SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting Minutes

Wednesday 20 August 2025



Council Chambers, Leongatha
Commenced at 2:00 PM

South Gippsland
Shire Council

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

SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting of the South Gippsland Shire Council
Wednesday 20 August 2025
Council Chambers, Leongatha, commenced at 2:00pm

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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.

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 Gilligan

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 Williams

1.5. APOLOGIES

Nil

1.6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council Meeting held on 16 July 2025 in the Council Chambers, Leongatha be confirmed.

RESOLUTION

MOVED: Councillor Williams
SECONDED: Councillor Snell

That the Minutes of the South Gippsland Shire Council Meeting held on 16 July 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. 2024/25 BUDGET CARRY FORWARDS TO 2025/26

Directorate:	Performance and Innovation
Department:	Financial Strategy

Council Plan
Theme - Leading with Integrity

This update regarding 2024/25 Carry Forwards provides communication to the community and Council regarding projects or programs not fully completed at 30 June 2025, and assists to ensure Council's continued commitment to deliver on these initiatives.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council consideration to carry forward funds to enable the completion of key strategic projects and initiatives that are both capital and operating in nature and span multiple years.

The financial year 24/25 was a very successful year with over 30 capital projects completed at year-end representing over $34.7 million of expenditure.

RECOMMENDATION

That Council:

1. Endorses the carry forward of operating funds of $2.172 million (net) to 2025/26;

2. Endorses the carry forward of capital items of $3.405 million (net) to 2025/26 to enable delivery of the committed capital works program; and

3. Endorses the transfer of funds of $1.185 million from accumulated surplus to the Carry Forward Projects Reserve as per the Financial Reserves Policy to enable delivery of committed projects in future financial years.

RESOLUTION

MOVED: Councillor Gilligan
SECONDED: Councillor Beach

That Council:

1. **Endorses the carry forward of operating funds of $2.172 million (net) to 2025/26;**

2. **Endorses the carry forward of capital items of $3.405 million (net) to 2025/26 to enable delivery of the committed capital works program; and**

3. **Endorses the transfer of funds of $1.185 million from accumulated surplus to the Carry Forward Projects Reserve as per the Financial Reserves Policy to enable delivery of committed projects in future financial years.**

CARRIED UNANIMOUSLY

2.2. PLANNING APPLICATION 2024/82 - 252 SOLDIERS ROAD FISH CREEK

Directorate:	Future Communities
Department:	Planning and Building Services

Council Plan
Theme - Developing a Sustainable Future

This application meets the objectives of the Council Plan through the provision of additional tourism infrastructure which is accessible to South Gippsland's major tourism asset Willsons Promontory.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider Planning Application 2024/82, which proposes the use and development of land for Group Accommodation at 252 Soldiers Road, Fish Creek. The application is required to be determined by Council as it has received five objections, exceeding the threshold for officer delegation in cases where a Notice of Decision is recommended.

RECOMMENDATION

That Council:

A. Issue a Notice of Decision to Grant Planning Permit 2024/82 for the use and development of land for group accommodation under Clause 35.07-1 and Clause 35.07-4, the development of land under Schedule 3 to Clause 42.01-2 and the development of land associated with accommodation under Clause 44.06-2 of the South Gippsland Planning Scheme, at 252 Soldiers Road, Fish Creek in accordance with the following conditions:

    1. Before the use and development start(s), amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:

        a. Operational Management Plan as per condition 2.

        b. Bushfire Management Plan as per the Country Fire Authority requirements at Condition 17.

c. Bushfire Emergency Plan as per the Country Fire Authority requirements at Condition 17.

d. Landscaping Plan as per condition 3.

2. Prior to plans being endorsed, an Operational Management Plan (OMP) for the group accommodation must be submitted to and approved by the Responsible Authority. When approved, the OMP will be endorsed as evidence of their approval and will then form part of the endorsed plans of this permit. The OMP must detail:

   a. The operational objectives.

   b. The means by which patron numbers is managed in accordance with Condition 13.

   c. The means by which incidents and complaints will be reported, responded to, and recorded.

   d. Emergency management plans covering, but not limited to, bushfire and flood threat.

   e. As per the advice from the Country Fire Authority, demonstrate how during a bushfire event access to vehicles are to be made available to evacuate patrons from the site.

   f. Management of pets.

   g. Refuse management.

3. Prior to plans being endorsed, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions, and must show:

   a. planting along the eastern, southern boundaries as per Section 173 Agreement AD277853X;

   b. planting along the western boundary interface with the development;

   c. heights of the vegetation must not contravene the heights stipulated in Agreement AD277853X;

   d. a list of all existing vegetation (including botanical names) to be retained and/or removed;

e. a planting schedule of all proposed trees, shrubs and ground covers (including common names and botanical names), pot sizes, sizes at maturity, and quantities of each plant;

f. the incorporation of lower, middle and upper storey species; and

g. all species must be selected from the relevant Ecological Vegetation Class (EVC) for the bioregion that the land is located within, from the *Indigenous Plants of South Gippsland Shire* publication.

4. The building, works and layout as shown on the endorsed plan(s) must not be altered or modified except with the written consent of the Responsible Authority.

5. Landscaping must be provided in accordance with the landscaping plan prior to the commencement of the use to the satisfaction of the Responsible Authority. The landscaping must be maintained for the life of the development and any dead or dying vegetation replaced to the satisfaction of the Responsible Authority.

6. Engineering Conditions

   a. Prior to the commencement of the use of land for Group Accommodation, the existing driveway crossover on Soldiers Road must be sealed either using reinforced cement concrete or asphaltic concrete between the existing seal to the property boundary as per the dimensions found in the IDM SD 255. All works must be carried out to the satisfaction of the Responsible Authority.

7. Environmental Health

   a. Prior to the commencement of the use, an approved onsite wastewater management system must be installed to treat all wastewater generated from the use of the development.

   b. All wastewater must be treated and retained within the property boundary in accordance with the *Environment Protection Act 2017*.

   c. All wastewater must be managed in accordance with part 5.7 of the Environment Protection Regulations 2021 to minimise the risk of harm to the environment and human health.

8. *Downpipe water from the group accommodation buildings must be suitably directed into water tank(s), soakwell(s), or otherwise discharged,*

so as not to cause erosion to the subject or surrounding land, to the satisfaction of the Responsible Authority.

9. The external finishes of the group accommodation buildings, including walls and roof materials, must be colour treated and maintained in muted non-reflective tones to the satisfaction of the Responsible Authority.

10. The shed on the property must not be used for human habitation at any time. The use of the shed for any purpose other than storage associated with the Group Accommodation may be subject to a further planning permit application.

11. Prior to the commencement of the use for each Group Accommodation building, each building must:

    a. have access via an all-weather road with dimensions adequate to accommodate emergency vehicles, and be subsequently maintained.

    b. be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act* 1970.

    c. be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.

    d. be connected to a reticulated electricity supply or have an alternative energy source.

    All connections are to be to the satisfaction of the Responsible Authority.

12. The operation of this business cannot cause nuisance to surrounding neighbours, as defined by the *Public Health and Wellbeing Act 2008* as arising from, or constituted by;

    a. premises: or

    b. water; or

    c. animal, including a bird or insect, capable of carrying a disease transmissible to human beings or;

    d. refuse; or

e. noise or emission; or

f. state, condition or activity; or

g. other matter or thing which is, or is liable to be, dangerous to human health or offensive (noxious or injurious to person comfort).

13. The Group Accommodation must:

    a. Have no more than 4 persons residing in the 2-bedroom buildings and no more than 10 in the 5-bedroom building at any given time, unless with the prior written consent of the Responsible Authority.

    b. The property must not be occupied by the same person/s for more than 42 consecutive days/nights and no more than 150 cumulative days/nights per calendar year, and

    c. No building to be used as a permanent residence (dwelling), and

    d. The operator/owner is to keep a log of all visitations/patrons and produce it to the Responsible Authority upon request.

    All to the satisfaction of the Responsible Authority.

14. A sign must be placed within each building with the emergency plan that clearly states the land is located within the Farming Zone and that amenity may be impacted by farming activities in the area. The sign must be maintained to the satisfaction of the Responsible Authority.

15. External amplified public address or speaker systems must not be installed on the premises to the satisfaction of the Responsible Authority.

16. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the Responsible Authority and the relevant fire authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

17. Country Fire Authority

    a. Amended Bushfire Management Plan Required

Before the development starts, an amended Bushfire Management Plan must be submitted to and endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.
The plan must be generally in accordance with the submitted BMP by Euca Planning, Version 2 dated 14/08/2024, but modified to amend the location and access to the water supply as follows:

- Provide a minimum 10m separation from any dwelling to the firefighting water supply and to the fire brigade connection on the water supply.
- The vehicle access should not require a fire truck to be located or pass within 10m of a dwelling to access the firefighting water supply.

b. Bushfire Emergency Plan required

Before the development is occupied or the use commences, a bushfire emergency plan (BEP) must be prepared. The BEP must clearly describe the emergency management arrangements that will be implemented to reduce the risk of bushfire and impact on patrons, and should address the following matters:

i. Describe property and business details.

ii. Identify the purpose of the BEP stating that the plan outlines procedures for:

1. Closure of premises on any day with a Fire Danger Rating of Catastrophic.
2. Evacuation (evacuation from the site to a designated safer off-site location).
3. Shelter-in-place (remaining on-site in a designated building).

iii. Review of the BEP

- Outline that the plan must be reviewed and updated annually prior to the commencement of the declared Fire Danger Period.
- Include a Version Control Table.

iv. Roles & Responsibilities

- Detail property preparation and management practices for site fire safety before and during the fire danger period.
- Detail the staff responsibilities for implementing the emergency procedures in the event of a bushfire and the triggers for acting. For example, when the facility will be closed and the circumstances under which guests and patrons will shelter in place or evacuate.

v. Emergency contact details

vi. Bushfire monitoring procedures

- Details the use of radio, internet and social networks that will assist in monitoring potential threats during the bushfire danger period.
- Describe and show (include a map) the area to be monitored for potential bushfire activity.

18. This permit will expire if one of the following circumstances applies:

a. The development is not started within three (3) years of the date of this permit.

b. The development is not completed within five (5) years of the date of this permit.

c. The use is not started within five (5) years of the date of this permit.

d. The use is discontinued for a period of two (2) years.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of *Planning and Environment Act 1987 (Vic)*.

B. Notify the objectors of Council's decision and,

C. Notify the Country Fire Authority of Council's decision.

Councillor Rae moved a Motion different to the recommendation.

MOVED: Councillor Rae
SECONDED: Councillor Beach

A. Refuses to grant Planning Permit Application 2024/82 for the use and development of land for group accommodation under Clause 35.07-1, Clause 35.07-4, the development of land under Schedule 3 to Clause 42.01-2 and the development of land associated with accommodation under Clause 44.06-2 at 252 Soldiers Road, Fish Creek on the following grounds:

1. **The application fails to meet the purpose of the Farming Zone at Clause 35.07.**

2. **The proposal does not satisfy decision guidelines of the Farming Zone, by not being compatible with adjoining and nearby land uses and may result in the proliferation of dwellings in the area.**

B. Notify the objectors of Council's decision; and

C. Notify the Country Fire Authority of Council's decision.

Councillor Beach requested additional speaking time.

RESOLUTION

MOVED: Councillor Williams

SECONDED: Councillor Gilligan

That Councillor Beach be granted a 2-minute speaking time extension.

CARRIED

The Motion was LOST

Councillor Hersey called for a division.

FOR: Councillor Rae, Councillor Schelling, Councillor Hersey, Councillor Snell

AGAINST: Councillor Williams, Councillor Beach, Councillor Finlay, Councillor Gilligan, Councillor Kennedy

The Motion was LOST

The Motion as per Officer recommendation was put before the Council through the Chair.

RESOLUTION

MOVED: Councillor Beach
SECONDED: Councillor Kennedy

That Council:

A. Issue a Notice of Decision to Grant Planning Permit 2024/82 for the use and development of land for group accommodation under Clause 35.07-1 and Clause 35.07-4, the development of land under Schedule 3 to Clause 42.01-2 and the development of land associated with accommodation under Clause 44.06-2 of the South Gippsland Planning Scheme, at 252 Soldiers Road, Fish Creek in accordance with the following conditions:

1. Before the use and development start(s), amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:

a. Operational Management Plan as per condition 2.

b. Bushfire Management Plan as per the Country Fire Authority requirements at Condition 17.

c. Bushfire Emergency Plan as per the Country Fire Authority requirements at Condition 17.

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a. The operational objectives.

b. The means by which patron numbers is managed in accordance with Condition 13.

c. The means by which incidents and complaints will be reported, responded to, and recorded.

d. Emergency management plans covering, but not limited to, bushfire and flood threat.

e. As per the advice from the Country Fire Authority, demonstrate how during a bushfire event access to vehicles are to be made available to evacuate patrons from the site.

f. Management of pets.

g. Refuse management.

3. Prior to plans being endorsed, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions, and must show:

a. planting along the eastern, southern boundaries as per Section 173 Agreement AD277853X;

b. planting along the western boundary interface with the development;

c. heights of the vegetation must not contravene the heights stipulated in Agreement AD277853X;

d. a list of all existing vegetation (including botanical names) to be retained and/or removed;

e. a planting schedule of all proposed trees, shrubs and ground covers (including common names and botanical names), pot sizes, sizes at maturity, and quantities of each plant;

f. the incorporation of lower, middle and upper storey species; and

g. all species must be selected from the relevant Ecological Vegetation Class (EVC) for the bioregion that the land is located within, from the *Indigenous Plants of South Gippsland Shire* publication.

4. The building, works and layout as shown on the endorsed plan(s) must not be altered or modified except with the written consent of the Responsible Authority.

5. Landscaping must be provided in accordance with the landscaping plan prior to the commencement of the use to the satisfaction of the Responsible Authority. The landscaping must be maintained for the

life of the development and any dead or dying vegetation replaced to the satisfaction of the Responsible Authority.

6. **Engineering Conditions**

    a. **Prior to the commencement of the use of land for Group Accommodation, the existing driveway crossover on Soldiers Road must be sealed either using reinforced cement concrete or asphaltic concrete between the existing seal to the property boundary as per the dimensions found in the IDM SD 255. All works must be carried out to the satisfaction of the Responsible Authority.**

7. **Environmental Health**

    a. **Prior to the commencement of the use, an approved onsite wastewater management system must be installed to treat all wastewater generated from the use of the development.**

    b. **All wastewater must be treated and retained within the property boundary in accordance with the *Environment Protection Act 2017*.**

    c. **All wastewater must be managed in accordance with part 5.7 of the Environment Protection Regulations 2021 to minimise the risk of harm to the environment and human health.**

8. ***Downpipe water from the group accommodation buildings must be suitably directed into water tank(s), soakwell(s), or otherwise discharged, so as not to cause erosion to the subject or surrounding land, to the satisfaction of the Responsible Authority.***

9. **The external finishes of the group accommodation buildings, including walls and roof materials, must be colour treated and maintained in muted non-reflective tones to the satisfaction of the Responsible Authority.**

10. **The shed on the property must not be used for human habitation at any time. The use of the shed for any purpose other than storage associated with the Group Accommodation may be subject to a further planning permit application.**

11. **Prior to the commencement of the use for each Group Accommodation building, each building must:**

a. **have access via an all-weather road with dimensions adequate to accommodate emergency vehicles, and be subsequently maintained.**

b. **be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act* 1970.**

c. **be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.**

d. **be connected to a reticulated electricity supply or have an alternative energy source.**

All connections are to be to the satisfaction of the Responsible Authority.

12. **The operation of this business cannot cause nuisance to surrounding neighbours, as defined by the *Public Health and Wellbeing Act 2008* as arising from, or constituted by;**

    a. **premises: or**

    b. **water; or**

    c. **animal, including a bird or insect, capable of carrying a disease transmissible to human beings or;**

    d. **refuse; or**

    e. **noise or emission; or**

    f. **state, condition or activity; or**

    g. **other matter or thing which is, or is liable to be, dangerous to human health or offensive (noxious or injurious to person comfort).**

13. **The Group Accommodation must:**

    a. **Have no more than 4 persons residing in the 2-bedroom buildings and no more than 10 in the 5-bedroom building at any given time, unless with the prior written consent of the Responsible Authority.**

b. The property must not be occupied by the same person/s for more than 42 consecutive days/nights and no more than 150 cumulative days/nights per calendar year, and

c. No building to be used as a permanent residence (dwelling), and

d. The operator/owner is to keep a log of all visitations/patrons and produce it to the Responsible Authority upon request.

All to the satisfaction of the Responsible Authority.

14. A sign must be placed within each building with the emergency plan that clearly states the land is located within the Farming Zone and that amenity may be impacted by farming activities in the area. The sign must be maintained to the satisfaction of the Responsible Authority.

15. External amplified public address or speaker systems must not be installed on the premises to the satisfaction of the Responsible Authority.

16. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the Responsible Authority and the relevant fire authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

17. Country Fire Authority

a. Amended Bushfire Management Plan Required

Before the development starts, an amended Bushfire Management Plan must be submitted to and endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.
The plan must be generally in accordance with the submitted BMP by Euca Planning, Version 2 dated 14/08/2024, but modified to amend the location and access to the water supply as follows:

- **Provide a minimum 10m separation from any dwelling to the firefighting water supply and to the fire brigade connection on the water supply.**

- **The vehicle access should not require a fire truck to be located or pass within 10m of a dwelling to access the firefighting water supply.**

b. Bushfire Emergency Plan required

Before the development is occupied or the use commences, a bushfire emergency plan (BEP) must be prepared. The BEP must clearly describe the emergency management arrangements that will be implemented to reduce the risk of bushfire and impact on patrons, and should address the following matters:

i. Describe property and business details.

ii. Identify the purpose of the BEP stating that the plan outlines procedures for:

1. **Closure of premises on any day with a Fire Danger Rating of Catastrophic.**
2. **Evacuation (evacuation from the site to a designated safer off-site location).**
3. **Shelter-in-place (remaining on-site in a designated building).**

iii. Review of the BEP

- **Outline that the plan must be reviewed and updated annually prior to the commencement of the declared Fire Danger Period.**
- **Include a Version Control Table.**

iv. Roles & Responsibilities

- **Detail property preparation and management practices for site fire safety before and during the fire danger period.**
- **Detail the staff responsibilities for implementing the emergency procedures in the event of a bushfire and the triggers for acting. For example, when the facility will be closed and the circumstances under which guests and patrons will shelter in place or evacuate.**

v. Emergency contact details

vi. Bushfire monitoring procedures

- **Details the use of radio, internet and social networks that will assist in monitoring potential threats during the bushfire danger period.**
- **Describe and show (include a map) the area to be monitored for potential bushfire activity.**

18. This permit will expire if one of the following circumstances applies:

a. The development is not started within three (3) years of the date of this permit.

b. The development is not completed within five (5) years of the date of this permit.

c. The use is not started within five (5) years of the date of this permit.

d. The use is discontinued for a period of two (2) years.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of *Planning and Environment Act 1987 (Vic)*.

B. Notify the objectors of Council's decision; and

C. Notify the Country Fire Authority of Council's decision.

The Motion was LOST.

The Mayor proposed that Council reconsider the Motion put forward by Councillor Rae.

Councillor Rae moved a Motion different to the recommendation.

RESOLUTION

MOVED: Councillor Rae
SECONDED: Councillor Hersey

A. Refuses to grant Planning Permit Application 2024/82 for the use and development of land for group accommodation under Clause 35.07-1, Clause 35.07-4, the development of land under Schedule 3 to Clause 42.01-2 and the development of land associated with accommodation under Clause 44.06-2 at 252 Soldiers Road, Fish Creek on the following grounds:

1. **The application fails to meet the purpose of the Farming Zone at Clause 35.07.**

2. **The proposal does not satisfy decision guidelines of the Farming Zone, by not being compatible with adjoining and nearby land uses and may result in the proliferation of dwellings in the area.**

B. Notify the objectors of Council's decision; and

C. Notify the Country Fire Authority of Council's decision.

The Motion was CARRIED.

2.3. COMPULSORY ACQUISITION OF DRAINAGE EASEMENT - 2 NORTH RAILWAY CRESCENT KORUMBURRA

Directorate:	Sustainable Infrastructure
Department:	Infrastructure Planning

Council Plan
Theme - Leading with Integrity

Ensuring stormwater is conveyed through suitable assets to prevent flooding.

EXECUTIVE SUMMARY

The purpose of this report is to outline the requirement to compulsory acquire a drainage easement over part of the property situated at 2 North Railway Crescent Korumburra in accordance with the *Local Government Act 2020*, *Land Acquisition and Compensation Act 1986* and *Land Acquisition and Compensation Regulations 2021 Reg 6 (b)* shown in Figure 1. and **Attachment [2.5.1]** – 2 North Railway Crescent Easement Plan.

RECOMMENDATION

That Council, pursuant to the *Local Government Act 2020*, the *Land Acquisition and Compensation Act 1986* and the Land Acquisition and *Compensation Regulations 2021 Reg 6(b)*, undertakes the process to compulsory acquire the drainage easement shown in Figure 1 and [Attachment 3.4.1] over part of Lot 4 LP218568T.

RESOLUTION

MOVED: Councillor Gilligan
SECONDED: Councillor Beach

That Council, pursuant to the *Local Government Act 2020*, the *Land Acquisition and Compensation Act 1986* and the Land Acquisition and *Compensation Regulations 2021 Reg 6(b)*, undertakes the process to compulsory acquire the drainage easement shown in Figure 1 and [Attachment 3.4.1] over part of Lot 4 LP218568T.

CARRIED UNANIMOUSLY

2.4. RENAMING PROPOSAL - KORUMBURRA RECREATION RESERVE OVAL

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

Council Plan
Theme – Leading with Integrity
Theme - Empowering Communities

Ensuring that Council meets its statutory obligations to consult with the community before making decisions as the naming authority.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider undertaking a period of community consultation on a proposal to name the oval at Korumburra Recreation Reserve to 'Summerfield Oval' in honour of Allen Victor Summerfield.

The proposed name change to 'Summerfield Oval' has been reviewed by the Geographic Names Victoria (GNV) and complies with the *Naming Rules for Places in Victoria 2022 - Statutory requirements for naming roads, features and localities (the Naming Rules)* guidelines.

RECOMMENDATION

That Council:

1. Undertake a period of community consultation from 21 August 2025 to 21 September 2025, seeking community input in the suggested renaming of the Korumburra Recreation Reserve oval to be 'Summerfield Oval' in honour of Allen Victor Summerfield to acknowledge his extraordinary community service; and

2. Notes a report will be presented at the 15 October 2025 Council Meeting, outlining the outcome of the community consultation and any relevant next steps in the Place Naming process.

RESOLUTION

MOVED: Councillor Beach
SECONDED: Councillor Schelling

That Council:

1. **Undertake a period of community consultation from 21 August 2025 to 21 September 2025, seeking community input in the suggested renaming of the Korumburra Recreation Reserve oval to be 'Summerfield Oval' in honour of Allen Victor Summerfield to acknowledge his extraordinary community service; and**

2. **Notes a report will be presented at the 15 October 2025 Council Meeting, outlining the outcome of the community consultation and any relevant next steps in the Place Naming process.**

CARRIED UNANIMOUSLY

2.5. FUNDING OPPORTUNITY - PORT WELSHPOOL ACCESSIBLE PONTOON

Directorate:	Sustainable Infrastructure
Department:	Infrastructure Delivery

Council Plan
Theme - Leading with Integrity

The Port Welshpool Accessible Pontoon Project proposes renewal of the floating pontoon jetty in a cost-effective manner for Council.

The project aims to improve access to boating for people with mobility issues and aligns with the Council Plan objective of supporting a healthy, connected and inclusive community.

EXECUTIVE SUMMARY

The purpose of this report is to seek endorsement for Council to enter a funding agreement with the Victorian Fisheries Authority (branded as Better Boating Victoria) for funding of $750,000 excluding GST for the installation of the Port Welshpool Accessible Pontoon. The agreement does not require any financial contribution from Council.

RECOMMENDATION

That Council enters into a funding agreement with the Victorian Fisheries Authority to receive an amount of up to $750,000 excluding GST for the delivery of the Port Welshpool Accessible Pontoon Project.

Councillor Schelling moved a Motion different to the recommendation.

RESOLUTION

MOVED: Councillor Schelling
SECONDED: Councillor Gilligan

That Council:

1. **Enters into a funding agreement with the Victorian Fisheries Authority to receive an amount of up to $750,000 excluding GST for the delivery of the Port Welshpool Accessible Pontoon Project; and**

2. **Requests Council officers investigate options for a State Government agency to manage the ongoing operations and maintenance associated with the Port Welshpool Accessible Pontoon Project once constructed.**

CARRIED UNANIMOUSLY

2.6. MOTION FOR THE MUNICIPAL ASSOCATION OF VICTORIA (MAV) STATE COUNCIL

Directorate:	Strategy & Partnerships
Department:	Communications, Engagement and Advocacy

Council Plan
Theme - Leading with Integrity

The report aligns with Strategy 1.6 in the 2025 – 2029 Council Plan: To partner with our community to advocate for our shared interests to the Victorian and Australian governments.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's endorsement to submit a Motion for consideration at the Municipal Association of Victoria (MAV) State Council Meeting on 10 October 2025.

RECOMMENDATION

That Council endorses the following Motion to the Municipal Association Victoria (MAV):

1. That the Municipal Association of Victoria (MAV) advocate to the Victorian Government for the establishment of a clear, streamlined process for the voluntary hand-back of Crown land and assets from councils to the State Government. This acknowledges the significant financial pressures currently facing local governments, driven by factors such as rate capping, rising cost-of-living impacts, and escalating construction and maintenance costs; and

2. That the Municipal Association of Victoria (MAV) call on the Victorian Government to urgently coordinate and fully fund a statewide Coastal Hazard Overlay to be implemented into applicable Planning Schemes across Victoria.

Councillor Finlay requested that the Chair separate the recommendation in parts.

The Chair agreed to separate the recommendation in parts.

Councillor Hersey moved a Motion different to the recommendation for Part 1.

RESOLUTION

MOVED: Councillor Hersey
SECONDED: Councillor Rae

That Council endorses the following Motion to the Municipal Association Victoria (MAV):

1. **That the Municipal Association of Victoria (MAV) advocate to the Victorian Government for the development of a clear, streamlined process to facilitate both the voluntary handback of Crown land and assets from councils to the State, and the transfer of Crown land to councils where it supports strategic growth and the delivery of community services. This acknowledges the significant financial pressures currently facing local governments due to factors such as rate capping, rising cost-of-living impacts, and escalating construction and maintenance costs.**

CARRIED UNANIMOUSLY

Councillor Hersey moved a Motion different to the recommendation for Part 2.

RESOLUTION

MOVED: Councillor Hersey
SECONDED: Councillor Gilligan

That Council endorses the following Motion to the Municipal Association Victoria (MAV):

2. **That the Municipal Association of Victoria (MAV) call on the Victorian Government to urgently coordinate and fully fund a statewide Coastal Hazard Overlay to be implemented into applicable Planning Schemes across Victoria. This will provide coastal councils and landholders agency to plan for and mitigate known risk.**

CARRIED

Councillor Gilligan called for a division.

FOR: Councillor Beach, Councillor Williams, Councillor Rae, Councillor Schelling, Councillor Gilligan, Councillor Snell, Councillor Hersey
AGAINST: Councillor Kennedy, Councillor Finlay

CARRIED

2.7. 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

Councillor Hersey moved a Motion different to the recommendation.

MOVED: Councillor Hersey
SECONDED: 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;**

3. **Consider future options for additional parking provisions in Fish Creek if demand persistently and significantly exceeds the current parking supply in the commercial activity area; and**

4. **Notifies the Lead Petitioner regarding the outcome of this report.**

CARRIED UNANIMOUSLY

2.8. DOMESTIC WASTEWATER MANAGEMENT PLAN (DWMP) - ANNUAL IMPLEMENTATION PROGRESS REPORT

Directorate:	Future Communities
Department:	Community Health and Safety

Council Plan
Theme - Developing a Sustainable Future

This report relates to the South Gippsland Shire – Council Plan 2022-2026 Strategic Objective Protection and Enhancing our Environment.

EXECUTIVE SUMMARY

The purpose of this report is to highlight Council's progress and achievements in relation to the *Domestic Wastewater Management Plan (DWMP) 2022-2026*.

The DWMP includes eight strategies with a suite of 74 actions across those strategies, to be completed during its four-year life cycle.

Of the 74 actions:

- 31% (23 actions) have been completed;
- 47% (35 actions) are on track with high confidence levels for completion by the end of the DWMP life cycle; and,
- 22% (16 actions) are currently being monitored and will continue to be reviewed as part of delivery of the DWMP 2022-2026.

The Annual Implementation Report - Year 3 Reporting **Attachment [2.8.1]** details the current progress of actions in the DWMP Implementation Plan.

RECOMMENDATION

That Council:

1. Note the Domestic Wastewater Management Plan 2022 – 2026 – Annual Implementation Report June 2025; and
2. Note a copy of the Domestic Wastewater Management Plan 2022-2026 – Annual Implementation Report June 2025 will be included on Council's website.

RESOLUTION

MOVED: Councillor Snell
SECONDED: Councillor Kennedy

That Council:

1. **Note the Domestic Wastewater Management Plan 2022 – 2026 – Annual Implementation Report June 2025; and**

2. **Note a copy of the Domestic Wastewater Management Plan 2022-2026 – Annual Implementation Report June 2025 will be included on Council's website.**

CARRIED UNANIMOUSLY

2.9. SOUTH GIPPSLAND LIVE4LIFE YOUTH PROGRAM - ANNUAL HIGHLIGHTS

Directorate:	Future Communities
Department:	Community, Customer and Visitor

Council Plan
Theme - Empowering Communities

The Live4Life Program partners with young people and youth focussed organisations to build resilience and facilitate young people's engagement with and connection to community.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with highlights from the 2024/25 South Gippsland Live4Life Program.

RECOMMENDATION

That Council:

1. Receive and note the Live4Life Program highlights for 2024/2025;

2. Thank the Live4Life Youth Crew for their participation in the program and wish them well for the 2025/2026 year.

RESOLUTION

MOVED: Councillor Snell
SECONDED: Councillor Beach

That Council:

1. **Receive and note the Live4Life Program highlights for 2024/2025;**

2. **Thank the Live4Life Youth Crew for their participation in the program and wish them well for the 2025/2026 year.**

CARRIED UNANIMOUSLY

2.10. AUDIT AND RISK COMMITTEE 11 MARCH 2025 MINUTES AND BIANNUAL CHAIR REPORT

Directorate:	Performance and Innovation
Department:	Financial Strategy

Council Plan
Theme - Leading with Integrity

Objective - Leading with Integrity

Council's risk management and governance is strengthened by effectively monitoring and reporting on the activities and advice provided by the Audit and Risk Committee.

EXECUTIVE SUMMARY

The purpose of this report is to present the Audit and Risk Committee minutes from their meeting on 11 March 2025 and to receive the Audit and Risk Committee Biannual Chair report from Committee Chair, Ms Jen Johanson.

RECOMMENDATION

That Council:

1. Receives and notes the draft Audit and Risk Committee Minutes – 11 March 2025 (Attachment [2.10.1]); and
2. Receives and notes the Audit and Risk Committee Chair report to Council by Audit and Risk Committee Chair Ms Jen Johanson (Attachment [2.10.2]).

RESOLUTION

MOVED: Councillor Gilligan
SECONDED: Councillor Kennedy

That Council:

1. **Receives and notes the draft Audit and Risk Committee Minutes – 11 March 2025 (Attachment [2.10.1]); and**
2. **Receives and notes the Audit and Risk Committee Chair report to Council by Audit and Risk Committee Chair Ms Jen Johanson (Attachment [2.10.2]).**

CARRIED UNANIMOUSLY

2.11. AUDIT AND RISK COMMITTEE CHARTER REVIEW (C08)

Directorate:	Performance and Innovation
Department:	Financial Strategy

Council Plan
Theme - Leading with Integrity

The Audit and Risk Committee Charter relates to the Council Plan by fostering accountability. Specifically, through supporting oversight of:

- *financial and performance reporting;*
- *risk management;*
- *fraud prevention systems and controls;*
- *maintenance of sound internal control environment;*
- *assurance activities including external and internal audits; and*
- *Council's performance with regard to compliance with its policies, legislative and regulatory requirements.*

EXECUTIVE SUMMARY

The purpose of this report is to present the draft revised Audit and Risk Committee Charter (C08) (refer to **Attachment [2.11.1]**) to Council for review and consideration.

The Charter has been reviewed by the Audit and Risk Committee and is now before Council for its scheduled biennial review.

RECOMMENDATION

That Council:

1. Adopt the revised Audit and Risk Committee Charter (C08) (Attachment [2.11.1]); and
2. Publishes the revised Audit and Risk Committee Charter (C08) (Attachment [2.11.1]) on Council's website.

RESOLUTION

MOVED: Councillor Gilligan
SECONDED: Councillor Finlay

That Council:

1. **Adopt the revised Audit and Risk Committee Charter (C08) (Attachment [2.11.1]); and**
2. **Publishes the revised Audit and Risk Committee Charter (C08) (Attachment [2.11.1]) on Council's website.**

CARRIED UNANIMOUSLY

2.12. EXTERNAL FUNDING APPLICATION POLICY (C97)

Directorate:	Sustainable Infrastructure
Department:	Infrastructure Delivery

Council Plan
Theme - Leading with Integrity

The External Funding Application Policy is intended to establish robust processes that help ensure decisions consider local, community and broader municipal interests and are consistent.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the External Funding Application Policy (C97) for endorsement and the revocation of the Community Infrastructure Project Management Policy.

RECOMMENDATION

That Council:

1. Revoke the *Community Infrastructure Project Management Policy* and associated guidelines (Attachment [2.12.1]); and

2. Endorse the *External Funding Application Policy* (Attachment [2.12.2]).

RESOLUTION

MOVED: Councillor Gilligan
SECONDED: Councillor Williams

That Council:

1. **Revoke the *Community Infrastructure Project Management Policy* and associated guidelines (Attachment [2.12.1]); and**

2. **Endorse the *External Funding Application Policy* (Attachment [2.12.2]).**

CARRIED UNANIMOUSLY

2.13. INSTRUMENT OF DELEGATION - COUNCIL TO CHIEF EXECUTIVE OFFICER (CEO) (S5)

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 the Chief Executive Officer with the functions that is required to perform on behalf of Council.

EXECUTIVE SUMMARY

The purpose of this report is to endorse the S5 Instrument of Delegation (Instrument) to the Chief Executive Officer (CEO) (**Attachment [2.14.1]**). Under s.11(7) of the *Local Government Act 2020* (Act), every Council must review, within a period of 12 months after a general election, all delegations which have been made under this section and are still in force.

RECOMMENDATION

That Council under the power conferred by s.11(1)(b) of the *Local Government Act 2020,* resolves that:

1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer (Attachment [2.14.1] Instrument of Delegation to the Chief Executive Officer – 20 August 2025), subject to the conditions and limitations specified in that Instrument;

2. The instrument comes into force immediately when signed by the Chief Executive Officer and the Mayor of South Gippsland Shire Council;

3. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked; and

4. The duties and functions set out in the Instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

RESOLUTION

MOVED: Councillor Beach
SECONDED: Councillor Rae

That Council under the power conferred by s.11(1)(b) of the *Local Government Act 2020,* resolves that:

1. **There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer (Attachment [2.14.1] Instrument of Delegation to the Chief Executive Officer – 20 August 2025), subject to the conditions and limitations specified in that Instrument;**

2. **The instrument comes into force immediately when signed by the Chief Executive Officer and the Mayor of South Gippsland Shire Council;**

3. **On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked; and**

4. **The duties and functions set out in the Instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

CARRIED UNANIMOUSLY

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

Directorate:	Strategy & Partnerships
Department:	Governance and Integrity

Council Plan
Objective - 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

This report recommends that Council adopts S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for staff members listed in this Council report, under the *Planning and Environment Act 1987*.

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) 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.

Councillor Kennedy left Council Meeting at 3:38PM.

RESOLUTION

MOVED: Councillor Williams
SECONDED: Councillor Snell

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) 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

Councillor Kennedy was not present for the vote.

Councillor Kennedy returned to the Council Meeting at 3:40PM

2.15. SUMMARY OF STRATEGIC BRIEFINGS - 11 JUNE 2025 - 12 JULY 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 11 June 2025 and 12 July 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 - 11 June 2025 – 12 July 2025.

RESOLUTION

MOVED: Councillor Williams
SECONDED: Councillor Rae

That Council receives and notes this report, the Summary of Strategic Briefings - 11 June 2025 – 12 July 2025.

CARRIED UNANIMOUSLY

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

This 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 June 2025 - 12 July 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 June 2025 - 12 July 2025.

RESOLUTION

MOVED: Councillor Williams
SECONDED: Councillor Rae

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

CARRIED UNANIMOUSLY

3. NOTICES OF MOTION AND/OR RESCISSION

Nil

4. COUNCILLOR REPORTS

4.1. REQUESTS FOR LEAVE OF ABSENCE

Nil

4.2. COUNCILLOR UPDATES

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

- Attended Rural Council Victoria Conference.
- Attended South Gippsland and Bass Coast Community Leadership Program graduation ceremony, accompanied by Mayor Schelling.

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

- Congratulated local Football and Netball Clubs entering finals.
- Acknowledged the Art Cubes currently set-up in Leongatha.
- Acknowledged $135,000 Community Grants.
- Acknowledged Myli Libraries for their programs and services, encouraging Community to visit.
- Congratulated and thanked Lyric Theatre for their Footloose production, performing for 3600 people in eleven days.
- Acknowledged Councils “Shop Local” initiative and encouraged community to support local businesses.

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

- Acknowledged attendance at many events over the last month, including Australian Local Government Women's Association Councillor Training.
- Acknowledged the upcoming Citizenship Ceremony on 20 August 2025, celebrating 20 conferees.
- Acknowledged the Korumburra Tennis Club funding.
- Acknowledged local gallery exhibitions including Artemis, "Utter Mess @ Meeniyan".
- Encouraged Community to browse the "Visit South Gippsland" website.

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

- Attended meeting in Wonthaggi, opposing the State Emergency Services Levy.

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

- Commented on the importance of working with the community during difficult times.
- Commented on the importance of health, tourism and accommodation to the Gippsland area.

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

- Acknowledged the $4.7M grant for offshore wind readiness with GLAWAC and Wellington Shire, thanking those involved in the advocacy processes.
- Attended the Korumburra Tennis Club with Councillor Kennedy, Councillor Beach and Mayor Schelling, to receive funding to upgrade the facilities.
- Attended OneGippsland planning day with CEO Jones and thanked CEO Jones for her contributions on the day.
- Attended Energy Round Table as Chair of OneGippsland regarding the Energy Charter.
- Attended ceremony at Loch CFA Fire and Rescue with Councillor Beach, dedicating the naming of a new rescue vehicle to Ex. Captain John Kennedy. Thanked the community for advocating an

individual who provided 70 years of volunteer service.

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

- Acknowledged Regional Precincts and Partnerships Program funding. Thanked Council staff for their advocacy.
- Acknowledged the Arts space, including Coal Creek Exhibition “Finders Keepers” and the Leongatha Art Cubes.
- Congratulated Lyric Theatre for their recent production of Footloose
- Attended Youth Council Meeting in Foster.
- Attended Annual Gippstar awards on behalf of Mayor Schelling in Moe.
- Awarded Football Netball Club of the Year to Fish Creek Football Netball Club.
- Acknowledged wastewater system approval for Fish Creek.
- Presented Gippstar Champion award.
- Shout-out to the Mayor, for his contributions and respect within the sporting community.
- Attended Mirboo North Primary and Secondary School regarding the upgrade of the primary school gymnasium.
- Acknowledged the $135,000 Community Grants presentation night.

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

- Acknowledged the Community Grants presentation night.
- Attended Australian Coastal Council Associations Conference.
- Attended Municipal Association Victoria (MAV) advisory panel for ‘Climate Futures’ regarding renewable energy.
- Acknowledged Regional Precincts and Partnerships Program funding.

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

- Attended Leongatha Gallery, awarding three life memberships.
- Acknowledged work with State and Federal Members.
- Acknowledged Grant for Woorayl Lodge to begin works for worker accommodation.
- Attended Dumbalk AGM.
- Attending Opening of Corner Inlet College.
- Acknowledged work with offshore wind counter parts.
- Attended Leongatha Scouts awards day.
- Attended Parliament House to present at the Hearing for the Inquiry into fraud and corruption control in Local Government, accompanied by Council's Manager of Governance and Integrity, Rhys Matulis. Thanked Rhys for his contributions on the day.
- Attended event to celebrate Mount Eccles Hall Upgrade.
- Reiterated Councillor Williams' notion to "Shop Local" in the community.
- Attended South-East Transport Strategy in Lakes Entrance.
- Attended South Gippsland and Bass Coast Community Leadership Program graduation ceremony, accompanied by Councillor Rae.
- Attended Safe Freight Strategy Community Group Meeting.
- Acknowledged Rural Roads Safety Month.
- Acknowledged and congratulated local Football and Netball Clubs entering finals.

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.

RECOMMENDATION

That Council accept Agenda Item 5.1 Joint Letter Response - Senior Citizens Hall Korumburra as urgent business at this Council Meeting in accordance with Rule 22 and Rule 57.2 of the Governance Rules (C82) as deferring the item until the next Council meeting will mean a decision on the item will not have any effect on the matter, as Council is due to consider the rezoning of the land at its next Council meeting.

RESOLUTION

MOVED: Councillor Kennedy
SECONDED: Councillor Rae

That Council accept Agenda Item 5.1 Joint Letter Response - Senior Citizens Hall Korumburra as urgent business at this Council Meeting in accordance with Rule 22 and Rule 57.2 of the Governance Rules (C82) as deferring the item until the next Council meeting will mean a decision on the item will not have any effect on the matter, as Council is due to consider the rezoning of the land at its next Council meeting.

CARRIED UNANIMOUSLY

5.1 JOINT LETTER RESPONSE - SENIOR CITIZENS HALL KORUMBURRA

Directorate:	Strategy & Partnerships
Department:	Governance & Integrity

Council Plan
Theme - Leading with Integrity

Council acknowledges community concern in relation to a planning matter of rezoning land for the Senior Citizens Hall in Korumburra.

EXECUTIVE SUMMARY

The purpose of this report is for Council to receive and acknowledge a Joint Letter submitted by Lead Requestor Angie Bowen in relation to the Senior Citizens Hall in Korumburra as an item of Urgent Business at the 20 August 2025 Council Meeting.

The Lead Requestor requests that the proposal be acknowledged by Council.

RECOMMENDATION

That Council:

1. Thank the Lead Requestor for their submitted Joint Letter; and
2. Note and acknowledge the names submitted in the Joint Letter in regard to the Senior Citizens Hall in Korumburra; and
3. Consider this Joint Letter as a community submission as part of the Planning Scheme Amendment c133sgip – Rezone Council Land Planning Matter.

RESOLUTION

MOVED: Councillor Kennedy
SECONDED: Councillor Rae

That Council:

1. **Thank the Lead Requestor for their submitted Joint Letter; and**
2. **Note and acknowledge the names submitted in the Joint Letter in regard to the Senior Citizens Hall in Korumburra; and**
3. **Consider this Joint Letter as a community submission as part of the Planning Scheme Amendment c133sgip – Rezone Council Land Planning Matter.**

CARRIED

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 received a Joint letter response in relation to Senior Citizens Hall Korumburra, which was considered Urgent Business in Agenda Item 5.1 Joint Letter Response – Senior Citizens Hall Korumburra.

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 3 public questions submitted via the Council question box, at the start of Council meeting. These questions have been taken on notice.

Council received 4 public questions prior to Council Meeting.

Ms Michele Caldwell submitted 1 public question:

Question 1
Does the Council value our Dark Skies – Valuing Darkness – Solving Light Pollution event to be held on 19 March 2026. I would like this put forward at the next available Council Meeting.

Response:
Historically, Victorian councils have been limited in our ability to actively reduce light levels of streetlights, but Council is pleased to see recent initiatives by AusNet Services designed to open up possibilities for local governments to undertake “smart lighting” initiatives in the future, and Council looks forward to exploring opportunities in this space in South Gippsland.

Mr Luke Hannigan submitted 3 public questions:

Question 1
For what reason is the public disabled toilet near Pearl Park in Foster currently out of order? Was this due to vandalism?

Response:
Pearl Park disabled toilet is closed for maintenance due to vandalism. Unfortunately, the toilet was set fire to and needs replacing.

Question 2
Does council maintain the public toilets in Yanakie at Lance Moon park?

Response:
Yes, Council does maintain the toilets at Lance Moon Park.

Question 3
Many community members have noticed that council officers are at the toilets in Yanakie very often. What kind of maintenance does council deliver and is it necessary for them to do so as often as they currently are?

Response:
Council cleans the toilets at Lance Moon Park on Tuesday, Thursday and Saturday, in line with our coastal cleaning roster. The frequency increases over busy summer and school holiday periods.

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.

Nil

8. MEETING CLOSED

NEXT MEETING

The next Council Meeting open to the public will be held on Wednesday, 17 September 2025 commencing at 2:00pm in the Council Chambers, Leongatha.

The meeting concluded at 4:27PM.

Confirmed this 17th Day of September 2025

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Councillor John Schelling, Mayor