideration for adoption and submission to the Minister for Planning for approval.

RECOMMENDATION

That Council adopts the exhibited South Gippsland Planning Scheme Amendment C131sgip and planning permit CP/2024/49 as detailed in Attachment [2.4.2] and submit to the Minister for Planning for approval.

RESOLUTION

MOVED: Councillor Beach

SECONDED: Councillor Williams

That Council adopts the exhibited South Gippsland Planning Scheme Amendment C131sgip and planning permit CP/2024/49 as detailed in Attachment [2.4.2] and submit to the Minister for Planning for approval.

CARRIED UNANIMOUSLY

2.5. NAMING OF ROADS IN POOWONG - CONSIDERATION OF COMMUNITY FEEDBACK

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

COUNCIL PLAN

Theme - 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 approving 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.

The community consultation that was undertaken received a low number of submissions and it is recommended that Council approve the two commemorative names as part of the plans for the planning permit.

RECOMMENDATION

That Council:

1. Approves the two names of Beckett Street and Horsley Street to be included in the approved plans for Planning Permit -2021/321;
2. Writes to all submitters advising them of Council's decision and notifies the objectors that they have an opportunity to appeal South Gippsland Shire Council's decision with Geographic Names Victoria; and
3. Approves Council officers to submit the approved plans for Planning Permit -2021/321 to the Titles Office.

RESOLUTION

MOVED: Councillor Rae

SECONDED: Councillor Gilligan

That Council:

- 1. Approves the two names of Beckett Street and Horsley Street to be included in the approved plans for Planning Permit -2021/321;**
- 2. Writes to all submitters advising them of Council's decision and notifies the objectors that they have an opportunity to appeal South Gippsland Shire Council's decision with Geographic Names Victoria; and**
- 3. Approves Council officers to submit the approved plans for Planning Permit -2021/321 to the Titles Office.**

CARRIED UNANIMOUSLY

2.6. PROPOSED ROAD DISCONTINUANCE – UNUSED ROAD – ROONEY STREET FOSTER

Directorate:	Sustainable Infrastructure
Department:	Infrastructure Planning

Council Plan

Theme - Empowering Communities

Council supports the provision of social and affordable housing

EXECUTIVE SUMMARY

The purpose of this report to Council is to commence a statutory process to facilitate the sale of an unused government road, known as Rooney Street, Foster, to Linton Court Elderly People's Homes Society Inc. for further development.

To expedite the process Council has been asked to discontinue Rooney Street, Foster, so that the State Government can sell the land from the road to Linton Court Elderly People's Homes Society Inc.

RECOMMENDATION

That Council:

1. Commence the statutory process in accordance with section 206 schedule 10 clause 3(a) to discontinue the unused government road known as Rooney Street, Foster, being 3,241m² shown hatched in Figure 1.
2. Gives public notice with respect to proposal on Council's website, and in local newspapers in the edition week commencing 21 July 2025 in accordance with section 223 of the Local Government Act 1989 on the proposal (item 1), inviting written submissions to be received by 5pm Tuesday 19 August 2025;
3. If submissions are made to the public notice:
 - a. Authorise the Chief Executive Officer to fix the time, date and place of the meeting for the hearing for persons who wish to be heard in support of their submissions;
 - b. Receives a further report to consider submissions and determine the outcome at the next available Council meeting;
4. If no submissions are received, publish the road discontinuance notice of Rooney Street Foster in the Victorian Government Gazette.

RESOLUTION

MOVED: Councillor Rae

SECONDED: Councillor Gilligan

That Council:

- 1. Commence the statutory process in accordance with section 206 schedule 10 clause 3(a) to discontinue the unused government road known as Rooney Street, Foster, being 3,241m² shown hatched in Figure 1.**
- 2. Gives public notice with respect to proposal on Council's website, and in local newspapers in the edition week commencing 21 July 2025 in accordance with section 223 of the Local Government Act 1989 on the proposal (item 1), inviting written submissions to be received by 5pm Tuesday 19 August 2025;**
- 3. If submissions are made to the public notice:**
 - a. Authorise the Chief Executive Officer to fix the time, date and place of the meeting for the hearing for persons who wish to be heard in support of their submissions;**
 - b. Receives a further report to consider submissions and determine the outcome at the next available Council meeting;**
- 4. If no submissions are received, publish the road discontinuance notice of Rooney Street Foster in the Victorian Government Gazette.**

CARRIED UNANIMOUSLY

2.7. PETITION RESPONSE – YANAKIE WEATHER STATION

Directorate:	Strategy & Partnerships
Department:	Economic Development

Council Plan

Theme - Leading with Integrity

Theme - Developing a Sustainable Future

This report relates to Good Governance and Financial Sustainability - Partner with our community to advocate for our shared interests to the Victorian and Australian Governments.

EXECUTIVE SUMMARY

The purpose of this report is for Council to receive and note a petition to Council received on 14 May 2025 in relation to the Yanakie Automatic Weather Station (AWS) and continue its advocacy for external funding for the upgrade and continued operation of the AWS.

RECOMMENDATION

That Council:

1. Thank the Lead Petitioner for their submitted Petition;
2. Continues its advocacy for external funding for the upgrade and continued operation of the Yanakie Automatic Weather Station; and
3. Notifies the Lead Petitioner regarding the outcome of this report.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Beach

That Council:

1. **Thank the Lead Petitioner for their submitted Petition;**
2. **Continues its advocacy for external funding for the upgrade and continued operation of the Yanakie Automatic Weather Station; and**
3. **Notifies the Lead Petitioner regarding the outcome of this report.**

CARRIED UNANIMOUSLY

2.8. PETITION RESPONSE – VENUS BAY TRAFFIC CALMING MEASURES

Directorate:	Sustainable Infrastructure
Department:	Infrastructure Delivery

Council Plan

Theme - Leading with Integrity

This report considers a petition regarding the safe connection of people and places in Venus Bay.

EXECUTIVE SUMMARY

The purpose of this report is to respond to the petition submitted by Mr Mark Radley of Venus Bay requesting Council design and construct traffic calming measures in Venus Bay.

RECOMMENDATION

That Council:

1. Thank the Lead Petitioner for their submitted Petition;
2. Advise the Lead Petitioner that Council is currently developing designs for traffic calming measures at the locations described by the Petition;
3. Advise the Lead Petitioner that Council is seeking external funding for the construction of the traffic calming measures; and
4. Notifies the Lead Petitioner regarding the outcome of this report.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Snell

That Council:

1. **Thank the Lead Petitioner for their submitted Petition;**
2. **Advise the Lead Petitioner that Council is currently developing designs for traffic calming measures at the locations described by the Petition;**
3. **Advise the Lead Petitioner that Council is seeking external funding for the construction of the traffic calming measures; and**
4. **Notifies the Lead Petitioner regarding the outcome of this report.**

CARRIED UNANIMOUSLY

2.9. PETITION RESPONSE – FISH CREEK STREETScape PARKING AND PEDESTRIAN CROSSING

Directorate:	Sustainable Infrastructure
Department:	Infrastructure Delivery

Council Plan

Theme - Leading with Integrity

This report considers a petition regarding the safe connection of people and places in Fish Creek.

EXECUTIVE SUMMARY

The purpose of this report is to respond to the petition submitted by Mr Brad Anderson of Fish Creek requesting Council alters the design of the Fish Creek Streetscape project currently under construction in Fish Creek, to relocate the pedestrian crossing to another location in Fish Creek.

RECOMMENDATION

That Council:

1. Thank the Lead Petitioner for their submitted Petition;
2. Advise the Lead Petitioner that Council expects that the refreshed streetscape in its current design will provide a fair balance between the needs of various users of the town centre;
3. Advise the Lead Petitioner that Council will not be making alterations to the design of the streetscape; and
4. Notifies the Lead Petitioner regarding the outcome of this report.

RESOLUTION

MOVED: Councillor Beach

SECONDED: Councillor Williams

That Council:

- 1. Thank the Lead Petitioner for their submitted Petition;**
- 2. Advise the Lead Petitioner that Council expects that the refreshed streetscape in its current design will provide a fair balance between the needs of various users of the town centre;**
- 3. Advise the Lead Petitioner that Council will not be making alterations to the design of the streetscape; and**
- 4. Notifies the Lead Petitioner regarding the outcome of this report.**

CARRIED

2.10. PETITION RESPONSE – FISH CREEK STREETScape PARKING AROUND WAR MEMORIAL

Directorate:	Sustainable Infrastructure
Department:	Infrastructure Delivery

Council Plan

Theme - Leading with Integrity

This report considers a petition regarding the safe connection of people and places in Fish Creek.

EXECUTIVE SUMMARY

The purpose of this report is to respond to the petition submitted by Mr Brad Anderson of Fish Creek requesting Council alters the design of the Fish Creek Streetscape project currently under construction in Fish Creek, to upgrade the existing parking around the Fish Creek War Memorial to meet the relevant Australian Standards.

RECOMMENDATION

That Council:

1. Thank the Lead Petitioner for their submitted Petition;
2. Advise the Lead Petitioner that Council considered the upgrade of the parking area around the Fish Creek War Memorial in its design for the Fish Creek Streetscape, but it was found that there was insufficient space to make it compliant and will not be making alterations to the design of the streetscape; and
3. Notifies the Lead Petitioner regarding the outcome of this report.

RESOLUTION

MOVED: Councillor Gilligan

That Council:

- 1. Thank the Lead Petitioner for their submitted Petition;**
- 2. Advise the Lead Petitioner that Council considered the upgrade of the parking area around the Fish Creek War Memorial in its design for the Fish Creek Streetscape, but it was found that there was insufficient space to make it compliant and will not be making alterations to the design of the streetscape; and**
- 3. Notifies the Lead Petitioner regarding the outcome of this report.**

The Motion LAPSED for want of a seconder.

2.11. JOINT LETTER RESPONSE – SEALING OF ELMORES ROAD KORUMBURRA

Directorate:	Sustainable Infrastructure
Department:	Infrastructure Planning

Council Plan

Theme – Leading with Integrity

Council considers customer requests to increase service levels on roads.

EXECUTIVE SUMMARY

The purpose of this report is to respond to the joint letter submitted by Robert Paterson and Leanne Thomson regarding the sealing of Elmore's Road, Korumburra. The requestor asks that the proposal be included in capital works planning.

RECOMMENDATION

That Council:

1. Thank the Lead Requestor for their submitted Joint Letter;
2. Not support the request to seal Elmore's Road, Korumburra, on the basis that Council does not have funding for this upgrade work; and
3. Notifies the Lead Requestor of the outcome of this report, noting this project is on Council's Gravel to Seal request list.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Beach

That Council:

1. **Thank the Lead Requestor for their submitted Joint Letter;**
2. **Not support the request to seal Elmore's Road, Korumburra, on the basis that Council does not have funding for this upgrade work; and**
3. **Notifies the Lead Requestor of the outcome of this report, noting this project is on Council's Gravel to Seal request list.**

CARRIED UNANIMOUSLY

2.12. CULTURAL AND RECREATIONAL CHARGES POLICY (C104)

Directorate:	Performance and Innovation
Department:	Financial Strategy

Council Plan*Theme - Leading with Integrity*

This report supports the Council Plan objective “Leading with Integrity” by promoting transparency, accountability, and fairness in the application of charges to cultural and recreational lands. The development and implementation of the draft Cultural and Recreational Land Charges Policy ensures that Council decisions are made in accordance with legislative requirements, are clearly communicated to affected stakeholders, and reflect a consistent and equitable approach to rating.

EXECUTIVE SUMMARY

The purpose of this report is to present the updated *Cultural and Recreational Land Charges Policy (C104)* for endorsement. This Policy outlines the process for applying a charge in lieu of rates for eligible cultural and recreational lands under the *Cultural and Recreational Land Act 1963 (CRLA)*. The policy ensures accountability, transparency, and compliance with the CRLA and provides a structured framework for determining appropriate charges.

RECOMMENDATION

That Council:

1. Adopts the Cultural and Recreational Land Charges Policy (Attachment [2.12.1]); and
2. Publishes the Cultural and Recreational Land Charges Policy (Attachment [2.12.1]) on Council’s website.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Rae

That Council:

- 1. Adopts the Cultural and Recreational Land Charges Policy (Attachment [2.12.1]); and**
- 2. Publishes the Cultural and Recreational Land Charges Policy (Attachment [2.12.1]) on Council's website.**

CARRIED UNANIMOUSLY

2.13. PROCUREMENT POLICY (C32)

Directorate:	Performance and Innovation
Department:	Financial Strategy

Council Plan*Objective - Leading with Integrity*

The Procurement Policy ensures Council is meeting legislative requirements, promotes fair competition and provides value for money when undertaking procurement activities.

EXECUTIVE SUMMARY

The purpose of this report is to present the updated *Procurement Policy (C32)* for endorsement. A procurement policy serves as a formal framework that guides how councils acquire goods, services, and works. Its primary purpose is to ensure that public funds are spent ethically, transparently, and efficiently, while also supporting local economic development, environmental sustainability, and fair competition.

Under the *Local Government Act 2020*, a Council must review its Procurement Policy at least once during each four-year term of Council. The *Procurement Policy (C32)* was last reviewed mid-2022.

RECOMMENDATION

That Council:

1. Adopts the revised Procurement Policy (C32) (Attachment [2.13.1]); and
2. Publishes the revised Procurement Policy (C32) (Attachment [2.13.1]) on Council's website.

RESOLUTION

MOVED: Councillor Beach

SECONDED: Councillor Rae

That Council:

1. **Adopts the revised Procurement Policy (C32) (Attachment [2.13.1]); and**
2. **Publishes the revised Procurement Policy (C32) (Attachment [2.13.1]) on Council's website.**

CARRIED UNANIMOUSLY

2.14. INSTRUMENT OF APPOINTMENT - S11A PLANNING AND ENVIRONMENT ACT 1987 - TEMPLATE CHANGES

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

Council Plan

Theme - Leading with Integrity

Council's governance is strengthened by maintaining currency in the delegations to Officers with the functions they are required to perform on behalf of Council.

EXECUTIVE SUMMARY

The purpose of this report recommends that Council adopts S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) as per Attachments related to this Council report, under the *Planning and Environment Act 1987*. Council is ensuring compliance to the minor legislation changes to the wording of the template for all delegated Officers.

RECOMMENDATION

That Council resolves, in the exercise of the powers conferred by s.147(4) of the *Planning and Environment Act 1987*, s.224 of the *Local Government Act 1989* and s.313 of the *Local Government Act 2020*:

- 1. The members of Council staff referred to in the Instrument of Appointment and Authorisations (Attachment 2.14.1 to Attachment 2.14.22) be appointed and authorised as set out in the instrument and detailed in this report; and**
- 2. The Instrument of Appointment and Authorisation come into force immediately when signed by Council's Chief Executive Officer. It will remain in force until such time as Council determines to vary it, or it is revoked by Council's Chief Executive Officer in the event:**
 - a. the officer resigns from Council; or**
 - b. is appointed to a position where this appointment and authorisation is not required or suitable.**

RESOLUTION

MOVED: Councillor Rae

SECONDED: Councillor Gilligan

That Council resolves, in the exercise of the powers conferred by s.147(4) of the *Planning and Environment Act 1987*, s.224 of the *Local Government Act 1989* and s.313 of the *Local Government Act 2020*:

- 1. The members of Council staff referred to in the Instrument of Appointment and Authorisations (Attachment 2.14.1 to Attachment 2.14.22) be appointed and authorised as set out in the instrument and detailed in this report; and**
- 2. The Instrument of Appointment and Authorisation come into force immediately when signed by Council's Chief Executive Officer. It will remain in force until such time as Council determines to vary it, or it is revoked by Council's Chief Executive Officer in the event:**
 - a. the officer resigns from Council; or**
 - b. is appointed to a position where this appointment and authorisation is not required or suitable.**

CARRIED UNANIMOUSLY

2.15. SUMMARY OF STRATEGIC BRIEFINGS - 13 MAY 2025 - 12 JUNE 2025

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

Council Plan

Theme - 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 May 2025 and 12 June 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 Summary of Strategic Briefings - 13 May 2025 – 12 June 2025.

RESOLUTION

MOVED: Councillor Beach

SECONDED: Councillor Williams

That Council receives and notes this report Summary of Strategic Briefings - 13 May 2025 – 12 June 2025.

CARRIED UNANIMOUSLY

2.16. DOCUMENTS SEALED, CONTRACTS VARIED, AWARDED OR EXTENDED BY CEO - 13 MAY 2025 -12 JUNE 2025

Directorate:	Performance and Innovation
Department:	Financial Strategy

Council Plan

Theme - 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

The purpose of this report to Council is to document the following actions undertaken by the Chief Executive Officer (CEO) which occurred during the period 13 May 2025 to 12 June 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; and
- Contracts varied or extended by the CEO which exceeded the CEO's delegation.

RECOMMENDATION

That Council receives and notes this report Documents Sealed, Contracts Varied, Awarded or Extended by CEO - 13 May 2025 -12 June 2025.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Snell

That Council receives and notes this report Documents Sealed, Contracts Varied, Awarded or Extended by CEO - 13 May 2025 -12 June 2025.

CARRIED UNANIMOUSLY

3. NOTICES OF MOTION AND/OR RESCISSION

3.1 NOTICE OF MOTION – CR SCOTT RAE - ACTIVE AND PROPOSED COUNCIL MEMORANDUM OF UNDERSTANDINGS (MOUS)

Councillor Scott Rae has submitted a Notice of Motion to the CEO for Consideration by Council.

MOTION

That Council receive a report that provides a summary of all the active Memorandum Of Understandings (MOUs) Council is currently engaged in, or proposing to enter in, within the next six months, with information to include:

- a. the terms of the MOU that details length of time, agreement timeframes and process to cease; and
- b. details on Council's funding commitments and operational costs to support the MOU's.

RESOLUTION

MOVED: Councillor Rae

SECONDED: Councillor Hersey

That Council receive a report that provides a summary of all the active Memorandum Of Understandings (MOUs) Council is currently engaged in, or proposing to enter in, within the next six months, with information to include:

- a. the terms of the MOU that details length of time, agreement timeframes and process to cease; and**
- b. details on Council's funding commitments and operational costs to support the MOU's.**

CARRIED UNANIMOUSLY

4. COUNCILLOR REPORTS

4.1. REQUESTS FOR LEAVE OF ABSENCE

Nil

4.2. COUNCILLOR UPDATES

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

- **Acknowledged school holiday period, encouraging others to get out into the community**
 - **Volunteered to assist with Lyric Theatre's current show, Footloose**
 - **Commended Lyric Theatre for their efforts and performance**
 - **Reminded community that school term begins next Monday and to slow down in whilst travelling through school zones**
-

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

- **Acknowledged Lyric Theatre's current show, Footloose**
 - **Thanked volunteers and community for coming together to assist and encourage the Footloose production**
 - **Acknowledged the Live4Life Councillor Briefing held last week, which included presentations from two local youth representatives, Nico and Thalia. The program focused on youth mental health awareness, available support services, and the importance of community education.**
-

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

- **Acknowledged the rain in the region**
 - **Met with smaller community groups**
-

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

- **Attended National General Assembly in Canberra with Mayor, Dept. Mayor, CEO and Director Peterson.**
 - **One Gippsland Chair attended meeting to discuss the twelve proponents of offshore wind**
 - **Attended Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) Treaty discussion in East Gippsland.**
 - **Attended meeting with regards to the upcoming Loch 150 Years celebration next June 2026**
-

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

- **Attended Eat Drink Play event**
 - **Attended Career Expo in Korumburra**
 - **Attended Youth Council**
 - **Acknowledged school holidays and many local activities to be involved in**
-

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

- **Attended National General Assembly in Canberra**
 - **Acknowledged appointment of position on the newly structured MAV panel, to guide advocacy priorities**
 - **Acknowledged cold weather and encouraged community to stay warm**
-

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

- **Attended National General Assembly in Canberra**
 - **Attended MAV Gippsland meeting**
 - **Attended Myli ARC meeting**
 - **Attended meeting with Bendigo Bank, Cr Hersey, Cr Kennedy, Director Stefani to discuss the upcoming Bendigo Bank closure in Korumburra**
 - **Noted community feedback on the way in which Council handled a major legal trial in the region and thanked the media for being respectful in their dealings with the Mayor.**
-

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.

Nil

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.

Council received one public question that was taken on notice.

Mr John McCombe asked one question in relation to the public tender process. The response to this question is has been provided in these minutes.

Question 1:

I previously asked, amongst other unsatisfactorily answered questions, "...what was entailed in that 'Public Tender' process - the question was ignored, so I will be more specific: It's a given that the clause 'The lowest tender is not necessarily accepted.' - that being so, was this clause utilized re CON 402, or was any 1 such lower tender either withdrawn or otherwise terminated prior to an award determination being made?

Response:

Contract CON/402 Building Maintenance Services was approved to award in a Closed Session of the 17 April 2024 Council Meeting. This was in accordance with Council's Procurement Policy and the advertised Request for Tender criteria, where pricing is only one factor assessed. Other criteria scored in the evaluation of this tender included Local Content, Contractor's Experience and Contractor's Occupational Health and Safety Management System.

Questions related to determining the tendering outcomes do not comply with the Governance Rules sec. 56.10 (h) relating to contractual matters and sec. 56.10 (k) relating to confidential information as defined under the Act.

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 has received three public questions. The responses to all three questions are provided in these minutes.

Mr Gus Blaauw asked three questions in relation to confidential documentation.

Question 1:

The SGSC Procurement Report by Management In2Management Pty Ltd, is stamped confidential and has not yet been released. Why?

Response:

There is no requirement under the *Local Government Act 2020* to review the confidential status of documents once applied.

Question 2:

Who decided that this SGSC Procurement Report is not to be released?

Response:

The report was commissioned as an internal service review document specifically for the Audit and Risk Committee. Audit and Risk Committee reports are confidential and not released to the public, which is standard practice. Due to the age of this report and the significant changes which have taken place since its drafting, it is no longer reflective of Council's current practices.

Question 3:

This Report details serious problems in all sections of the SGS Council. Why are we, community members and ratepayers not informed of all of this?

Response:

The answer to this question has been provided in questions one and two.

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)(f) Agenda item 9.1 – CEO Employment and Remuneration Committee Independent Chair, designated as personal information,
 - a. being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Rae

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)(f) Agenda item 9.1 – CEO Employment and Remuneration Committee Independent Chair, designated as personal information,**
 - a. being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.**

CARRIED UNANIMOUSLY

The meeting moved into closed session at 3:25 PM

8. MEETING CLOSED

NEXT MEETING

The next Council Meeting open to the public will be held on Wednesday, 20 August 2025 commencing at 2:00pm in the Council Chambers, Leongatha.

The meeting concluded at 3:28 PM

Confirmed this 20th day of August 2025

.....
Councillor John Schelling, Mayor