SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting Agenda

Wednesday 10 December 2025



Council Chambers, Leongatha
Commencing at 2:00 PM

South Gippsland
Shire Council



OUR COUNCIL PLAN VISION STATEMENT

Our South Gippsland community is connected, resilient and empowered. We value our unique townships, our rural and coastal landscapes, while balancing growth.

A prosperous region, we draw strength from: visitor experience, emerging and creative industries, our agricultural sector and natural environment. We lead with purpose, are forward thinking, and deliver consolidated and sustainable services for our community.

The Council Agenda relates to the following Strategic Objectives of the Council Plan 2025-2029.

Leading with Integrity

Developing a Sustainable Future

Empowering Communities

SOUTH GIPPSLAND SHIRE COUNCIL

Notice is hereby given that Council Meeting of the
South Gippsland Shire Council will be held on Wednesday 10 December 2025
in the Council Chambers, Leongatha, commencing 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.

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.

1.5. APOLOGIES

Councillor Beach was granted a request of leave of absence at the 19 November 2025 Council Meeting.

1.6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council Meeting held on 26 November 2025 in the Council Chambers, Leongatha be confirmed.

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.

Councillor Hersey has declared a material conflict of interest for confidential agenda item 9.1 PERSONAL INFORMATION - South Gippsland Shire Council 2025/26 Community Grants - Round 1, as he holds a deputy presidential role on a committee that is listed for grant funding.

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.

2. PUBLIC QUESTIONS

2.1. 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.

2.2. 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

2.3. 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.

3. NOTICES OF MOTION AND/OR RESCISSION

3.1. NOTICE OF MOTION - INCREASE HOURS FOR SCHOOL CROSSING HORN STREET

PURPOSE

The purpose of this Notice of Motion is to increase the hours for Horn Street Leongatha School Crossing within existing Annual Budget.

MOTION

I, Councillor Williams, advise that I intend to submit the following motion to the Council Meeting scheduled to be held on 10 December 2025.

That Council:

1. **Assess whether an interim adjustment to the Horn Street, Leongatha School Crossing supervisor's hours can be accommodated between the January to June 2026 school term period within current operational budget, noting that any ongoing changes will be considered through the 2026/27 Annual Budget process;**

2. **Receive a report to Council detailing the operational feasibility, risks, costs, and implementation steps required to affect this reasonable adjustment which is 46 hours for the school year; and**

3. **That the report, along with any advice received from the Access and Inclusion Advisory Committee, be made available for consideration in Council's upcoming 2026/27 Annual Budget process.**

BACKGROUND

The crossing supervisor's current shift begins at 3:00 pm, but students from the South Gippsland Specialist School finish just before this time, with buses departing before the supervisor's arrival.

This timing gap leaves vulnerable students crossing a busy road unsupervised — directly contradicting the intent of Council's Disability Action Plan 2018–2022, which commits to reducing barriers to accessing services, goods, and facilities.

An operational adjustment to timings — starting the supervisor's shift 15 minutes earlier (at 2:45 pm) would ensure the crossing is supervised when these students are present.

Relevant Policy Context

- South Gippsland Disability Action Plan 2018–2022 commits Council to "reduce barriers to persons with disability accessing services, goods and facilities."

- The same Plan (page 33) requires the Access & Inclusion Advisory Committee to review and monitor progress on accessibility actions.
- Under the Disability Discrimination Act 1992 (Cth) and Equal Opportunity Act 2010 (Vic), Council must ensure public services do not indirectly discriminate against people with disability. A uniform start time that excludes students from one school may be discriminatory if it disproportionately affects students with disabilities.

ATTACHMENTS

Attachments are available on Council's website at the following LINK.

Nil

REFERENCE DOCUMENTS

Council Policy
Documents are available on Council's website: www.southgippsland.vic.gov.au

Council Plan
Disability Action Plan 2018–2022

Legislative Provisions
Disability Discrimination Act 1992
Equal Opportunity Act 2010 (Victoria)

3.2. NOTICE OF MOTION - REPLACEMENT OF ROOF SOUTH GIPPSLAND SPLASH LEONGATHA

PURPOSE

The purpose of this Notice of Motion is to receive a report at a future Council Meeting in relation to the replacement of the roof of South Gippsland SPLASH Stadium facility in Leongatha.

MOTION

I, Councillor Williams, advise that I intend to submit the following motion to the Council Meeting scheduled to be held on 10 December 2025.

That Council:

1. **Receives a report at a future Council Meeting outlining the replacement or repair of the roof for South Gippsland SPLASH Stadium, including:**

    a. **An assessment of the current roof condition and feasible replacement solutions, including cost estimates, expected lifespan and timeframe.**

2. **The report is to be made available for consideration for the upcoming 2026/27 Annual council budget process.**

BACKGROUND

The roof of South Gippsland SPLASH Stadium facility has been faulty since its replacement was completed in March 2022 and is impacting the local community through court closures and workarounds.

The roof has had numerous persistent leaks, which have continued to present despite repeated efforts to investigate, manage and repair them.

ATTACHMENTS

Attachments are available on Council's website at the following LINK.

Nil

REFERENCE DOCUMENTS

Council Policy

Nil

Legislative Provisions

Nil

4. 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.

5. COUNCIL REPORTS

5.1. GOVERNANCE RULES (C82) FOLLOWING COMMUNITY CONSULTATION

Directorate:	Strategy and Integrity
Department:	Governance and Integrity

Council Plan
Theme - Leading with Integrity

Council's governance is strengthened by reviewing its council meeting practices and procedures.

EXECUTIVE SUMMARY

The purpose of this report is to present the final draft of the *Governance Rules 2025* **(Attachment [5.1.1])** for Council's consideration and determination, following community consultation held from 16 October to 21 November 2025.

RECOMMENDATION

That Council:

1. **Adopts the Governance Rules 2025 (C82) (Attachment [5.1.1]);**
2. **Writes to submitters for the Governance Rules to thank them for their submission to this process; and**
3. **Publishes the Governance Rules 2025 (C82) (Attachment [5.1.1]) to Council's website.**

REPORT

As per s.60 of the *Local Government Act 2020* (the Act), Council is required to develop, adopt and keep in force Governance Rules to be used for Council meetings and delegated and/or joint delegated committees of Council.

Council's *Governance Rules* inform the Council meeting process, including public questions, petitions, and election period legislative obligations and has been in place since endorsement at the 19 October 2022 Council Meeting.

Council endorsed the Draft *Governance Rules* at the 15 October 2025 Council Meeting for community consultation. This feedback period took place from 16 October 2025 to 21 November 2025 via Council's YourSay Online platform. Council received one submission as part of this process.

Council's Draft *Governance Rules* included:

- Formatting and updated sub-Rule references;
- Updated reference to the Model Councillor Code of Conduct;

- Clarified process when introducing a motion or an amendment;
- Changes to Mayor and Deputy Mayor election and the way Councillors vote for the candidate in the order in which the nomination is received, including an updated process should no candidate for Mayor or Deputy Mayor receive an absolute majority of votes and as a result is a tie;
- Updated process to receiving and noting Petitions;
- Reviewed process Public Questions to relate to Council Meeting Agenda Topics and be submitted 48 hours prior to the start of the Council Meeting, with a limit of 100 words per question; and
- Public Questions may be read out when the Questioner is present at the Council Meeting.

Changes following Community Consultation

The feedback received during the community consultation period included:

- Submission deadline of 48 hours for Public Questions was too short for community members to prepare questions before the Council Meeting and there was a concern about limiting Public Questions to Council Meeting agenda topics.
- 100 word limit per question is too restrictive for context related to the question.
- Supported the introduction of Coffee with a Councillor session and Ward Focus Days.

Following the community consultation feedback, Council are proposing the following changes to the *Governance Rules*.

- Public Questions to be submitted 24 hours prior to the start of the Council Meeting, with a limit of 200 words per question.

The final draft of Council's *Governance Rules* is presented to Council for endorsement which aims to improve and clarify processes, address previous inconsistencies and strengthen good governance practices, relating to Council meetings.

CONSULTATION / COMMUNITY ENGAGEMENT

Council is required to undertake a process of community engagement when adopting or making changes to the Governance Rules which was held from 16 October 2025 to 21 November 2025.

During the consultation period for the draft Governance Rules, the document was made available on Council's Your Say website and received two submission from the community.

RESOURCES / FINANCIAL VIABILITY

There are no financial or resource implications to this report.

RISKS

Engaging and consulting with the community and reviewing and updating processes supports Good Governance reducing the risks associated with decision making.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Attachments are available on Council's website at the following LINK.

1. Governance Rules (C82) - December 2025 [**5.1.1** - 80 pages]

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 1. Direction & Leadership
Pillar 4. Structure, Systems & Policies

Council Policy / Strategy / Plans

Documents are available on Council's website at the following LINK.

Councillor Code of Conduct Policy (C14)
Governance Rules (C82)

Legislative Provisions

Local Government Act 2020

Regional, State and National Plan and Policies

Nil

SOUTH GIPPSLAND SHIRE COUNCIL

Governance Rules

December 2025



South Gippsland
Shire Council

Good Governance Framework – Governance Rules
Overarching Principle

The Governance Rules provide the meeting procedures for Council and Council Committees. The rules will guide the orderly conduct of meetings and election of the Mayor and Deputy Mayor.

The *Governance Rules* are an integral part of Council's Good Governance Framework. They provide structure to the 'Decision Making' pillar.

GOVERNANCE RULES
Introduction

1. Nature of Rules

These are the *Governance Rules* of South Gippsland Shire Council, made in accordance with section 60 of the *Local Government Act 2020 (Act)*.

(a) the role of Council is to provide good governance in its *municipal district* for the benefit and wellbeing of the municipal community specified in section 8(1) of the *Act*;

(b) a Council must in the performance of its role give effect to the overarching governance principles specified in section 9(1) of the *Act*.

2. Date of Commencement

These *Governance Rules* commence on 10 December 2025 following endorsement at a Council Meeting. These *Governance Rules* will be reviewed in accordance with the *Local Government Act 2020* and *Local Government (Governance and Integrity) Regulations 2020*.

3. Contents

These *Governance Rules* are divided into the following Chapters:

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4. Definitions

In these *Governance Rules*, unless the context suggests otherwise the following words and phrases mean:

Act means the *Local Government Act 2020*.

Chief Executive Officer includes an *Acting Chief Executive Officer* or delegated Senior Officer as determined by the *Chief Executive Officer*.

Community Asset Committee means a Community Asset Committee established under section 65 of the *Act*.

Council means South Gippsland Shire Council.

Council meeting has the same meaning as in the *Act*.

Delegated Committee means a Delegated Committee established under section 63 of the *Act*.

Mayor means the Mayor of *Council*.

Rules and Sub-rules mean these *Governance Rules* and the clauses contained within them.

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Chapter 1 – Governance Framework

1. Context

These *Governance Rules* should be read in the context of and in conjunction with:

(a) the overarching governance principles specified in section 9(2) of the *Act*; and

(b) supporting principles in section 9(3) of the *Act*;

Local Government Act 2020 - Related Sections		
Part 2 – Division 1 – Role and powers of a Council		
Section 9(2) – Overarching governance principles		
1)	The following are the overarching governance principles:	
	a)	Council decisions are to be made and actions taken in accordance with the relevant law;
	b)	priority is to be given to achieving the best outcomes for the municipal community, including future generations;
	c)	the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
	d)	the municipal community is to be engaged in strategic planning and strategic decision making;
	e)	innovation and continuous improvement is to be pursued;
	f)	collaboration with other Councils and Governments and statutory bodies is to be sought;
	g)	the ongoing financial viability of the Council is to be ensured;
	h)	regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
	i)	the transparency of Council decisions, actions and information is to be ensured.
Section 9(3) – Overarching supporting principles		
2)	In giving effect to the overarching governance principles, a Council must take into account the following supporting principles:	
	a)	the community engagement principles;
	b)	the public transparency principles;
	c)	the strategic planning principles;
	d)	the financial management principles;
	e)	the service performance principles.

(c) the following documents adopted or approved by *Council*: Available on Council's website:

- Community Engagement Policy
- Community Engagement Strategy
- Complaint Handling Policy
- Councillor Access to Council Information Policy
- Model Code of Conduct
- Internal Resolution Procedure
- Councillor Support and Expenditure Policy
- Election Period Policy
- Live Streaming of Council Meetings Policy
- Public Interest Disclosure Guidelines

- Public Transparency Policy
- South Gippsland's Good Governance Framework

2. Purpose

The purpose of these *Governance Rules* is to set the procedures that govern under ss.60 and 61(a) of the *Act*:

(a) conduct of *Council meetings* (including holding Council meetings by electronic means of communication*)*;

(b) conduct of meetings of *Delegated Committees* and *joint Delegated Committees* (including holding meetings of delegated committees by electronic means of communication);

(c) conduct of meetings of *Community Asset Committees*;

(d) internal meetings involving Councillors;

(e) form and availability of meeting records;

(f) election of the *Mayor* and the *Deputy Mayor* and/or appointment of an Acting *Mayor*;

(g) election period policy in accordance with s.69;

(h) procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee under s.130;

(i) procedure for the disclosure of a conflict of interest by a Councillor under s.131;

(j) disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of s.126(1);

(k) any other matters prescribed by the regulations;

(l) provide for the appointment of Councillors as members of committees established by the Council or as Council representatives to external committees and organisations; and

(m) Model Councillor Code of Conduct under section 139 of the Act and standards prescribed in the *Local Government (Governance and Integrity) Regulations 2020*, and Council's Internal Resolution Procedure.

3. Decision Making

Overview:

This Chapter Section outlines the role of a Councillor and the responsibility and power of decision making for Council.

(a) in any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:

(i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial;

(ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations; and

(iii) whilst complying with all conflict of interest requirements.

(b) *Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).

(c) without limiting anything in paragraph (b) of this sub-Rule:

(i) before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;

(ii) if a report to be considered at a *Council meeting* concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;

(iii) if a report to be considered at a *Delegated Committee* meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and

(iv) if a member of *Council* staff proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the member of *Council* staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.

(d) *Council* when making a decision, is to abide by *Part 3 - Division 1– Community Accountability* of the *Act*, this includes but not limited to:

(i) *Council's* adopted Community Engagement Policy (section 55 of the Act);

(ii) Community Engagement Principles (section 56 of the Act) – participants in community engagement are informed appropriately in relation to Council decisions;

(iii) Council's adopted *Public Transparency Policy* (section 57 of the Act);

(iv) *Public Transparency Principles* (section 58 of the Act) – Council decision making processes must be transparent except when the Council is dealing with confidential information by virtue of this *Act* or any other Act.

4. Role of Councillor

As per section 28(2) of the *Act*, in performing the role of a Councillor, a Councillor must:

(a) consider the diversity of interests and needs of the municipal community;

(b) support the role of the *Council*;

(c) acknowledge and support the role of the *Mayor*;

(d) act lawfully and in accordance with the oath or affirmation of office;

(e) act in accordance with the Model Councillor Code of Conduct;

(f) comply with *Council* procedures required for good governance and

(g) the role of a Councillor does not include the performance of any responsibilities or functions of the *Chief Executive Officer*.

5. Resolution of Council

As per section 59 of the *Act*, a resolution of Council means:

(a) a resolution made at a *Council meeting*;

(b) a resolution made at a meeting of a *delegated committee*; and

(c) the exercise of a power or the performance of a duty or function of the *Council* by a member of Council staff or a *Community Asset Committee* under delegation.

Chapter 2 – Meeting Procedure for Council Meetings

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Part A – Introduction – Meeting Procedure for Council Meetings

1. Title

This Chapter will be known as the "Meeting Procedure for Council Meetings".

2. Purpose of this Chapter

The purpose of this Chapter is to:

2.1 provide for the election of the *Mayor* and any *Deputy Mayor*;

2.2 provide for the appointment of any *Acting Mayor*; and

2.3 provide for the procedures governing the conduct of *Council meetings*.

3. Definitions and Notes

3.1 In this Chapter:

agenda	means the notice of a meeting setting out the business to be transacted at the meeting
Chair	means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the Act
CEO	Chief Executive Officer of South Gippsland Shire Council
minutes	means the written record of *Council meeting* proceedings
Absolute majority	Means the number of Councillors which is greater than half the total number of the Councillors of the Council
municipal district	means the municipal district of Council
notice of motion	means a notice setting out the text of a motion, which it is proposed to move at the next relevant meeting
notice of rescission	means a notice of motion to rescind a resolution made by Council
quorum	at a *Council meeting* is an absolute majority (for example; if nine Councillor, a quorum would equal five Councillors in attendance)
written	includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and writing has a corresponding meaning

3.2 introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

Part B – Election of Mayor

Introduction: This Part details the required process of the election of the *Mayor*.

4. Election of the *Mayor*

The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the *Act*.

Council is to follow section 25 and 26 of the *Act* when electing a *Mayor* of Council and a *Deputy Mayor* (if determined by *Council*).

Note: under section 27 of the *Act* it states that any reference to *Mayor* in section 25 and 26 are interchangeable with *Deputy Mayor*.

5. Election of the *Mayor* and *Deputy Mayor* (if determined by *Council*)

5.1 The meeting to elect the *Mayor* (and *Deputy Mayor*) is to be held no later than one month after the date of the general election and is open to the public.

5.2 The *Chief Executive Officer* must call an additional *Council meeting* to elect a *Mayor* following a *Council* election declaration in accordance with the *Act*.

(a) the additional *Council meeting* may also consider the role of *Deputy Mayor* and any other matters as determined by the *Chief Executive Officer*.

5.3 The *Chief Executive Officer* acts as the *Chair* and facilitates the election of the *Mayor* in accordance with the provisions of the *Act*, these *Governance Rules, Model Councillor Code of Conduct and Council's Election Period Policy (C30).*

5.4 At the Meeting to elect the *Mayor* (and *Deputy Mayor*), *Council*:

(a) must determine whether the *Mayor* is to be elected for a one year or a two year term, before the election of the *Mayor* take place. If no such resolution is passed the term of the *Mayor* remains at one year;

(b) must elect a *Mayor* by an absolute majority of the Councillors;

(c) may by resolution of *Council* agree to elect a *Deputy Mayor*; and

(d) if a *Deputy Mayor* is to be elected, determine whether the *Deputy Mayor* is to be elected for a one or two year term. If no such resolution is passed the term of the *Deputy Mayor* remains at one year;

(e) an election of a *Deputy Mayor* will take place after the election of the *Mayor*;

(f) must elect a *Deputy Mayor* by an absolute majority of the Councillors;

(g) if an absolute majority of the councillors cannot be obtained, the *Council* may resolve to conduct a new election at a later specified time and date.

5.5 The *agenda* for the meeting to elect the first *Mayor* (or *Deputy Mayor*) of the election term may include:

(a) the taking of the oath or affirmation of office, is conducted before the *Mayor* (and *Deputy Mayor*) election and in accordance with the *Act*;

(b) the appointment of Councillor representatives to various bodies, *Delegated Committees* and *joint Delegated Committees*.

6. Method of Voting

The election of the *Mayor (and Deputy Mayor if relevant)* must be carried out by a show of hands by each Councillor.

Each time a vote is required to be taken, Councillors shall clearly indicate their choice by show of hands. All votes must be recorded in the *minutes*.

The *absolute majority* means the number of Councillors which is greater than half the total number of the Councillors of a Council. For example; nine (9) Councillors the absolute majority of votes would be five (5).

Following a Council election, no Councillor can participate in the election of the *Mayor* or the *Deputy Mayor* if they have not signed the oath or affirmation of office.

7. Determining the election of the *Mayor*

7.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.

7.2 The *Mayor* becomes the *Chair* once elected by *Council*.

7.3 Any nominations for the office of *Mayor* can be made by any Councillor for any Councillor and must be:

7.3.1 submitted in *writing* and in a form prescribed by the *Chief Executive Officer*, prior to the meeting; and

7.3.2 seconded by another Councillor on this form.

7.4 All nominees will clearly indicate their acceptance of the nomination during the meeting;

7.5 Any nominees not present at the meeting held to elect the *Mayor*, must have provided their acceptance in *writing* to the *Chief Executive Officer*, prior to the meeting;

7.6 Once nominations have been accepted, all Councillors contesting the election of the Mayor shall be known as candidates;

7.7 Should no submissions be received, the *Chair* will call for final nominations prior to the commencement of the meeting being conducted and will then declare the nominations closed before the meeting begins. If no nominations are received, the *Chair* will call for nominations at the meeting.

7.8 Any Councillor can withdraw their candidature at any time before Councillors are requested to vote.

7.9 Candidates may address *Council* for up to three minutes prior to the vote for the election of *Mayor* (and *Deputy Mayor*) being conducted.

7.10 Once nominations for the office of *Mayor* have been received, the following provisions will govern the election of the *Mayor*:

7.10.1 if there is only one nomination, the candidate nominated must be declared to be duly elected;

7.10.2 if there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates;

7.10.3 Councillors will vote for the candidate in the order in which the nominations were received.

7.10.4 in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;

7.10.5 in the event that no candidate receives an absolute majority of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;

7.10.6 if one of the remaining candidates receives an absolute majority of the votes, that candidate is duly elected. If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected;

7.10.7 In the event of two candidates being nominated or remaining, and neither candidate receiving the votes of an absolute majority of Councillors, the Councillors in attendance at the meeting will consider whether to resolve to conduct a new election at a later date and time; or

7.10.8 if it is not resolved to conduct a new election at a later date and time by Council, Councillors must continue to vote until one of the candidates receives the votes of an absolute majority of Councillors, at which point that candidate will be declared duly elected. If, after two further votes are taken neither candidate receives the votes of an absolute majority of Councillors, the *Chief Executive Officer* must resolve to conduct a new election at a later date and time and no later than seven (7) days. Council may resolve to defer the meeting or elect a Temporary Chair to consider the remaining business of the meeting.

7.10.9 the *Chair* will announce the duly elected *Mayor* (and *Deputy Mayor*) and invite the *Mayor* (and *Deputy Mayor*) to address *Council* for not more than three minutes.

8. Election of Deputy Mayor and *Chairs* of Delegated Committees

Election of any Deputy Mayor cannot proceed until the election of the Mayor has been completed.

Any election for:

8.1 any office of *Deputy Mayor*; or

8.2 *Chair* of a *Delegated Committee*

will be regulated by Rules 4-7 (inclusive) of *this Chapter*, as if the reference to the:

8.3 *Chief Executive Officer* is a reference to the *Mayor*; and

8.4 *Mayor* is a reference to the *Deputy Mayor* or the *Chair* of the *Delegated Committee* (as the case may be).

9. Appointment of Acting Mayor

If *Council* has not established an office of *Deputy Mayor* and it becomes required to appoint an *Acting Mayor* (as per section 20B of the *Act*), it can do so by:

9.1 resolving that a specified Councillor be so appointed for a period specified by the *Council*; or

9.2 following the procedure set out in Rules 6 and 7 (inclusive) of *this Chapter*,

at its discretion.

9.3 An *Acting Mayor* appointed in either Rules 9.1 or 9.2 above:

(a) must perform the role of the *Mayor*; and

(b) may exercise any of the powers of the *Mayor*; until the circumstances specified by *Council* no longer apply or the period of the appointment expires, whichever first occurs.

10. Mayor or Deputy Mayor of Office become vacant

10.1 The office of *Mayor* (and *Deputy Mayor*) becomes vacant under section 20, 22 and 35 of the *Act*:

(a) at the time and on the day of the election of the next *Mayor*;

(b) the day the *Mayor* (or *Deputy Mayor*) resigns from office in *writing* to the *Chief Executive Officer*;

(c) ceases to be qualified to be a Councillor, dies, becomes ineligible, ousted or suspended as a Councillor;

(d) or a Councillor is absent from *Council meetings* for a period of four (4) consecutive months without leave of absence obtained; or

(e) for any other reason stated in the *Act*.

Part C – MEETINGS PROCEDURE

Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

Division 1 – Notices of Meetings and Delivery of Agendas

11. Dates and Times of Meetings Fixed by *Council*

11.1 Subject to Rule 13, *Council* must at or before the last *Council meeting* in each calendar year, fix the date, time and place of all *Council meetings* and any Delegated Committee Meetings for the following calendar year.

11.2 Where legislation allows, meetings may be conducted virtually.

12. *Council* May Alter Meeting Dates

12.1 *Council* by resolution, or the *Chief Executive Officer*, may change the date, time and place of, or cancel, any *Council Meeting* which has been fixed and must provide notice of the change to the public.

13. Meetings Not Fixed by Council (additional *Council Meeting*)

13.1 *Council* may by resolution call an additional *Council Meeting*.

13.2 The *Chief Executive Officer* may call additional *Council Meetings* including the call of a *Council meeting* to elect a *Mayor* as per sub-clause 5, in accordance with their powers under the *Act* or delegated to them by *Council*.

13.3 The *Mayor,* and at least two (2) Councillors may request the *Chief Executive Officer* to call a *Council meeting* by a *written* notice provided to the *Chief Executive Officer*.

(a) a *written* notice to call an additional *Council meeting*, must:

(i) state the business to be transacted; and

(ii) be delivered to the *Chief Executive Officer* in sufficient time to enable notice to be given to the Councillors and public notice.

13.4 The *Chief Executive Officer* must convene the *Council meeting* as specified in the notice as described as per sub-Rule 13.3(a)(i).

13.5 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the *written* notice can be transacted at the *Council meeting*.

14. Notice of Meeting

14.1 A notice of meeting, incorporating or accompanied by an *agenda* of the business to be dealt with, must be delivered or sent electronically to every Councillor for all *Council meetings* at least 48 hours before the start of the *Council meeting*.

14.2 A notice of a meeting, including an additional *Council meeting* as far as practicable, aims to be provided at least five day's notice.

(a) a period of less than five days may apply, if exceptional circumstances exist for the calling of an additional *Council meeting*.

14.3 Notwithstanding sub-Rule 14.1, a notice of meeting need not be delivered or sent electronically to any Councillor who has been granted leave of absence unless the Councillor has requested the *Chief Executive Officer* in *writing* to continue to give notice of any meeting during the period of their absence.

14.4 Reasonable notice of each *Council meeting* must be provided to the public. *Council* may do this:

14.4.1 for *meetings* which *Council* has fixed by preparing a schedule of meetings annually, twice yearly or from time to time, and arranging publication of such schedule in a newspaper generally circulating in the *municipal district* either at various times throughout the year, or prior to each such *Council meeting*; and

14.4.2 for any fixed *Council meeting* by giving notice on *Council's* website and:

(a) in each of its Customer Service Centres; and/or

(b) in at least one newspaper generally circulating in the *municipal district.*

14.4.3 An *agenda* for a fixed *Council meeting* will be made available on *Council's* website no less than 48 hours before the start of the *Council meeting*.

14.4.4 An *agenda* for an additional *Council meeting* will be made available on Council's website no less than 24 hours before the additional *Council meeting*.

15. Appointment of Temporary Chair

15.1 In accordance with the Act, the Mayor must take the *Chair* at all *Council Meetings* at which the Mayor is present. If the Mayor is absent, the Deputy Mayor (if any) must take the *Chair*, and if both are absent, Council must elect via Council resolution, a Councillor present as Temporary Chairperson of the *Council meeting* or specific agenda item at that *Council meeting*.

Division 2 – Quorums

16. Inability to Obtain a *Quorum*

No business can be transacted at a *Council meeting* unless a majority of the Councillors are present (*quorum*).

The *majority* means the number of Councillors which is greater than half the total number of the Councillors of a *Council*. For example; with nine (9) Councillors a majority would be five (5).

For the purpose of these meetings, a Councillor present by remote and electronic means of communication is deemed present for the purposes of a quorum (refer to *sub-Rule 76 - Meetings*

Conducted Remotely and sub-Rule 77 - Requests to Attend Council Meetings and Meetings of Delegated Committees Remotely).

If after 30 minutes from the scheduled starting time of any *Council meeting*, a *quorum* cannot be obtained:

16.1 The meeting will be deemed to have lapsed;

16.2 The *Mayor* must convene another *Council meeting*, the *agenda* for which will be identical to the *agenda* for the lapsed meeting; and

16.3 The *Chief Executive Officer* must give all Councillors *written* notice of the meeting convened by the *Mayor.*

17. Inability to Maintain a *Quorum*

17.1 If during any *Council meeting*, a *quorum* cannot be maintained then Rule 16 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.

17.2 Sub-Rule 17.1 does not apply if the inability to maintain a *quorum* is because of the number of Councillors who have a conflict of interest in the matter to be considered.

17.3 If a *quorum* cannot be achieved or maintained due to the declaration of conflicts of interests by the majority of Councillors, and the matter cannot be separated into component parts or prior decisions made, *Council* will delegate the decision to be made:

(a) by the *Chief Executive Officer*; or

(b) by a *Delegated Committee*, established for the purpose of determining the matter, comprised of all the Councillors who have not disclosed a conflict of interest and any other person(s) the *Council* considers suitable.

17.4 A decision made under delegation due to *Council* not being able to achieve or maintain a *quorum* will be reported to the next *Council meeting*.

17.5 The *Chief Executive Officer* must provide *written* notice, including by electronic means, to each Councillor of any *Council meeting* reconvened to another date or time due to an inability to achieve or maintain a *quorum*.

17.6 Notice of a reconvened *Council meeting* to another date or time due to another date or time must be published on *Council's* website as soon as practical.

For example, if Council is proposing to include items in the budget that would give rise to conflicts of interest to more than half of the number of Councillors, Council may consider whether to include these items in the budget as individual decisions prior to adopting the budget as a whole.

18. Adjourned Meetings

18.1 *Council* may adjourn any meeting to another date or time, but cannot in the absence of disorder or a threat to the safety of any Councillor or member of Council staff adjourn a meeting in session to another place.

18.2 *Council* may adjourn a *Council meeting* to another date of time due to technical difficulties.

18.3 The *Chief Executive Officer* must give *written* notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.

18.4 If it is impracticable for the notice given under sub-Rule 18.3 to be in *writing*, the *Chief Executive Officer* must give notice to each Councillor by telephone or in person.

18.5 The *Council meeting* cannot be adjourned for a period exceeding 21 days from the date of the adjournment.

19. Time limits for Meetings

19.1 A *Council meeting* must not continue after four (4) hours unless a majority of Councillors present vote in favour of it continuing.

19.2 A meeting cannot be continued for more than a further 30 minutes, unless otherwise resolved by *Council*.

19.3 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned. In that event, the provisions of sub-Rules 18.3 and 18.4 apply.

20. Cancellation or Postponement of a Meeting

20.1 The *Chief Executive Officer* may, in the case of a matter which would impact the orderly operations of a *Council meeting* or emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.

20.2 Where possible notice of the change to the *Council meeting* is to be made public on Council's website as early as possible.

20.3 The *Chief Executive Officer* must present immediately following *Council meeting* a *written* report on any exercise of the power conferred by sub-Rule 20.1.

Division 3 – Business of Meetings

21. Agenda and the Order of Business

21.1 The *agenda* for and the order of business for a *Council meeting* is to be determined by the *Chief Executive* Officer so as to facilitate and maintain open, efficient and effective processes of government.

21.2 *Chief Executive Officer* may prepare and distribute a confidential *Council meeting agenda* to be dealt with in closed session, not available to the public, to deal with matters that are confidential as per the *Act*.

22. Change to Order of Business

22.1 Once an *agenda* has been sent to Councillors, the order of business for that *Council meeting* may be altered via resolution of *Council*.

22.2 The order of business for that *Council meeting* may be altered by the *Chair* at the commencement of the *Council meeting*.

23. Urgent Business

23.1 If the *agenda* for a *Council meeting* makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of *Council* and only then if:

(a) it relates to or arises out of a matter which has arisen since distribution of the *agenda*; and

(b) deferring the item until the next *Council meeting* will mean a decision on the item will not have any effect on the matter; or

(c) deferring the item until the next *Council meeting* may affect or influence a matter that is scheduled for consideration at the next *Council meeting*; or

(d) the item involves a matter of urgency as determined by the *Chief Executive Officer*;

(e) it cannot be addressed through an operational service request process; and

(f) provided the matter does not:

(i) substantially affect the levels of *Council* service;

(ii) commit *Council* to significant expenditure not included in the adopted budget;

(iii) establish or amend *Council Policy*; or

(iv) commit *Council* to any contractual arrangement.

Division 4 – Motions and Debate

24. Councillors May Propose *Notices Of Motion*

Councillors may ensure that an issue is listed on an *agenda* by lodging a *Notice of Motion* that is in accordance with sub-Rule 25.

25. Notice Of Motion

25.1 A *notice of motion* is required to outline the subject, provide sufficient background information to assist debate and allow *Council* to make an informed decision.

25.2 A *notice of motion* must relate to the objectives, role and functions of Council as outlined in the Act.

25.3 A *notice of motion* must not:

(a) substantially affect the levels of *Council* service;

(b) commit *Council* to significant expenditure not included in the adopted budget;

(c) establish or amend *Council Policy*; or

(d) commit *Council* to any contractual arrangement.

25.4 A *notice of motion* may call for an Officer's Report to be prepared to:

(a) consider the allocation of funds to a particular matter; or

(b) consider changes to an adopted policy position of the *Council*.

25.5 A *notice of motion* must be in *writing* signed by a Councillor and a seconder, and be lodged with or sent to the *Chief Executive Officer* to allow sufficient time (fourteen (14) days prior to the *Council meeting* date) for the *notice of motion* to be included in *agenda* papers for a *Council meeting* and to give each Councillor at least 48 hours' notice of such *Notice of Motion*.

25.6 The *Chief Executive Officer* may reject any *Notice of Motion* which:

(a) is vague, defamatory or unclear in intention;

(b) it is beyond *Council's* power to pass; or

(c) if passed would result in *Council* otherwise acting invalidly;

(d) is objectionable in language or nature;

(e) which is identical or substantially similar to a *notice of motion* or other motion that has been considered by the *Council* in the preceding three (3) months;

(f) which is unworkable;

(g) may be prejudicial to any person or *Council*;

(h) does not have a signature of a seconder; or

(i) is submitted during Election Period.

but must:

(j) give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and

(k) notify in *writing* the Councillor who lodged it of the rejection and reasons for the rejection.

25.7 The *Chief Executive Officer* may designate a *notice of motion* to be confidential in accordance with the *Act*, in which case the *notice of motion* will be considered at a meeting that is closed to members of the public, unless *Council* resolves otherwise at the *Council meeting*.

25.8 The full text of any *notice of motion* accepted by the *Chief Executive Officer* must be included in the *agenda*.

25.9 The *Chief Executive Officer* may arrange for a 'Chief Executive Officer Supplementary Advice', containing relevant contextual and risk management related information, to be provided to Councillors in the *agenda* as an addendum to a *notice of motion*.

25.10 The *Chief Executive Officer* must cause all *notices of motion* to be numbered, dated and entered in the *notice of motion* register in the order in which they were received.

25.11 Except by leave of *Council*, each *notice of motion* before any meeting must be considered in the order in which they were entered in the *notice of motion* register.

25.12 If a Councillor who has given a *notice of motion* is absent from the meeting or fails to move the motion when called upon by the *Chair*, any other Councillor may move the motion.

25.13 If a *notice of motion* is not moved at the *Council meeting* at which it is listed, it lapses.

25.14 If a Councillor who has delivered a *notice of motion* is absent from the *Council meeting* at which the *notice of motion* is to be considered, or fails to move the motion when called upon to do so by the *Chair*, any other Councillor may move the *notice of motion*.

25.15 If the *Chair* has delivered a *notice of motion*, they must vacate the *Chair* of the meeting to move the *notice of motion* and:

(a) the *Deputy Mayor*, respectively will assume the *Chair*, or

(b) if the *Deputy Mayor* is not present, the *Council* must elect another Councillor to assume the *Chair* for the consideration of that item.

25.16 If a *notice of motion* is lost, a similar motion may not be put before *Council* for at least three (3) calendar months from the date it was last lost, unless *Council* resolves that the *notice of motion* be re-listed at a future meeting.

26. *Chair's* Duty

Any motion, question or statement which is determined by the *Chair* to be:

26.1 defamatory;

26.2 objectionable in language or nature;

26.3 vague or unclear in intention;

26.4 outside the powers of *Council*; or

26.5 irrelevant to the item of business on the *agenda* and has not been admitted as urgent, or purports to be an amendment but is not,

must not be accepted by the *Chair*.

27. Introducing A Motion or an Amendment

The procedure for moving any motion or amendment is:

27.1 The *Chair* introduces the *agenda* item by stating its *Agenda Item Number* and *Agenda Title* and may introduce the report or ask the *Chief Executive Officer* or any delegated officer in not more than three (3) minutes;

(a) its background; or

(b) the reasons for any recommendation which appears.

27.2 Any Councillor can ask (through the *Chair*) a question relating to the agenda item which has been introduced to the *Chief Executive Officer* or any delegated officer.

27.3 The *Chair* calls for a mover;

27.4 The mover may move the Officer's recommendation to become the motion before the Council or move a motion different to the Officer's recommendation, without speaking to it.

27.5 If the motion is different to the Officer's recommendation, the mover may choose to state the motion in full or in-part to the satisfaction of the *Chair*. If a Councillor is unclear as to the motion to be considered they can ask (through the *Chair*) for the mover to repeat the motion.

27.6 The motion must be seconded and the seconder must be a Councillor other than the mover. If a motion is not seconded, the motion lapses for want of a seconder;

27.7 If a motion is moved and seconded, then the *Chair* must call on the mover to address the meeting;

27.8 After the mover has addressed the meeting, the seconder may address the meeting, or indicate they reserve the right to speak prior to the movers closing remarks;

27.9 After the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the *Chair* must invite debate by calling on any Councillor who wishes to speak to the motion; and

27.10 if, after the mover and seconder have addressed the meeting, the *Chair* has invited debate and no Councillor speaks to the motion, then the *Chair* must put the motion to the vote.

28. Right Of Reply

28.1 The mover of a motion, including an amendment, has a right of reply to matters raised during debate.

(a) no new matters may be raised in the right of reply;

28.2 If no Councillor has spoken against a *motion*, there will be no right of reply.

28.3 After the right of reply has been taken but subject to any Councillor exercising their right to ask any question concerning or arising out of the motion, the motion must immediately be put to the vote without any further discussion or debate.

29. Moving An Amendment

29.1 Subject to sub-Rule 29.2 a motion which has been moved and seconded may be amended by leaving out or adding words. Any added words must be relevant to the subject of the motion and does not change the intent.

29.2 A motion to confirm a previous resolution of *Council* cannot be amended.

29.3 An amendment must not be directly opposite to the motion or substantially contrary to the motion. Such a proposed change is to be ruled an alternate motion to be considered only in the event that the motion before the meeting is lost and it has been raised as a foreshadowed motion.

30. Who May Propose An Amendment

30.1 An amendment may be proposed or seconded by any Councillor, except the mover or seconder of the original motion, at any time up to the commencement of the mover's closing remarks.

30.2 Any one (1) Councillor cannot move more than two amendments in succession.

30.3 The amendment will lapse if it is not seconded. Debate will continue on the motion before the meeting.

30.4 A Councillor may address the meeting once on any amendment, whether or not they have spoken to the original motion, but debate must be confined to the terms of the amendment.

31. How Many Amendments May Be Proposed

31.1 Any number of amendments may be proposed to a motion but only one amendment may be accepted by the *Chair* at any one time.

31.2 No second or subsequent amendment, whether to the motion or an amendment of it, may be taken into consideration until the previous amendment has been dealt with.

32. An Amendment Once Carried

32.1 If the amendment is carried, the motion as amended then becomes the motion before the meeting, and the amended motion must then be put.

32.2 The mover of the original motion retains the right of reply to that motion.

33. Foreshadowing Motions

33.1 At any time during debate a Councillor may foreshadow a motion up to the commencement of the mover's closing remarks, so as to inform *Council* of the intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.

33.2 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the *Chair* being resolved in a certain way, a Councillor intends to move an alternative or additional motion.

33.3 A motion foreshadowed has no procedural standing and is merely a means to assist the flow of the *Council meeting*.

33.4 The written *minutes* of the meeting is not expected to record foreshadowed motions until the foreshadowed motion is formally moved.

33.5 The *Chair* is not obliged to accept foreshadowed motions.

34. Default to Officer's Recommendation

34.1 In the event that a motion other than the Officer's Recommendation contained in an Officer Report is moved and that motion is lost, and no other motion has been foreshadowed, the *Chair* will call for a mover and seconder of the Officer Recommendation.

34.2 The Officer's Recommendation will follow the same procedure as set out in *Rule 27 - Introducing a Motion or an Amendment*.

35. Withdrawal Of Motions

35.1 Before any motion is put to the vote, it may be withdrawn by the mover and seconder with the leave of *Council*, in which case, the *Chair* must call for a substitute mover and seconder and, if no such substitute is forthcoming, the Motion will lapse.

35.2 If the majority of Councillors objects to the withdrawal of the motion, it may not be withdrawn.

36. Separation Of Motions

Where a motion contains more than one part, it may be separated in parts at the *Chair's* discretion or a Councillor may request the *Chair* to put the motion to the vote in separate parts.

37. *Chair* May Separate Motions

The *Chair* may decide to put any motion to the vote in several parts.

38. Priority of address

In the case of competition for the right of speak, the *Chair* must decide the order in which the Councillors concerned will be heard.

39. Motions In *Writing*

39.1 The *Chair* may require that a motion or amendment be in *writing*.

39.2 *Council* may adjourn the meeting while the motion is being *written* or *Council* may defer the matter until the motion has been *written*, allowing the meeting to proceed uninterrupted.

39.3 The *written* motion must be read out by the mover before the *Chair* accepts it.

40. Repeating Motion and/or Amendment

The *Chair* may request the *Chief Executive Officer* to read the motion or amendment to the meeting before the vote is taken.

41. Debate Must Be Relevant To The Motion

41.1 Debate must always be relevant to the motion before the *Chair*, and, if not, the *Chair* must request the speaker to confine debate to the motion.

41.2 If after being requested to confine debate to the motion before the *Chair*, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker to not speak further in respect of the motion then before the *Chair*.

41.3 A speaker to whom a direction has been given under sub-Rule 41.2 must comply with that direction.

42. Speaking Times

A Councillor must not speak longer than the time set out below, unless granted an extension by the *Chair*:

42.1 The mover of a motion, or mover of any subsequent amendment which has been opposed: five (5) minutes;

42.2 Any other Councillor: there (3) minutes; and

42.3 The mover of a motion exercising a right of reply: three (3) minutes.

42.4 An extension of speaking time up to three (3) minutes may be granted by resolution of the *Council* but only one extension is permitted for each speaker on any motion. The extension may be granted for all Councillors that have not yet spoken to the motion.

42.5 The motion for an extension of speaking time must be proposed:

(a) immediately before the speaker commences contributing to the debate;

(b) during the speaker's contribution to the debate; or

(c) immediately after the speaker has concluded contributing to the debate; or

(d) a motion for an extension of speaking time cannot be accepted by the *Chair* if another speaker has commenced their contribution to the debate.

42.6 Councillors who do not wish to speak to an item are unable to transfer their available speaking time to another Councillor.

43. Addressing the Meeting

43.1 Any person addressing the *Council* must do so respectfully.

43.2 All members of Council staff must be addressed respectfully.

If the *Chair* so determines:

43.3 any person addressing the *Chair* must refer to the *Chair* as:

(a) Mayor; or

(b) Chair.

as the case may be;

43.4 all Councillors, other than the *Mayor (Chair)*, must be addressed as

Cr .....(surname).

43.5 all members of Council staff, must be addressed using the Officer's

.....(first and surname) as appropriate or by their official title.

44. Right to Ask Questions

44.1 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the *Chair*.

44.2 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.

Division 5 – Procedural Motions

45. Outcome of a Motion

The outcome of every motion, needs to state in the *minutes* of the *Council meeting* as to:

45.1 Whether it was put to the vote and the result (CARRIED UNANIMOUSLY, CARRIED, LOST, WITHDRAWN, LAPSED or AMENDED);

45.2 Where a Councillor present at the meeting who does not vote (abstains) on a motion due to a reasonable apprehension of bias or actual bias, or other ground at common law, they should disclose the reason they abstained from casting a vote for inclusion in the *minutes*.

46. Procedural Motions

46.1 Unless otherwise prohibited, a procedural motion may be moved at any time and must be dealt with immediately by the *Chair*.

46.2 Procedural motions require a seconder.

46.3 Notwithstanding any other provision in *this Chapter*, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE						
Procedural Motion	**Form**	**Mover & Seconder**	**When Motion Prohibited**	**Effect if Carried**	**Effect if Lost**	**Debate Permitted on Motion**
Adjournment of debate to later hour and/or date	That this matter be adjourned to *am/pm and/or *date	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a *Chair*; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date. The *agenda*/motion would remain the same content.	Debate continues unaffected	Yes, but only as to time, date and place of the proposed adjournment.

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
Adjournment of debate indefinitely	That this matter be adjourned until further notice	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a *Chair*; (b) When another Councillor is speaking; (c) When the matter is one in respect of which a call of the *Council* has been made for that meeting in accordance with section 85 of the *Act*; or (d)When the motion would have the effect of causing *Council* to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the *agenda*	Debate continues unaffected	Yes
The closure	That the motion be now put	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion.	(a) During nominations for *Chair* (b) The Chair has discretion to reject this motion if the matter is contentious by nature or the original motion has not been adequately debated. Adequate debate arises when every Councillor who wishes to speak has had an opportunity to do so.	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising their right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
The Previous Question	"That the question be NOT now put."	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a *Chair*; (b) While there is an amendment before the *Chair.* (c) The *Chair* has discretion to reject this motion if the matter is contentious by nature or the original motion has not been adequately debated. Adequate debate arises when every Councillor who wishes to speak has had an opportunity to do so.	Prevents the original motion or substantive motion to which it relates being dealt with at that meeting or any adjournment of it.	Requires the original or substantive motion to which it relates be put to the vote immediately without any further debate or amendment.	No
Deferral Motion	During debate on a motion or amendment the *Chair* may accept a deferral motion to defer the matter before the *Council*. That the motion be deferred to another *Council meeting* date and specified in the resolution to allow (purpose of deferral).	Requires a mover and, if accepted by the *Chair*, will take precedence over the motion or amendment before the *Council* at the time	It will not take precedence over a formal motion or a motion of dissent on a point of order	Motion or any amendment associated to the motion will be a subject of a further motion to be presented to a future *Council meeting.* The motion or amendment before the meeting at the time of the deferral motion has effectively lapsed should the deferral motion be successful. The subject matter may be amended and updated when/if it is brought back to the table.	Debate continues unaffected and back to the original motion or amendment prior to the motion being put.	No

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
Laying the question on the table	That the motion be laid on the table. A motion may be moved "That the (question, letter, document, report etc) lay on the table	Any Councillor may move or second It is a formal motion which may be debated and if carried, it has the effect of adjourning any further debate on the matter currently before the *Council* until such time (if any) as the *Council* resolves (by ordinary motion) to take the question from the table.	Prevents debate on the current matter before the *Council* can proceed until a motion to take the question from the table is passed.	If carried in respect of an amendment, it has the effect that both the original motion and the amendment will be adjourned; and prevents debate on the matter currently before the *Council*.	Council continues to consider the previous motion that is before *Council*.	Yes
Alter the order of business	'That the item listed at xx on the *agenda* be considered before/after the item listed as xy'	Any Councillor may move or second	(a) At a Meeting to elect the *Mayor*, or (b) During any debate	Alters the order of business for the meeting	Items are considered in the order as listed in the *agenda*	No

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
Proceeding to the next business	"That the meeting proceeds to the next business."	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion.	(a) During the election of a *Chair*; (b) When another Councillor is speaking; (c) When the matter is one in respect of which a call of the *Council* has been made for that meeting in accordance with section 85 of the *Act*; or (d)When the motion would have the effect of causing *Council* to be in breach of a legislative requirement	If carried in respect of the original motion the business is no longer debated or dealt with. The *Chair* would be required to move to the next item on the *agenda*. If carried in respect of a formal motion, it would dispose of the formal motion immediately and permits debate upon the original motion to proceed. If carried in respect of an amendment, disposes of the amendment immediately and permits debate upon the original motion to proceed, but no similar amendment may be moved at that meeting or any adjournment of it.	The business, amendment, or formal motion would proceed and be dealt with.	No
Suspension of Meeting Procedures	'That meeting procedure be suspended to …' (reason must be provided	Any Councillor may move or second		The rules of the meeting are temporarily suspended for the specific reason given in the motion No debate or decision on any matter, other than a decision to resume meeting procedures, is permitted	The meeting continues unaffected	No

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
Meeting Procedures	'That meeting procedures be resumed'	Any Councillor may move or second	When Meeting Procedures have not been suspended	The temporary suspension of the rules of the meeting is removed	The meeting cannot continue	No
Consideration of confidential matter(s) (Close the meeting to members of the public)	That, in accordance with section 66(2)(a) of the *Act* the meeting be closed to members of the public for the consideration of item xx is confidential as it relates to [insert reason]	Any Councillor may move or second	During the election of the *Mayor/Deputy Mayor*	The meeting is closed to members of the public	The meeting Continues to be open to the public	Yes
Reopen the meeting	'That the meeting be reopened to members of the public'	Any Councillor may move or second.		The Meeting is reopened to the public	The meeting remains closed to the public	No
Extension of speaking time (up to 3 minutes)	The Councillor xx be granted up to 3 minute extension of speaking time.	Any Councillor	A Motion for an extension of speaking item must not be accepted by the *Chair* if another Councillor has commenced speaking	Councillor may continue speaking for the amount of time approved via resolution	Councillor must cease speaking at the end of the allocated time	No
Extension of Agenda Public Questions Time	That agenda item Agenda Public Questions be extended by 15 minutes	Any Councillor	A motion that the agenda item Agenda Public Questions be extended by 15 minutes as per sub-Rule 56.3 to allow further time to hear questions submitted by the public.	Agenda Public Question time to continue for an additional 15 minutes	If Lost, Agenda Public Question does not continue. The *Council meeting* moves to the next Agenda item.	No

Division 6 – Rescission Motions

47. Notice of Rescission

47.1 A Councillor may propose a *notice of rescission* provided:

47.1.1 it has been signed and dated by at least three Councillors;

47.1.2 the resolution proposed to be rescinded has not been acted on; and

47.1.3 the *notice of rescission* is delivered to the *Chief Executive Officer* within 24 hours of the resolution having been made setting out:

(a) the resolution to be rescinded; and

(b) the meeting and date when the resolution was carried.

It should be remembered that a notice of rescission is a form of notice of motion.

Accordingly, all provisions in this Chapter regulating notices of motion equally apply to notices of rescission.

47.2 A resolution will be deemed to have been acted on if:

47.2.1 its contents have or substance has been communicated in *writing* to a person whose legal rights and obligations are materially affected; or

47.2.2 a statutory process has been commenced.

so as to vest enforceable rights in or obligations on *Council* or any other person.

47.3 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:

47.3.1 has not been acted on; and

47.3.2 is the subject of a *notice of rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 47.1.3;

unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy, giving rise to non-compliance with a legal obligation or placing the Council at legal, financial or other risk.

By way of example, assume that, on a Monday evening, Council resolves to have legal representation at a planning appeal to be heard on the following Monday. Assume also that, immediately after that resolution is made, a Councillor lodges a notice of motion to rescind that resolution. Finally, assume that the notice of rescission would not be dealt with until the next Monday evening (being the evening of the day on which the planning appeal is to be heard).

Continue to next page *In these circumstances, deferring implementation of the resolution would have the effect of depriving the resolution of efficacy. This is because the notice of rescission would not be debated until after the very thing contemplated by the resolution had come and*

gone. In other words, by the time the notice of rescission was dealt with the opportunity for legal representation at the planning appeal would have been lost.

Sub-Rule 47.3 would, in such circumstances, justify the Chief Executive Officer or an appropriate member of Council staff actioning the resolution rather than deferring implementation of it.

48. If Lost

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least three (3) months from the date it was last lost, unless *Council* resolves that the *notice of* rescission be re-listed at a future meeting.

49. If Not Moved

If a motion for rescission is not moved at the meeting at which it is listed, it lapses and a similar motion may not be put before *Council* for at least three (3) months from the date it was last lost, unless *Council* resolves that the *notice of* ~~rescis~~sion be re-listed at a future meeting.

50. May Be Moved By Any Councillor

A motion for rescission listed on an *agenda* may be moved by any Councillor in attendance at the *Council meeting* but may not be amended.

51. When Not Required

51.1 Unless sub-Rule 51.2 applies, a motion for rescission is not required where *Council* wishes to change policy.

51.2 The following standards apply if *Council* wishes to change policy:

51.2.1 if the policy has been in force in its original or amended form for less than twelve (12) months, a *notice of rescission* must be presented to *Council*; and

51.2.2 any intention to change a *Council* policy, which may result in a significant impact on any person, should be communicated to those affected and this may include publication and consultation, either formally or informally.

Division 7 – Points of Order

52. *Chair* To Decide

52.1 Only one point of order can be raised before the *Chair* at any one time.

52.2 The *Chair* must decide on points of order in the order in which they are raised.

52.3 The *Chair* must decide all points of order by stating the provision, rule, practice or precedent which they consider applicable to the point raised without entering into any discussion or comment.

53. *Chair* May Adjourn To Consider

53.1 The *Chair* may adjourn the meeting to consider a point of order but otherwise must rule on it as soon as it is raised.

53.2 All other questions before the meeting are suspended until the point of order is decided.

54. Dissent From *Chair's* Ruling

54.1 A Councillor may move that the meeting disagree with the *Chair's* ruling on a point of order, by moving:

"*That the Chair's ruling [setting out that ruling or part of that ruling] be dissented from*".

54.2 When a motion in accordance with this Rule is moved and seconded, the *Chair* must leave the *Chair* and the *Deputy Mayor* (or, if there is no *Deputy Mayor* or the *Deputy Mayor* is not present, temporary *Chair* elected by the meeting) must take their place as *Temporary Chair*.

54.3 The *Deputy Mayor* or Temporary *Chair* must invite the mover to state the reasons for the dissent and the *Chair* may then reply.

54.4 The *Deputy Mayor* or Temporary *Chair* must put the motion in the following form:

"*That the Chair's ruling be dissented from*."

54.5 If the vote is in the negative, the *Chair* resumes the *Chair* and the meeting proceeds.

54.6 If the vote is in the affirmative, the *Chair* must then resume the *Chair*, reverse or vary (as the case may be) the previous ruling and proceed.

54.7 The defeat of the *Chair's* ruling is in no way a motion of censure or non- confidence in the *Chair*, and should not be so regarded by the meeting.

55. Procedure For Point Of Order

A Councillor raising a point of order must:

55.1 State the point of order; and

55.2 State any section, Rule, paragraph or provision relevant to the point of order

before resuming.

56. Valid Points Of Order

A point of order may be raised in relation to:

56.1 A motion, which, under Rule 26 - *Chair's Duty*, or a question which, under Rule 57 - *Question Time*, should not be accepted by the *Chair*;

56.2 A question of procedure;

(a) an act of disorder or conduct in contravention of the Model Councillor Code of Conduct;

(b) debate that is irrelevant to the matter before Council;

(c) defamatory, frivolous or vexatious;

(d) an error of fact;

(e) a matter that is outside the powers of Council; or

56.3 any other act of disorder.

> Rising to express a difference of opinion or to contradict a speaker is not a point of order.

Division 8 – Public Question Time

57. Agenda Public Question Time

57.1 There must be a public question time at every *Council meeting* fixed under Rule 11 - *Dates and Times of Meetings Fixed by Council* to enable members of the public to submit questions to *Council*, except during election caretaker period.

57.2 Sub-Rule 57.1 does not apply during any period when a meeting is closed to members of the public in accordance with section 66(2) of the *Act*.

57.3 Public question time is a section of the agenda of a *Council meeting* during which Council may answer questions submitted by members of the public. It is not designed to take the place of contacting a Councillor or Councillors directly to discuss a matter, or to replace contacting Council's Customer Services for assistance. Rather, it is designed to allow for clarification of issue or matter contained within the *Council meeting* agenda.

57.4 Public question time in the *agenda* will not exceed 15 minutes in duration, unless extended by a further 15 minutes by a resolution of Council.

57.5 For the purposes of this Rule 57 a *Questioner* is referenced as the person submitting the public question(s) at a *Council meeting*.

57.6 For questions to be considered at a *Council meeting*, the following requirements are to be met. The submitted question(s) to *Council* must be:

(a) relevant to the business or functions of *Council*;

(b) clear and legible;

(c) relevant to any *Council* agenda topic included in the relevant scheduled *Council meeting* agenda;

(d) directed to the *Council* and not be directed to individual Councillors;

(e) limited to 200 words in length, inclusive of any preamble and additional information;

(f) focused on an issue within Council's powers to act;

(g) not name, allude to, or focus on an individual;

(h) in *writing,* stating their name, address, email and contact details of the person submitting the question; and be lodged electronically via Council's website or delivered in hard copy to Leongatha Council Office; and

(i) submitted 24 hours prior to the start of the *Council meeting*.

57.7 Any question that is received after the closing time stipulated in sub-Rule 57.6(i) will not be accepted at the *Council meeting* and will be held over to the next scheduled *Council meeting* which there is a agenda public question time (or alternatively will be responded to by officers as a general customer request inline with Council's Customer Service Charter).

57.8 No person may submit more than three (3) questions at any one *Council meeting*. This includes a combined total of three (3) questions for related parties or groups within the *municipal district*.

57.9 A question may be split into a maximum of two parts only. If more than two parts to a question are received, only the first two parts will be considered. Similarly, if more than three questions are received, only the first three questions will be considered. Any additional question (more than three (3) questions), will not be accepted, responded to or read out at the *Council meeting* or recorded in the *minutes*.

57.10 If a person has submitted three (3) questions to a meeting, the second and third question:

(a) may, at the discretion of the *Chair*, be deferred until all other persons who have submitted a question have had their questions read and answered; or

(b) may, at the discretion of the *Chair*, the *Questioner* may be requested to be seated in the gallery before reading out their next question, to allow other persons who have submitted a question be heard.

(c) may not be read out if the time allotted for public question time has expired.

(d) in relation to section (a) preference will be given to questions asked by persons who have not submitted a question in the previous 12 months.

57.11 There is no requirement for a *Questioner* to be present at the *Council meeting* in order to have their question(s) and the response read out.

57.12 The person (*Questioner*) who submitted the question must be present in the Council Chamber at the time of the Agenda Public Question time of the *Council meeting* when the *Chair* will call their name in order for the *Questioner* to read out their question(s).

(a) *Questioner* cannot nominate a proxy to read out their question(s) at the *Council meeting*.

57.13 Through the *Chair*, the *Questioner* will have an opportunity to read out their question(s) or request the *Chair* or a member of Council staff or Councillor nominated by the *Chair* to read out their question on their behalf. The question and the response will then be recorded in the *minutes*.

57.14 When the *Questioner* reads out their question(s) at the *Council meeting*:

(a) the *Questioner* may not raise any additional questions or alter the previously submitted question(s) to Council.

(b) the *Questioner* must abide by the direction of the *Chair* and in accordance with these *Governance Rules*, particularly *Division 12 – Behaviour*.

57.15 The name of the *Questioner*, the question and the response (if the question and response are read out at the meeting) must be recorded in the *minutes*, as an official record of the question being dealt with at the *Council meeting*.

57.16 If the *Questioner* is not present at the *Council meeting*, the *Chair* or a member of Council staff or Councillor nominated by the *Chair* may read to those present at the meeting a question which has been submitted in accordance with this Rule 57. The order in which questions will be read will be at the discretion of the *Chair,* preference will be given to questions asked by persons who have not submitted a question in the previous 12 months.

57.17 All questions and answers must be as brief as possible, and no further questions or debate arising out of anything said will be allowed, discussion may be allowed other than by Councillors for the purposes of clarification.

57.18 Notwithstanding sub-Rule 57.10, the *Chair* may refrain from reading a question or having a question read if the person who submitted the question is not present in the gallery at the time of the meeting when the question is due to be read.

57.19 It is at the absolute discretion of the *Chair* to not allow any question. A question may be disallowed by the *Chair* if the *Chair* determines that it:

(a) is not relevant to any Council agenda topic included in the *Council meeting* agenda.

(b) relates to a matter outside the duties, functions and powers of *Council*;

(c) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;

(d) deals with a subject matter already publicly answered; or is repetitious or vexatious questions from the same *Questioner*;

(e) is aimed at embarrassing a Councillor or a member of *Council* staff;

(f) relates to personnel matters;

(g) relates to the personal hardship of any resident or ratepayer;

(h) relates to industrial matters;

(i) relates to contractual matters;

(j) relates to proposed developments;

(k) relates to legal advice;

(l) relates to law enforcement matters;

(m) relates to confidential information as defined under the *Act*; or

(n) relates to matters affecting the security of *Council* property;

(o) is illegible, vague, not make sense or not be a question;

(p) relates to council business information and operational matters not specific to *Council meeting* agenda topics (refer to sub-Rule 57.21); and/or

(q) relates to any other matter which *Council* considers would prejudice *Council* or any person.

57.20 Any question(s) which has been disallowed by the *Chair* will not be read out at the *Council meeting* or recorded in the *minutes*.

57.21 Any question that has been disallowed and may relate to council business information and operational matters of Council; (sub-Rule 57.19(p)) are redirected and responded to by officers as a general customer request inline with Council's Customer Service Charter.

57.22 Any question which has been disallowed by the *Chair* and have been received 24 hours prior to the start of the *Council meeting*, the *Questioner* is to be informed of the reason or reasons (as per sub-Rule 57.19(a-q)) for which the question was not accepted in advance of the *Council meeting*.

57.23 Any question(s) taken on notice and then disallowed (as per sub-Rule 57.19(a-q)) will be notified in writing within ten (10) business days of receiving the question(s); the *Questioner* may reword their question(s) and re-submit their question(s) to Council.

57.24 Any question which has been disallowed by the *Chair* must be made available to any other Councillor upon request.

57.25 All reasonable attempts will be made to answer any question submitted 24 hours prior to the start of the *Council meeting*. If no answer can be appropriately given within the timeframe, the question(s) will be taken on notice.

57.26 The responses to the question(s) taken on notice that comply with the *Governance Rules* will be:

(a) provided with a written response to the question(s) taken on notice via email to the person (*Questioner*) asking the question(s) within three (3) business days following the *Council meeting*; and

(b) included in the *minutes* at the next *Council meeting*.

57.27 Like questions may be grouped together and a single answer provided.

57.28 The *Chair* may nominate a Councillor or the *Chief Executive* Officer or any delegated officer to respond to a question.

57.29 Where the 15 minutes allotted to Agenda Public Question section of the *Council meeting* agenda has expired, the remaining questions and responses will not be read out at the *Council meeting* and will not be recorded in the *minutes*, unless Council resolves via Council resolution to extend the allotted time of Agenda Public Question time by an additional 15 minutes. A written response will be provided to all *Questioners* if the questions are not read out.

57.30 A Councillor or *the Chief Executive Officer* may advise *Council* that it is their opinion that the reply to a question should be given in a meeting closed to members of the public. The Councillor or *Chief Executive Officer* (as the case may be) must state briefly the reason why the reply should be so given and, unless *Council* resolves to the contrary, the reply to such question must be so given.

57.31 To comply with the *Privacy and Data Protection Act 2014* (Victoria), personal information provided as part of the Agenda Public Question time process will only be used for the primary purpose for which it was provided – that is, to consider the

question(s). The submitted question/s and the name of the *Questioner* will be recorded in the *minutes* and be available to the public when placed on Council's website.

Division 9 – Petitions and Joint Letters

58. Petitions and Joint Letters

58.1 Members of the community are able to submit a valid petition (or join letter, memorial or other like application):

(a) to a Councillor; or

(b) by mail or delivery in person to the Leongatha Council Office and addressed to the *Chief Executive Officer*.

58.2 A petition (or joint letter) must be lodged by 5:00pm and fourteen (14) ordinary days prior to the day of a scheduled *Council meeting* to allow sufficient time to be included in the *Council meeting* agenda.

58.3 If a petition (or joint letter) is received outside the lodgement timeframe in sub-Rule 58.2, it will be presented at the next appropriate scheduled *Council meeting*, unless Council determines to consider it as an item of urgent business at the *Council meeting*.

58.4 A petition (or joint letter) may nominate a person to whom a reply may be sent, but if no person is nominated, Council may reply to the first person whose signature appears in the petition (or joint letter).

58.5 Where a petition (or joint letter, memorial or other like application) is received and complies with the requirements of the *Governance Rules*, it may be considered at the *Council meeting* at which it is tabled.

58.6 The only Motions that may be moved in relation to petitions (or joint letters) set out in the agenda are:

(a) That the petition (or joint letter) be received and noted;

(b) That the petition (or joint letter) be received and a report be submitted to a specific meeting cycle for consideration;

(c) That the petition (or joint letter) be considered at a specific time or in conjunction with a specific item;

(d) That the petition (or joint letter) be dealt with in conjunction with another item on the agenda or any other *Council meeting* agenda; and

(e) That the petition (or joint letter) be referred to the Chief Executive Officer for consideration and response and the response to the petition (or joint letter) be submitted to a specific meeting cycle for finalisation.

58.7 Petitions relating to a formal submission process, including but not limited to the Budget process, Planning applications, Planning Scheme Amendments or other matters related to formal objections and undertaken by Council, will be referred directly to the relevant Department and dealt with as a submission to that matter and will not be tabled at a *Council meeting* as a petition (or joint letter). A written notice to

the lead petitioner notifying them of this process will be sent prior to distributing the *Council meeting* agenda, in which it was requested to be tabled.

58.8 It is incumbent on every Councillor presenting a petition (or joint letter) to acquaint himself or herself with the contents of that petition (or joint letter), and to ascertain that it does not contain language disrespectful to *Council*.

58.9 Every Councillor presenting a petition or joint letter to *Council* must:

(a) confine himself or herself to a statement of the persons from whom it comes, the number of signatories to it, the material matters expressed in it and the text of the prayer or request.

58.10 Every petition (or joint letter) presented to *Council* must be in *writing* (other than pencil), typing or printing, contain the request of the petitioners or signatories and be signed by at least ten (10) people and submitted by the lead petitioner with a cover letter containing their contact details.

58.11 The *minutes* will capture the name of the Councillor presenting the petition (or joint letter).

58.12 Petitions must relate to Council business and not be the responsibility of another authority or body.

58.13 Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks, and, except in cases of incapacity or sickness, by no one else and the residential address, including street name, town and postcode and signature of every petitioner or signatory must be clearly stated.

58.14 Electronic or online petitions, joint letters, memorials or like applications must contain the name and email address of each petitioner or signatory, which details will, for the purposes of this Rule 58, qualify as the address and signature of such petitioner or signatory.

58.15 Any signature appearing on an individual page which does not bear the text of the whole of the petition (prayer) or request may not be considered by *Council*.

58.16 Every page of a petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter.

58.17 Petitions or joint letters and/or signatories not provided with the correct details will not be counted as valid pages/petitioners when considered by *Council*.

58.18 If a petition, joint letter, memorial or other like application relates to an operational matter, *Council* must refer it to the *Chief Executive Officer* for consideration.

58.19 To comply with the *Privacy and Data Protection Act 2014* (Victoria), personal information provided as part of the petition will only be used for the primary purpose for which it was provided – that is, to consider the petition.

58.20 An E-Petition may be accepted, if the E-Petition meets all the requirements specified in sub-Rule 58.

Division 10 – Voting

59. How Motion Determined

To determine a motion before a meeting, the *Chair* must call Councillors to vote and must then declare the result to the meeting.

60. Silence

Voting must take place in silence.

61. Recount

The *Chair* may direct that a vote be recounted to satisfy themselves of the result. The vote during the recount must reflect the original vote.

62. Casting Vote

In the event of a tied vote, the *Chair* must, unless the Act provides otherwise, exercise a casting vote.

63. By Show Of Hands

63.1 Voting on any matter is by show of hands by each Councillor.

63.2 If a Councillor attending the *Council meeting* virtually cannot hear proceedings or cannot be seen or heard, they are considered to be absent from the *Council meeting* at that point in time in which the vote has taken place.

64. Procedure for a Division

64.1 Immediately after any question is put to a meeting and before the next item of business has commenced, a Councillor may call for a division.

64.2 When a division is called for, the vote already taken, must be treated as set aside and the division shall decide the question, motion or amendment.

64.3 When a division is called for, the *Chair* must:

64.3.1 first ask each Councillor wishing to vote in the affirmative to raise a hand and, upon such request being made, each Councillor wishing to vote in the affirmative must raise their hand. The *Chair* must then state, and the *Chief Executive Officer* or any delegated officer must record, the names of those Councillors voting in the affirmative; and

64.3.2 then ask each Councillor wishing to vote in the negative to raise a hand and, upon such request being made, each Councillor wishing to vote in the negative must raise their hand. The *Chair* must then state, and the *Chief*

Executive Officer or any delegated officer must record, the names of those Councillors voting in the negative.

64.3.3 where a Councillor does not vote in the affirmative or negative (sub-Rule 62.1) by raising their hand, the *Chair* must then state the name of the Councillor/s.

64.3.4 the *Chief Executive Officer* or any delegated officer must record the name of those Councillor/s not voting as abstained (sub-Rule 68.1(p). A Councillor who abstains from voting, is to be taken to have voted against the motion.

64.3.5 the *Chair* must then declare the result.

65. No Discussion Once Declared

Once a vote on a question has been taken, no further discussion relating to the question is allowed unless the discussion involves:

65.1 a Councillor requesting, before the next item of business is considered, that the opposition to a resolution be recorded in the *minutes*; or

65.2 foreshadowing a *notice of rescission* where a resolution has just been made, or a positive motion where a resolution has just been rescinded.

> *For example, Rule 64 would allow some discussion if, immediately after a resolution was made, a Councillor foreshadowed lodging a notice of rescission to rescind that resolution.*
>
> *Equally, Rule 64 would permit discussion about a matter which would otherwise be left in limbo because a notice of rescission had been successful. For instance, assume that Council resolved to refuse a planning permit application. Assume further that this resolution was rescinded.*
>
> *Without a positive resolution – to the effect that a planning permit now be granted – the planning permit application will be left in limbo. Hence the reference, in sub-Rule 64.2, to discussion about a positive motion were a resolution has just been rescinded.*

Division 11 – Minutes

66. Confirmation of Minutes

66.1 At every *Council meeting* the *minutes* of the preceding meeting(s) must be dealt with as follows:

66.1.1 a copy of the *minutes* must be delivered to each Councillor no later than 48 hours before the meeting;

66.1.2 if no Councillor indicates opposition, the *minutes* must be declared to be confirmed and voted on at the *Council meeting*;

66.1.3 if a Councillor indicates opposition to the *minutes*:

(a) the item(s) objected to must be specified;

(b) the objected item(s) must be considered separately and in the order in which they appear in the *minutes*;

(c) the Councillor objecting must move accordingly without speaking to the motion;

(d) the motion must be seconded;

(e) the *Chair* must ask:

"*Is the motion opposed?*"

(f) if no Councillor indicates opposition, then the *Chair* must declare the motion carried without discussion and then ask the second of the questions described in sub-Rule 65.1.3(k);

(g) if a Councillor indicates opposition, then the *Chair* must call on the mover to address the meeting;

(h) after the mover has addressed the meeting, the seconder may address the meeting;

(i) after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the *Chair* must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;

(j) if, after the mover has addressed the meeting, the *Chair* invites debate and no Councillor speaks to the motion, the *Chair* must put the motion; and

(k) the *Chair* must, after all objections have been dealt with, ultimately ask:

"*The question is that the minutes be confirmed*" or

"*The question is that the minutes, as amended, be confirmed*",

and they must put the motion to the vote accordingly;

66.1.4 a resolution of *Council* must confirm the *minutes* and the *minutes* must, if practicable, be signed by the *Chair* of the meeting at which they have been confirmed;

66.1.5 unless otherwise resolved or required by law, minutes of a *Delegated Committee* that has dealt with confidential matters, requiring confirmation by *Council* must not be made available to the public until confirmed by resolution of *Council.*

67. No Debate on Confirmation Of Minutes

No discussion or debate on the confirmation of *minutes* is permitted except where their *accuracy* as a record of the proceedings of the meeting to which they relate is questioned.

68. Deferral Of Confirmation Of Minutes

Council may defer the confirmation of *minutes* until later in the *Council meeting* or until the next meeting if considered appropriate.

69. Form and Availability of Minutes

69.1 The *Chief Executive Officer (*or other person authorised by the *Chief Executive Officer* to attend the meeting and to take the minutes of such meeting) must keep minutes of each *Council meeting*, and those minutes must record:

(a) the date, place, time and nature of the meeting;

(b) the names of the Councillors present, in person and virtually and the names of any Councillors who apologised in advance for their non-attendance, or granted leave of absence, or absent without an apology;

(c) the names of the members of Council officer's present;

(d) any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 5;

(e) arrivals and departures (including temporary departures) of Councillors during the course of the meeting;

(f) each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);

(g) the vote cast by each Councillor upon a division;

(h) the vote cast by any Councillor who has requested that their vote be recorded in the *minutes*;

(i) questions upon notice;

(j) the failure of a *quorum*;

(k) any adjournment of the meeting and the reasons for that adjournment;

(l) the time at which meeting procedures were suspended and resumed; and

(m) any other matter which the *Chief Executive Officer* thinks should be recorded to clarify the intention of the meeting or the reading of the *minutes*.

(n) contain sufficient information to provide for an historical and public record of the *Council's* activities and decisions.

(o) the outcome of every motion needs to state in the *minutes*, whether it was put to the vote and the result (CARRIED UNANIMOUSLY, CARRIED, LOST, WITHDRAWN, LAPSED for want of a seconder or AMENDED);

(p) for the purpose of determining the result of a vote, a Councillor present at the meeting who does not vote (abstains) is to be taken to have voted against the question. Refer to S.61 (5)(d) and (e) and (6) of the *Act* for exemptions and application.

69.2 The *Chief Executive Officer* must ensure that the *minutes* of any *Council meeting* are:

69.2.1 published on *Council's* website; and

69.2.2 available for inspection at *Council's* office during normal business hours.

69.3 Nothing in sub-Rule 68.2 requires *Council* or the *Chief Executive Officer* to make public any *minutes* relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.

Division 12 – Behaviour

70. Public Addressing The Meeting

70.1 Members of the public do not have a right to address *Council* and may only do so with the consent of the *Chair* or by prior arrangement.

70.2 Any member of the public addressing *Council* must extend due courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chair* whenever called on to do so.

70.3 A member of the public in attendance at a *Council meeting* must not disrupt the meeting.

70.4 Speakers addressing a *Council meeting* must abide by the direction of the *Chair* and in accordance with these *Governance Rules*.

71. *Chair* May Remove

71.1 The *Chair* may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 69.2.

71.2 The Mayor may direct a Councillor to leave a *Council meeting*, under section 19(1) of the *Local Government Act 2020* if the behaviour of the Councillor is preventing the Council from conducting its business.

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens their authority in chairing the meeting.

72. *Chair* may adjourn disorderly meeting

If the *Chair* is of the opinion that disorder at the *Council* table or in the gallery makes it desirable to adjourn the *Council meeting*, the *Chair* may adjourn the meeting to a later time on the same day or to some later day. In that event, the provisions of sub-Rules 18.3 and 18.4 apply.

73. Removal from Chamber

The *Chair*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer* or a member of the Victoria Police or an officer authorised by the *Chief Executive Officer*, to remove from the Chamber any person who acts in breach of *this Chapter* and whom the *Chair* has ordered to be removed from the gallery under Rule 70.

Division 13 – Additional Duties of *Chair*

74. The *Chair's* Duties and Discretions

In addition to the duties and discretions provided in *this Chapter*, the *Chair*:

74.1 must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community;

74.2 must call to order any person who is disruptive or unruly during any meeting;

74.3 must ensure silence is preserved by all other persons in attendance at the *Council meeting* while a Councillor or other speaker is addressing the meeting;

74.4 must call to order any member of the public who approaches the *Council* or Committee table during the *meeting*, unless invited by the *Chair* to do so;

74.5 must allow the *Chief Executive Officer* the opportunity to correct factual errors or incorrect assumptions that arise during the meeting;

74.6 may direct that the vote be re-counted to be satisfied of the result; and

74.7 must decide on all points of order, in the order they are called.

Division 14 – Suspension of Meeting Procedures

75. Suspension of Meeting Procedures

75.1 To expedite the business of a meeting, *Council* may suspend meeting procedures.

> *The suspension of meeting procedures should be used to enable full discussion of any issue without the constraints of formal meeting procedure.*
>
> *Its purpose is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.*

75.2 The suspension of meeting procedures should not be used purely to dispense with the processes and protocol of the government of *Council*. An appropriate motion would be:

"*That meeting procedure be suspended to enable discussion on……"*

75.3 In circumstances where *Council* requests staff to leave the *Council meeting*, the minute taker must remain present during the suspension of the meeting procedure. If the minute taker is to be excluded also, then the *Council* should adjourn the meeting.

75.4 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of meeting procedures.

75.5 Once the discussion has taken place and before any motions can be put, the resumption of meeting procedures will be necessary. An appropriate motion would be:

"That meeting procedures be resumed."

Division 15 – Miscellaneous

76. Meetings Conducted Remotely

If:

76.1 by law a meeting may be conducted electronically; and

76.2 *Council* decides that a meeting is to be conducted electronically.

the *Chair* may, with the consent of the meeting, modify the application of any of the Rules in *this Chapter* to facilitate the more efficient and effective transaction of the business of the meeting.

77. Requests to Attend Council Meetings and Meetings of Delegated Committees Remotely

77.1 A Councillor or member of a *Delegated Committee* may attend and be considered present by electronic means of communication subject to the approval of the *Mayor* or Chairperson and the *Chief Executive Officer* and in accordance with sub-Rule 77.2 and 77.3.

77.2 A Councillor or member of a *Delegated Committee* must be able to be seen and heard to be considered present at the meeting.

77.3 The *Mayor* or *Chairperson* and the *Chief Executive Officer* may refuse a request to attend by electronic means, if the required technology is not available at the designated meeting location to facilitate electronic attendance.

77.4 Councillors who are not adhering to sub-Rule 77.2 are considered to be absent from the meeting. The minutes will record when they leave and return to the meeting.

77.5 It will remain the responsibility of the Councillor or member of a *Delegated Committee* attending by electronic means to ensure that they have the required access and environment suitable for electronic communications. This includes privacy for any confidential discussions that may be required.

78. Chief Executive Officer

78.1 The *Chief Executive Officer* or any delegated officer, may participate in the meeting to provide support to the *Chair*;

78.2 The *Chief Executive Officer* should immediately advise, to the best of their knowledge, if a proposed resolution or action is contrary to the law, advise if there are operational, financial or risk implications arising from a proposed resolution and help clarify the intent of unclear resolutions to facilitate implementation;

78.3 The *Chief Executive Officer* or delegate may, on request, assist with procedural issues that may arise;

78.4 The *Chief Executive Officer* may make a brief statement at a *Council meeting* in respect of any statement by a Councillor made at the *Council meeting* criticising them or any member of Council staff.

78.5 A statement under sub-Rule 77.4 must be made by the *Chief Executive Officer*, through the *Chair*, as soon as it practicable after the Councillor who made the statement; and

78.6 Where a resolution of *Council*, following a vote, leaves the action in indeterminate state (limbo), the *Chief Executive Officer* may ask for an alternative motion to be developed by *Council*, or for *Council* to call for an Officer's report.

79. Live streaming and recording

79.1 *Council meetings* are live streamed except where the meeting is closed to the public, or in the case of technical errors which prevent the meeting from being live streamed.

79.2 Archived live streamed recordings of *Council meetings* will be retained and available for public for viewing on Council's website.

79.3 Members of the public will be advised by appropriate venue signage that the meeting is being live streamed and by the *Chair* in the welcome and introduction to the meeting that the cameras will film and record Councillors and some officers at the meeting but care is taken to try and not to film or record images of members of the public.

80. Procedure not provided in *this Chapter*

In all cases not specifically provided for by *this Chapter*, resort must be had to the Standing Orders and Rules of Practice of the Upper House of the Victorian Parliament (so far as the same are capable of being applied to *Council* proceedings).

Chapter 3 – Meeting Procedure for Delegated Committees and Joint Delegated Committees

1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee* or *joint Delegated Committee*:

1.1 all of the provisions of *Chapter 2* apply to meetings of the *Delegated Committee*; and

1.2 any reference in *Chapter 2* to:

(a) a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;

(b) a Councillor is to be read as a reference to a member of the *Delegated Committee*; and

(c) the *Mayor* is to be read as a reference to the *Chair* of the *Delegated Committee*.

2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1 (above), if *Council* establishes a *Delegated Committee or joint Delegated Committee* that is not composed solely of South Gippsland Shire Council Councillors:

2.1 *Council* may; or

2.2 the *Delegated Committee* or joint *Delegated Committee* may, with the approval of *Council*.

resolve that any or all of the provisions of *Chapter 2 - Meeting Procedure for Council Meetings* are not to apply to a meeting of the *Delegated Committee or joint Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee or joint Delegated Committee* with the approval of *Council* resolves, otherwise.

Chapter 4 – Meeting Procedure for Community Asset Committees

1. Introduction

In *this Chapter 4*, "Instrument of Delegation" means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.

Chapter 5 – Disclosure of Conflicts of Interest

1. Definition

In this Chapter:

1.1 "meeting conducted under the auspices of *Council*" means a meeting of the kind described in section 131(1) of the *Act*, and includes a meeting referred to in Rule 1 of *Chapter 7* (whether such a meeting is known as a 'Councillor Briefing' or by some other name); and

1.2 a member of a *Delegated Committee* includes a Councillor.

2. Disclosure of a Conflict of Interest at a Council Meeting

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which the Councillor:

2.1 Is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the *Council meeting* immediately before the matter is considered; or

2.2 intends to be present must disclose that conflict of interest by providing to the *Chief* Executive *Officer* or their delegate before the *Council meeting* commences a *written* notice:

2.2.1 advising of the conflict of interest;

2.2.2 explaining the nature of the conflict of interest; and

2.2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

(c) nature of that other person's interest in the matter.

and then immediately before the matter is considered at the meeting announcing to those in attendance that the Councillor has a conflict of interest and that a *written* notice has been given to the *Chief Executive Officer* or their delegate under this sub-Rule.

2.3 The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

3. Disclosure of Conflict of Interest at a *Delegated Committee* and *Joint Delegated Committee Meeting*

A member of a *Delegated Committee and Joint Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee and joint Delegated Committee* meeting at which the member:

3.1 Is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the *Delegated Committee and joint Delegated Committee* meeting immediately before the matter is considered; or

3.2 intends to present must disclose that conflict of interest by providing to the *Chief* Executive *Officer* or their delegate before the *Delegated Committee and joint Delegated Committee* meeting commences a *written* notice:

3.2.1 advising of the conflict of interest;

3.2.2 explaining the nature of the conflict of interest; and

3.2.3 detailing, if the nature of the conflict of interest involves a member of a *Delegated Committee and joint Delegated Committee's* relationship with or a gift from another person the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

3.2.4 nature of that other person's interest in the matter.

and then immediately before the matter is considered at the meeting announcing to those in attendance that the member has a conflict of interest and that a *written* notice has been given to the *Chief Executive Officer* or their delegate under this sub-Rule.

3.3 The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee and joint Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

4. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting

A Councillor who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which the Councillor:

4.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the *Community Asset Committee* meeting immediately before the matter is considered; or

4.2 intends to present must disclose that conflict of interest by providing to the *Chief* Executive *Officer* or their delegate before the *Community Asset Committee* meeting commences a *written* notice:

4.2.1 advising of the conflict of interest;

4.2.2 explaining the nature of the conflict of interest; and

4.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

4.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those in attendance that the Councillor has a conflict of interest and that a *written* notice has been given to the *Chief Executive Officer* or their delegate under this sub-Rule.

4.3 The Councillor must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

5. Disclosure at a Meeting Conducted Under the Auspices of Council

A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of *Council* at which the Councillor is present must:

5.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the meeting immediately before the matter is considered;

5.2 be absent from any discussion of the matter; and

5.3 as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* or their delegate a *written* notice recording that the disclosure was made and accurately summarising the explanation given to those in attendance at the meeting.

6. Disclosure by Members of Council Staff Preparing Reports for Meetings

6.1 A member of Council staff who, in their capacity as a member of Council staff, has a conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a Report for the consideration of a:

6.1.1 *Council meeting*;

6.1.2 *Delegated Committee* and *joint Delegated Committee* meeting;

6.1.3 *Community Asset Committee* meeting.

must, immediately upon becoming aware of the conflict of interest, provide a *written* notice to the *Chief Executive Officer* or their delegate disclosing the conflict of interest and explaining the nature of the conflict of interest.

6.2 The *Chief Executive Officer* or their delegate must ensure that the Report referred to in sub-Rule 7.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

6.3 If the member of Council staff referred to in sub-Rule 7.1 is the *Chief Executive Officer*:

6.3.1 the *written* notice referred to in sub-Rule 7.1 must be given to the *Mayor*; and

6.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

7. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

7.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a *written* notice to the *Chief Executive Officer* or their delegate explaining the nature of the conflict of interest.

7.2 If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the *written* notice must be given to the *Mayor*.

8. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

8.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an *Act* by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a *written* notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

8.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the *written* notice must be given to the *Mayor*.

9. Retention of *Written* Notices

9.1 The *Chief Executive Officer* or their delegate must retain all *written* notices received under *this Chapter* for a period of three years.

Chapter 6 – Miscellaneous

1. Formal Briefings of Councillors

If there is a meeting of three (3) or more Councillors that:

1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors. These may include;

1.1.1 Briefings to Councillors on matters likely to come before *Council* for a decision; or

1.1.2 Sessions where members of the public are invited to present to *Council*.

1.2 is attended by at least one member of Council staff; and

1.3 is not a *Council meeting*, *Delegated Committee* meeting or *Community Asset Committee* meeting.

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient *Council meeting*; and

(b) recorded in the *minutes* of that *Council meeting*.

2. Confidential Information

2.1 If, the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, they may designate the information as confidential and advise Councillors and/or members of Council staff in *writing* accordingly.

2.2 Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to Councillors and/or members of Council staff in *writing* accordingly, will be presumed to be confidential information.

2.3 Nothing in sub-Rule 2.2 will, without more, mean that information designated by the *Chief Executive Officer* under sub-rule 2.1 satisfies the definition of "confidential information" contained in section 3(1) of the Act.

Chapter 7 – ELECTION PERIOD POLICY

1. Election Period Policy

1.1 Council's *Election Period Policy* is to be read in conjunction with these *Governance Rules*. Council's *Election Period Policy* is available on *Council's* website and is made available in **Attachment 1** of these *Governance Rules*.

1.2 *Council* will have in place an election period policy that:

(a) Governs decision making during a Local Government election period, including what may be considered at a *Council meeting*;

(b) Prohibits the use of *Council* resources for any election campaign purposes, including Federal, State or *Council* elections;

(c) Sets out the conditions for any community engagement required to be undertaken during an election period, including consultations, Civic events, and activities of Advisory Committees established by *Council*;

(d) Sets out the requirements for any *Council* publications during a Local Government election period – including the website, social media, newsletters and advertising – to ensure *Council* does not publish materials that relate to issues that are the subject of election campaigns;

(e) Defines roles and responsibilities in relation to who is the spokesperson for *Council* during an election period;

(f) Sets out the requirements for a Councillor or member of Council staff who is a candidate in an election including a Federal, State or Council election.

1.3 At least once in each *Council* term and, not later than twelve (12) months prior to the commencement of an election period, *Council* will review its election period policy.

1.4 The operation of *Council Advisory Committees* shall be suspended upon the commencement of the election period ahead of a general Council election.

1.5 Any outstanding Delegate's Reports may still be reported to a *Council meeting* during this period.

1.6 *Council* Committees shall resume meeting following the election and the appointment by the incoming Council of Councillors to each committee.

REVISION HISTORY

Version	Approved By	Approval Date	Sections Modified	CM9 Ref#
1.0	*Council*	*26 August 2020*	*New Policy as per Local Government Act 2020*	*D8157120*
1.1	*Council*	*19 October 2022*	*Policy reviewed in relation to Virtual Attendance following LG Act 2020 Regulatory Legislation Amendment (Reform) Act 2022 (live streaming), Public Question Time, E-Petitions, Election of Mayor/Deputy Mayor*	*D9313822*
2.0	*Council*	*10 December 2025*	*Policy reviewed in relation to revised council meeting processes and procedures and LG Act 2020*	*D6291925*

ATTACHMENT 1 – ELECTION PERIOD POLICY

ELECTION PERIOD POLICY

Policy Number	C30
Council Meeting Date	26 August 2020
Next Review Date	July 2023

GOOD GOVERNANCE FRAMEWORK –
COUNCIL ELECTION PERIOD POLICY

Overarching Principle

The Election Period Policy sets out the requirements to manage Council's functions and responsibilities during the election period.

This policy forms part of the Governance Rules and is an integral part of the 'Decision Making' pillar of the Good Governance Framework.

1. PURPOSE

The *Election Period Policy C30* (the Policy) has been developed to ensure the general elections for the South Gippsland Shire Council are conducted in a manner that is ethical, fair and equitable, and are publicly perceived as such.

Councils must prepare, adopt and maintain a Council *Election Period Policy* in accordance with section 69 of the *Local Government Act 2020 (*2020 Act).

2. SCOPE

This Policy applies to the Council, Delegated Committees of Council, Community Asset Committees, Advisory Committees, all Councillors regardless of whether or not they are nominating as a candidate, the Chief Executive Officer, Staff or a person acting under delegation given by the Council.

The Policy also applies to members of the public nominating or running as Candidates, where applicable.

If this Policy or parts thereof is inconsistent with the Regulations, Practice Notes and guidance provided by Local Government Victoria, these latter requirements shall prevail.

3. POLICY STATEMENT – PART 1 - PROHIBITIONS ON MAJOR POLICY DECISIONS

3.1 Background

The Policy facilitates the continuation of the ordinary business of Council throughout the election period in a reasonable and transparent manner, in accordance with statutory requirements and established caretaker conventions.

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Council will ensure that its actions (both actual and perceived) in the election period immediately prior to a Council election are consistent with good governance practices and that it will avoid making significant policy decisions or resolving matters that would be more appropriately determined by the incoming Council.

Council will commit to ensuring resources including staff, equipment, vehicles and materials are not used in election campaigning, or in a way that may improperly influence an election, or improperly advantage existing Councillors and/or Candidates in the election.

3.2 Improper Use of Position

Section 123 of the 2020 Act prohibits Councillors from misusing or making inappropriate use of their position. A breach of section 123 attracts serious penalties, including possible imprisonment.

Councillors, Candidates and Staff are advised that Council is obliged to assist fully in the investigation of any matters arising from the election.

3.3 Prohibitions on Major Policy Decisions

Councils are prohibited under section 69(2) of the 2020 Act from making major policy decisions during the election period that:

1. relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
2. commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
3. the Council considers could be reasonably deferred until the next Council is in place; or
4. the Council considers should not be made during an election period.

A Council decision made in contravention of 3.3(1) or (2) is invalid.

The Council must also prohibit any Council decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid by virtue of 3.3(4) is entitled to compensation from the Council for that loss or damage (refer to section 59 in the 2020 Act in relation to a resolution of the Council).

These are explained in greater detail further below.

3.4 Chief Executive Officer Employment and Remuneration

Council will not, during the election period, make a decision:

a. To employ a Chief Executive Officer (CEO);
b. To terminate the CEO's employment;
c. To vary the CEO's contract; or
d. To alter the remuneration of the CEO.

Council may appoint an acting CEO, if necessary, during the election period.

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3.3.1 Entering into Contracts

Council will not enter into a contract that will, or is likely to, commit the Council to expenditure exceeding one per cent of the Council's income from general rates and charges, municipal charges and service rates and charges in the preceding financial year.

Council may consider deferring other major expenditure commitments that can reasonably be deferred to the next Council.

3.6 Extraordinary Circumstances

If the Council considers that there are extraordinary circumstances which require the making of a major policy decision during the election period, the Council may apply in writing to the Minister for an exemption.

If the Minister is satisfied that there are extraordinary circumstances, the Minister may grant an exemption subject to any conditions or limitations the Minister considers appropriate.

An application for a Ministerial direction should demonstrate that the following apply:

1. The consequences of failing to make the decision would have serious negative impact on the community.
2. The decision cannot be delayed until after the election period.
3. The Council has been unable to make the decision prior to the election period or the need to make the decision prior to the election period was unforeseeable.

If an application is made it should include the following:

a. Details of the matter to be addressed by the proposed decision along with reasons why the decision is important and urgent.
b. A description of the degree of political sensitivity involved in the matter and whether it is likely to be an issue in the Council election.
c. Details of any funding being provided by State or Federal Government, along with contact details for the relevant agency.
d. An explanation of why the matter could not have been, or was not, resolved prior to the commencement of the election period.
e. An explanation of why the decision cannot be delayed until after the election period.
f. An extract from the Council minutes recording the Council resolution to seek an exemption.

3.7 Decisions Permissible Under Legislation

1. Council may not delay a decision that is required within a specified time frame by legislation e.g. planning decisions with timelines specified under the *Planning and Environment Act 1987*, or decisions required by the *Local Government Act 2020*, such as the preparation of an Annual Report.

4. POLICY STATEMENT - PART 2 - PREVENTION AND CONTROLS

The Policy must include procedures to prevent inappropriate decision making and inappropriate use of resources.

The 2020 Act also requires under section 304 of the 2020 Act prohibitions on publishing electoral material during the election period. Penalty points are applicable for breaches under the 2020 Act.

To this end the following requirements apply:

4.1 Prevention of Inappropriate Decisions

1. A Councillor or member of Council staff must not use Council resources in a way that—
   a. is intended to; or
   b. is likely to—
   affect the result of an election under this Act.

2. A Councillor or member of Council staff must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period on behalf of, or purporting to be on behalf of, the Council unless the electoral material only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation.

3. To facilitate these requirements Council will not during the election period:

   a. Allocate community grants or other forms of direct funding for community organisations.
   b. Approve major planning scheme amendments.
   c. Adopt new or revised policy directions or strategic plans.
   d. Make changes to strategic objectives or strategies in the Council Plan.

4. During the election period the Council will not make significant decisions that bind the incoming Council except where:

   a. the issue is urgent
   b. it is considered absolutely necessary for Council operational purposes or pursuant to statutory requirements;
   c. failure to make a decision would be a breach of legislative requirements;
   d. the issue cannot be reasonably deferred without major negative repercussions; or
   e. the decision relates to the completion of an activity already undertaken and endorsed by Council e.g. via the Budget, Council Plan, approving Meeting Minutes and ordinary procedural reports etc.

5. It shall be the responsibility of the CEO to determine whether a matter meets these criteria.

4.2 Prevention of Misuse of Resources

The Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the CEO as to the nature of the usage.

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The following protocols shall apply during the election period:

1. Use of Council Resources

Council resources, including vehicles, offices, support staff, hospitality services, equipment and stationery will be used exclusively for normal Council business during the election period, and will not be used in connection with any election matter. Similarly, Council funded telephones and e-mail addresses are not to be used by Councillors as contact points in their election campaign material.

2. Council Reimbursements

Reimbursement of Councillors' out-of-pocket expenses during the election period will only apply to costs that have been incurred in the performance of normal (required) Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.

3. South Gippsland Shire Council Branding

No Council logos, letterheads, or other South Gippsland Shire Council branding will be used for, or linked in any way to, a candidate's election campaign.

4. Councillor Title Use

Councillors may use the title "Councillor" in their personal election material, as they continue to hold their positions in the period, however to avoid confusion Councillors are required to ensure where they use the title 'Councillor' in their publications they clearly indicate it is their own material and does not represent Council.

4.3 Authors to be identified

1. Under s.290 (1) of the 2020 Act a person must not during the election period—
   a. print, publish or distribute; or
   b. cause, permit or authorise to be printed, published or distributed—

   a newspaper, circular or pamphlet containing an article, report, letter or other matter containing electoral matter unless the author's name and address are set out at the end of the article, report, letter or other matter, or if only part of the article, report, letter or other matter appears in any issue of a newspaper, circular or pamphlet at the end of that part.

   Penalty points apply under s.290 (1) of the 2020 Act for breaches of this clause (2).

2. Under s.290 (2) of the 2020 Act s.290 (1) does not apply to the publication in a newspaper of—
   (a) a leading article; or
   (b) an article that consists solely of a report of a meeting and does not contain electoral matter, other than comment made by a speaker at the meeting.
3. Under s.290 (3) of the 2020 Act it is sufficient compliance with s.290 (1) if a newspaper containing a letter containing electoral matter sets out—
   (a) the author's name; and
   (b) the suburb or locality in which the author's address is located.

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4.4 Prevention of Unnecessary Publicity

It is recognised that Council publicity is intended to promote Council activities and services. Council publicity will not be used in any way that might influence the outcome of a Council election.

During the election period, no Council employee may make any public statement that could be construed as influencing the election. This does not include statements of clarification that are approved by the CEO.

4.5 Prevention of Council Media Services Access

Council's Communications team undertake the promotion of Council activities and initiatives. Council publicity during the election period will be restricted to communicating normal Council activities and responses to customer needs and will be subject to certification by the CEO.

Any requests for media advice or assistance from Councillors during the election period will be channelled through the CEO. No media advice or assistance will be provided in relation to election campaign matters, or in regard to publicity that involves specific Councillors or Candidates.

Councillors will not use their position as an elected representative to access Council staff resources and other Council resources to gain media attention in support of an election campaign.

4.6 CEO Certification of Publication Materials – Section 290 and Section 304

Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the publication has been certified, in writing, by the CEO.

Councillors or members of Council staff must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed an electoral advertisement, handbill, pamphlet or notice during the election period on behalf of, or in the name of, a Councillor using Council resources if the electoral advertisement, handbill, pamphlet or notice has not been certified by the CEO.

Certifications by the CEO will be in writing on or affixed to a copy of the publication and be in the following form:

> *'Certified by the Chief Executive Officer in accordance with section 290 and section 304 of the Local Government Act 2020'*

Copies of all certified documents will be retained on Council records.

The following protocols shall apply during the election period:

1. Website
    a. Material published on Council's website in advance of the election period is not subject to certification. Existing material that is prominently displayed will be reviewed and consideration given to its removal if it would be considered electoral material, were it to be published during the election period.
    b. Councillors' names and contact information will remain on the website during the election period, but Councillors' profiles will be removed.

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2. Social Media

   a. Social media will continue to be used by Council staff to respond to general customer service information provision. These responses will be certified by the CEO.
   b. To facilitate timely responses, a series of standard statements, pre-certified by the CEO, will be used where applicable.
   c. Staff responsible for administering individual social media sites will monitor their respective sites during the election period and use moderation features where available, such as approved standard statements, to ensure no electoral matter is posted.
   d. Any social media posting from the community or candidates that may influence the election outcome will be removed as soon as practicable.

3. Council Agendas, Minutes and Briefing Papers

   a. Council Agendas, Minutes and Briefing Papers do not require certification by the CEO unless they are printed and published for a wider distribution than normal.
   b. All reports and briefing papers during the election period will include a statement verifying that they do not breach section 69 and section 304 of the 2020 Act.

4. Annual Report

The Annual Report will be prepared, endorsed and published during the election period. This document does not require certification, however the CEO will check and approve the use of pictures and content, in order to remove items that could be construed as electioneering. Councillors' names and details will be included in the Annual Report without photographs.

Guidance about publications and resources is contained in **Attachment 1** of this Policy.

5. POLICY STATEMENT - PART 3 - LIMITING PUBLIC CONSULTATION AND COUNCIL EVENTS

The Policy must include procedures to prevent limits on public consultation and the scheduling of Council events. To this end the following requirements apply:

5.1 Public Meetings, Community Consultation and Events

Scheduling public consultations and events in the lead up to elections frequently raises concerns over their potential use by sitting Councillors and Candidates for electioneering purposes. To this end Council will ensure elections are not compromised by inappropriate electioneering and will safeguard the authority of the incoming Council by placing restrictions on the opportunities Councillors or members of the public have to promote themselves or political issues that may influence election outcomes.

1. Council Meetings, Briefings and Public Presentation Session

   a. Councillor Reports, Public Question Time conducted at Council Meetings and Public Presentation Sessions will not be used by Councillors or Candidates for actual or perceived electioneering activities. The CEO and/or Mayor may call an immediate stop to a speaker, and/or not release documentation provided by speakers considered by them to be misusing Council resources for potential electioneering purposes at these times.

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b. Councillors may speak to Agenda items of any Council Meetings and/or Special Council Meetings and Briefings held during the election period.

c. Council will limit speakers at Public Presentation sessions held in the election period to discussion of topics that are on the Council Agenda for that month. If there are no speakers to the Agenda then the Public Presentation sessions may be cancelled by the CEO.

d. External speakers wishing to present to Council at a Public Presentation session during the election period must provide the Council Business Officer with a list of the topics to be raised when booking a time and provide a copy of any documents or power point presentations they wish to use at the session. These topics and documents will be considered by the CEO as to their relevance to the Council Agenda. The Speaker will be advised of any items not relevant to the Agenda that cannot be raised and encourage the Speaker to book a time to present to the newly elected Council at the next appropriate session.

2. Public Consultation

a. Council will not conduct community consultation activities during election periods, excluding those required for statutory purposes that cannot be delayed until after the election period.

b. The CEO is to approve in writing any consultation activities that may be held at any time during the election period. Permission must be gained prior to commencement or advertisement of the activity.

3. Community Events

Council will limit community events as far as practicable during the election period to those normally held on a periodic basis; such as Coal Creek markets and annual festivals. The CEO is to approve in writing any new community events that have to be held during this election period. Permission must be gained prior to commencement or advertisement of the activity.

4. Speeches

Any required speeches to be made on behalf of Council by the Mayor, Councillors, CEO or Staff during the election period will be scripted and certified by the CEO prior to the event.

5. Councillor Community Meetings

Councillors will not hold any community meetings or gatherings under the auspice of Council, or use any Council resources for such events during the election period.

6. POLICY STATEMENT - PART 4 - ACCESS TO COUNCIL INFORMATION FOR COUNCILLORS AND CANDIDATES

Council's *Election Period Policy*, prepared in accordance with section 69 of the 2020 Act, is required to include procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.

To this end the following requirements apply:

6.1 Access to Information

The Council recognises that all election candidates have the right to access information from the Council administration, subject to the *Privacy and Data Collection Act 2014*.

Neither Councillors nor Candidates will receive information or advice from Council staff that might be perceived to support election campaigns, and there shall be complete transparency in the provision of all information and advice during the election period.

Councillors will continue to receive information that is necessary to fulfil their elected roles, particularly in regard to information relating to Council Agenda and Briefing Paper items currently under consideration.

6.2 Provision of Council Information to Councillors and Candidates

1. Information and briefing material prepared by staff for Councillors during the election period will relate only to factual matters or existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or that might be perceived to be connected with a candidate's election campaign.

2. Where a Councillor wishes to request information for their use as a Councillor (e.g. a briefing from Council Officers, access to information on Council files) the Councillor must make the request through the CEO or the relevant Director. This protects both Councillors and Officers from any accusation of "inappropriate interaction" and/or "undue influence". It also allows the relevance of the information requested to be determined in relation to current Council business.

3. Council staff will not directly provide Councillors or Candidates with information but will refer any direct requests for information to the appropriate Director, or the CEO on broader matters during the election period.

6.3 Information Request Register

An Information Request Register (Register) will be maintained during the election period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and Candidates, and the responses given to those requests.

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6.4 Freedom of Information Requests

Applications for information under the *Freedom of Information Act (Victoria) 1982* will be dealt with in the normal manner. Their requirements are outlined in the Freedom of Information Act 1982.

6.5 Assistance to Candidates

The Council affirms that all Candidates for the Council election will be treated equally.

Any assistance and advice to be provided to Candidates as part of the conduct of the Council election will be provided equally to all Candidates. The types of assistance that are available will be documented and communicated to all Candidates in advance.

All election related enquiries from Candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Victorian Electoral Commission, CEO or a designated member of Council staff depending on the matter.

7. RISK ASSESSMENT

This Policy enables:

1. Council, Councillors, Candidates and Council Staff to understand their requirements and obligations.
2. Council to demonstrate its commitment to probity in its elections.
3. Community confidence and public trust in Council to be maintained or improved.
4. Council to address matters that may not be explicitly captured in the 2020 Act and, when followed will mitigate the likelihood of any breaches of the 2020 Act.
5. Control measures to be in place that ensure Council resources are not used for electoral or campaigning purposes.

8. IMPLEMENTATION STATEMENT

1. The CEO is responsible for determining any issues that arise in the implementation of this Policy.
2. The election period:
   a. Starts at the time that nominations close on nomination day; and
   b. Ends at 6.00pm on election day.
3. As soon as practical and no later than one month prior to the commencement of the election period, the CEO will ensure that all Councillors and staff are informed of the requirements of this Policy.
4. All Delegated Committees, Community Asset Committees and appointed Advisory Committees of Council will be provided with a copy of this Policy and encouraged not to hold formal Committee meetings during the election period. If

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formal Committee meetings are required in the election period the Committee must ensure it follows the requirements of this Policy.

5. All staff have a responsibility to monitor the implementation of this Policy and immediately refer any departures or deviations from this Policy to the CEO.

6. A copy of the Policy will be provided to the Victorian Electoral Office for inclusion in the Candidates' kit.

7. The Policy will be published on Council's website www.southgippsland.vic.gov.au.

POLICY OWNERSHIP	
Directorate	Corporate & Community Services – Council Business
SUPPORTING INFORMATION	
Legislative Provisions	Charter of Human Rights and Responsibilities Act 2006 Equal Opportunity Act 2010 Freedom of Information Act 1982 Gender Equality Act 2020 Local Government Act 2020 Local Government Act 2020 - Part 8 Electoral Provisions and associated regulations Local Government (General) Regulations 2015 Local Government (Planning and Reporting) Regulations 2014 Ombudsman Act 1973 Privacy and Data Protection Act 2014 Protected Disclosure Act 2012
Council Supporting Documents	CEO Employment and Remuneration Policy C71 Community Engagement Strategy Community Engagement Policy C06 Complaint Handling Policy C64 Council Plan 2020-2024 Councillor Code of Conduct 2017 Councillor Access to and Request for Information Policy C66 Councillor Support and Expenditure Policy C51 Election Period Policy C30 Fraud and Corrupt Conduct Policy C19 Governance Rules 2020 Human Rights Policy C52 Information Privacy Policy C22 Live Streaming of Council Meetings Policy C67 Local Law No 2 2020 – Meeting Procedure and Common Seal Policy Framework Policy C72 Procurement Policy C32 Protected Disclosure Guidelines Public Participation in Meetings with Council Policy C65 Rates and Charges Hardship Policy C53 Risk Management Policy and Framework C35 Staff Code of Conduct 2017 Social Media Policy CE75 South Gippsland Shire Council Governance Framework Sound Recording of Council Meetings C48
Related Documents	Practice Notes and guidance prepared from time to time by the Department of Environment, Land, Water and Planning (DEWLP) and Local Government Victoria
File Number	TRIM Ref: D543819
DEFINITIONS	
The following list of definitions have been derived from the *Local Government Act 2020, section 3(1) Definitions*.	
Candidate	Is a person who has nominated themselves with the Victorian Electoral Commission and is seeking election as a Councillor.

CEO / Chief Executive Officer	The person appointed by a Council under s.44 to be its Chief Executive Officer or any person acting in that position.
Councillor	A person who holds the office of member of a Council.
Electoral Matter	Electoral matter refers to any electoral material which is intended to affect voting in an election. It does not include: • Any electoral material produced by, or on behalf of, the Victorian Electoral Office or Returning Office for the purposes of conducting an election; • An advertisement in a newspaper announcing the holding of a meeting. • It does include material that: • Publicises the strengths or weaknesses of a Candidate; • Advocates the policies of the Council or of a Candidate; • Responds to claims made by a Candidate; or • Publicises the achievements of the elected Council.

Election Period	Is the period that – a. Starts at the time that nominations close on nomination day; and **b.** Ends at 6 pm on election day".
Electoral Material	An advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting.
Public Consultation	Means a process that involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy, and includes discussion of the matter with the public.
Significant / Major Policy Decision	Means an irrevocable decision that significantly affects the municipality.

REVISION HISTORY

Policy Review	In accordance with Council's policy review process, this policy will be reviewed outside the standard 4-year cycle. This Policy must be reviewed at least one year prior to a Council Election to ensure that it meets with current practice and legislative amendments of the time.

Version	Approved	Approval Date	Sections Modified
1.0	Ordinary Council Meeting	23 March 2016	New Version of Modified Policy
2.0	Council Meeting	24 August 2020	New Version of modified policy to align to 2020 Act.

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Attachment 1: Publications and Resources

	Publications ***All Publications must be certified. Refer to clause 4.6 of this Policy.***	**Resources** ***Council resources should not be used for electoral campaigning purposes.***
Annual Report	The Annual Report is required by law and would not normally be considered an "advertisement, handbill, pamphlet or notice". It should not require certification. However, the Annual Report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors. In addition, if a Council will be printing or distributing a greater number of copies of the Annual Report than usual, it may be regarded as a pamphlet and should be subject to certification by the CEO.	Section 100 of the 2020 Act requires the Council hold a Council meeting to present the Annual Report to Council in the year of a general election, on a day not later than the day before the election day. The preparation of the Annual Report is a proper use of Council resources.
Annual Report summary	Any publication of an extract or summary of the Annual Report is likely to be regarded as a pamphlet and must be subject to the certification process.	Council resources should not be used to produce or distribute any summary of an Annual Report during the election that would be regarded as electoral material.
Council Meetings	Agenda papers and minutes of meetings would not normally be considered advertisements, handbills, pamphlets or notices and should not require certification. However, if Council meeting papers are printed or published for a wider distribution than normal, they should be treated as pamphlets and be subject to the certification process.	The conduct of Council meetings, as well as the preparation of agenda papers and minutes, is part of normal Council business. It is expected that they would continue to be resourced by the Council administration during an election period.

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	Publications ***All Publications must be certified. Refer to clause 4.6 of this Policy.***	**Resources** ***Council resources should not be used for electoral campaigning purposes.***
Advertisements & Notices	All Council advertisements and notices must be subject to the certification process during an election period. This includes job advertisements and various notices, such as Council meetings and road closures. Newspaper notices of meetings are not regarded as electoral material under section 3(1) of the 2020 Act and can be certified.	
Website – New Material	Any new material published on the Council's web site during the election period that may be considered an advertisement, handbill, pamphlet or notice must be subject to the certification process. As noted above, Council agendas, minutes of meetings, adopted Budgets and full Annual Reports do not require certification if published in the usual way.	Council's web sites should not be used to convey information that could be regarded as electoral material unless it is only about the election process.
Website – Existing Material	It is not necessary to certify material that was published on the Council's web site well before the election period. However, it is recommended that web sites be checked at the start of the election period for: • Profiles of Councillors who are candidates should be removed from the web site, but not contact details. • Information prominently displayed on the web site that might be regarded as likely to influence how people vote should be removed.	Council's web sites should not be used to convey information that could be regarded as electoral material unless it is only about the election process.

	Publications ***All Publications must be certified. Refer to clause 4.6 of this Policy.***	Resources ***Council resources should not be used for electoral campaigning purposes.***
Social Media	Any publication on social media sites like Facebook or Twitter, which is auspiced by the Council, will generally require certification by the CEO. A number of CEO approved standard responses can be prepared and utilised to respond to relevant matters that are raised on social media sites. Similar requirements apply to Council blog sites.	Council auspiced social media must not be used for election campaigning. It is recommended that a Council consider either limiting access to its social media sites during election periods or undertaking constant monitoring to ensure no electoral matter is posted.
Email	Emails that are part of the normal conduct of Council business should not require certification. However, any emails with multiple addressees, used for broad communication with the community, should be subject to the certification process.	Council email services must not be used for electioneering purposes. If necessary, Councillors should be referred to one or more of the free email providers for private email addresses.
Correspondence	Mass mail outs or identical letters sent to a large number of people by or on behalf of Council must be subject to the certification process.	Council staff should not prepare Councillors' private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.
Brochures, Pamphlets, Handbills, Flyers, Newsletters and Books	Documents promoting an event, activity, consultation or information to be distributed during the election period must be subject to the certification process.	Council staff or Councillors should not prepare brochures, fliers, pamphlets or other documents that may be considered electoral material on behalf of a Councillor or Candidate and such material must not be printed on Council stationery or using Council equipment.

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	Publications ***All Publications must be certified. Refer to clause 4.6 of this Policy.***	**Resources** ***Council resources should not be used for electoral campaigning purposes.***
Mobile phones/ Home phone line		Mobile phone costs associated with electioneering should not be paid by the Council. This should be addressed in Council policies and procedures and properly monitored. If Councillors are provided with a Council owned mobile phone, suitable procedures should be put in place. This may involve • Requiring Councillors to use another mobile phone for electioneering, or • Establishing arrangements to monitor usage and ensure reimbursement by Councillors of costs associated with electioneering or other private use.
Council offices and libraries	Existing documents available to the public at Council offices and libraries do not normally require CEO certification. However, any increase in the availability of a publication should be subject to certification. It is also recommended that staff check material in libraries and offices to make sure that publications including electoral matter are not prominently displayed.	Electoral material, including pamphlets, posters and notices should not be visible or available at any Council premises during an election. The only exception to this is material issued by the returning officer for the purpose of conducting the election.
Media releases	Media releases should be regarded as documents that require certification by the CEO.	Council staff must not prepare, or assist in the preparation of, media releases that contain electoral material. Councillors should be advised that media releases dealing with their election campaign should only be issued privately.

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	Publications ***All Publications must be certified. Refer to clause 4.6 of this Policy.***	**Resources** ***Council resources should not be used for electoral campaigning purposes.***
Events	Material printed or disseminated during the election period to publicise a function or event must be subject to the certification process. New events or functions that do not form part of regular or annual events require certification of the CEO prior to commencement or advertising.	Functions or events for the purpose of electioneering must not be resourced or publicised by the Council. Normal Council events are not prohibited in the election period. However, it is recommended that they be kept to a minimum. Where events do occur, Councillors should be advised that they are representing the Council and should not use the opportunity for electioneering.
Speeches	Any publication or distribution of Councillors' speeches by the Council must be subject to the certification process.	Council staff and resources should not be used to prepare or publish speeches that contain electoral matter.
Title of "Councillor"		Councillors may use the title "Councillor" in their election material, as they continue to hold their positions in the period. To avoid confusion, Councillors should be advised to ensure that any election publication using the title "Councillor" clearly indicates that it is their own material and does not represent Council.
Returning Officer	The election returning officer is a statutory position and does not perform his or her duties on behalf of the Council. Therefore, publications by a VEC returning officer do not need certification.	

5.2. DOMESTIC ANIMAL MANAGEMENT PLAN 2026-2029 FOLLOWING COMMUNITY CONSULTATION

Directorate:	Empowering Communities
Department:	Community, Health and Safety

Council Plan
Theme - Developing a Sustainable Future

The Domestic Animal Management Plan (DAMP) will ensure domestic animals are managed effectively protecting the environment and the health and safety of the community.

EXECUTIVE SUMMARY

The purpose of this report is to present the final Domestic Animal Management Plan 2026-2029 (refer to **Attachment [5.2.1]**) for Council's consideration and determination.

Pursuant to the *Domestic Animals Act 1994*, every Victorian local government must prepare a Domestic Animal Management Plan (DAMP) outlining how it will manage dogs and cats within its municipal boundaries. The DAMP is renewed every four years. The current DAMP 2022-2025 comes to its completion at the end of this year and as such is due to be reviewed, with a new DAMP to cover the 2026-2029 period to be endorsed.

RECOMMENDATION

That Council:

1. **Adopts the Domestic Animal Management Plan 2026 – 2029 (Attachment [5.2.1]);**

2. **Publishes the Domestic Animal Management Plan 2026 – 2029 on Council's website;**

3. **Submits the Plan to the Victorian State Government (Animal Welfare Victoria); and**

4. **Writes to the submitters as part of the community consultation process thanking them for their input.**

REPORT

The DAMP 2026-2029 sets key actions to support a strategic approach towards promotion of responsible pet ownership, providing balance to the needs of pet owners and non-pet owners in our community. The document has a strong focus on communication and education, as well as building on the actions of the current DAMP.

The areas of focus are set by Agriculture Victoria. Each area of focus looks at specific priorities for the welfare and management of cats and dogs across the municipality. They cover officer training, responsible pet ownership, nuisance, identification and registration, dog attacks, dangerous, menacing and restricted breeds and domestic animal businesses.

CONSULTATION / COMMUNITY ENGAGEMENT

Community consultation undertaken in the development of the *General Local Law 2024*, and the *Council Plan 2025-2029* helped to confirm the community's priorities around animal management. It confirmed they remain strong around dog leash and cat containment orders, responsible pet ownership, and nuisance issues. Officer experience during service delivery and working with the community strongly indicates that these remain a priority. These have been used to inform and develop the actions that have be included in the DAMP.

Further community consultation was undertaken, with the DAMP released for community input from 17 October to 4 November 2025. Community Safety Officers also attended community engagement sessions held in Leongatha and Korumburra during this notice period. Feedback received again confirmed the actions in the DAMP and informed some minor changes to the timing of actions in the DAMP.

RESOURCES / FINANCIAL VIABILITY

The DAMP will be implemented using existing budget.

RISKS

Domestic animals can pose a public health, environmental, legal and economic risk. South Gippsland is an area that prides itself on its natural assets as well as living amenity. Inadequate management of domestic animals by Council poses a reputational risk to Council by possibly threatening these values.

Failure to have an endorsed Domestic Animal Management Plan 2026-2029 submitted to the State Government (Animal Welfare Victoria) would place Council in breach of s.68A of the *Domestic Animals Act 1994*.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Attachments are available on Council's website at the following LINK.

1. Domestic Animal Management Plan 2026-2029 [**5.2.1** - 24 pages]

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 4. Structure, Systems & Policies

Council Policy / Strategy / Plans

Documents are available on Council's website at the following LINK.

Domestic Animal Management Plan

Legislative Provisions

Domestic Animals Act 1994

Regional, State and National Plan and Policies

Nil

SOUTH GIPPSLAND SHIRE COUNCIL

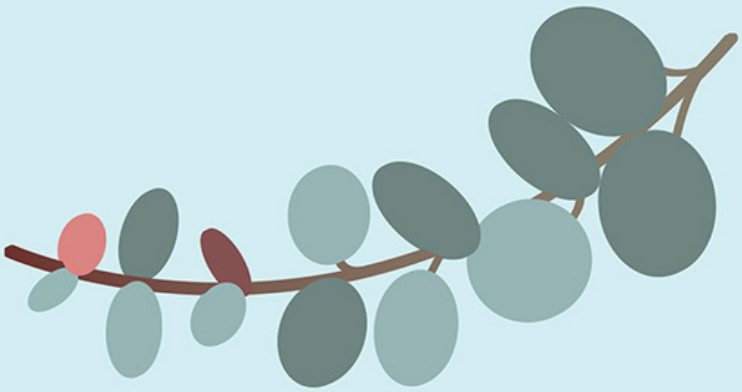
Draft Domestic Animal Management Plan 2026 - 2029



South Gippsland Shire Council

Acknowledgment of Country

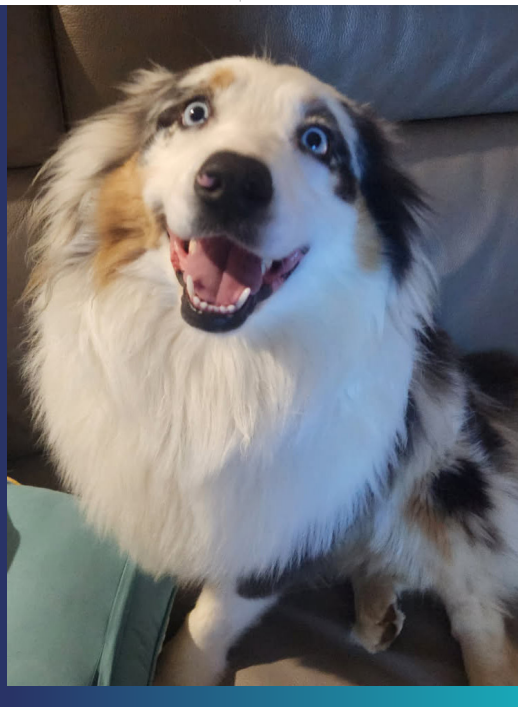
We acknowledge the Bunurong and Gunaikurnai people as the Traditional Custodians of South Gippsland and pay respect to their Elders, past, present, and future, for they hold the memories, traditions, culture, and hopes of Aboriginal and Torres Strait Islander people of Australia.



*eucalyptus, **(genus Eucalyptus)***

Purpose of this document

This Plan is a key strategic document that outlines how people, dogs, and cats can live together safely and happily.



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Introduction

Under the *Domestic Animals Act 1994*, all Victorian councils are required to develop a new Domestic Animal Management Plan (DAMP) every four years.

The DAMP outlines how Council promotes responsible pet ownership and manages domestic animals within the community. It sets clear actions and details the services, programs, and policies established by Council to administer the Act and address issues relating to dogs and cats.

As South Gippsland continues to grow, so too does its pet population. The DAMP reflects Council's ongoing commitment to adapting animal management practices to meet the needs of a diverse and expanding community.

Council recognises the important role pets play in health and wellbeing. The DAMP seeks to celebrate pet ownership while ensuring a balanced approach that considers the needs of both pet owners and non-pet owners, and provides appropriate services and amenities for all.



Our region

South Gippsland encompasses 3,296 square kilometres including extensive coastal areas and the spectacular Wilsons Promontory National Park. South Gippsland's population is 31,022.

South Gippsland Shire Council is located in coastal south-eastern Victoria, approximately 100 kilometres south-east of Melbourne. It is comprised of three wards: Tarwin Valley, Strzelecki and Coastal Promontory.

The original inhabitants of the South Gippsland area were the Bunurong and Gunaikurnai people.

Much of the rural area is used for forestry and agriculture; with dairy, beef, sheep, and snow pea farming being the main agricultural pursuits. Fishing, viticulture and tourism are also important industries that contribute economic diversity to the region.



Our animals

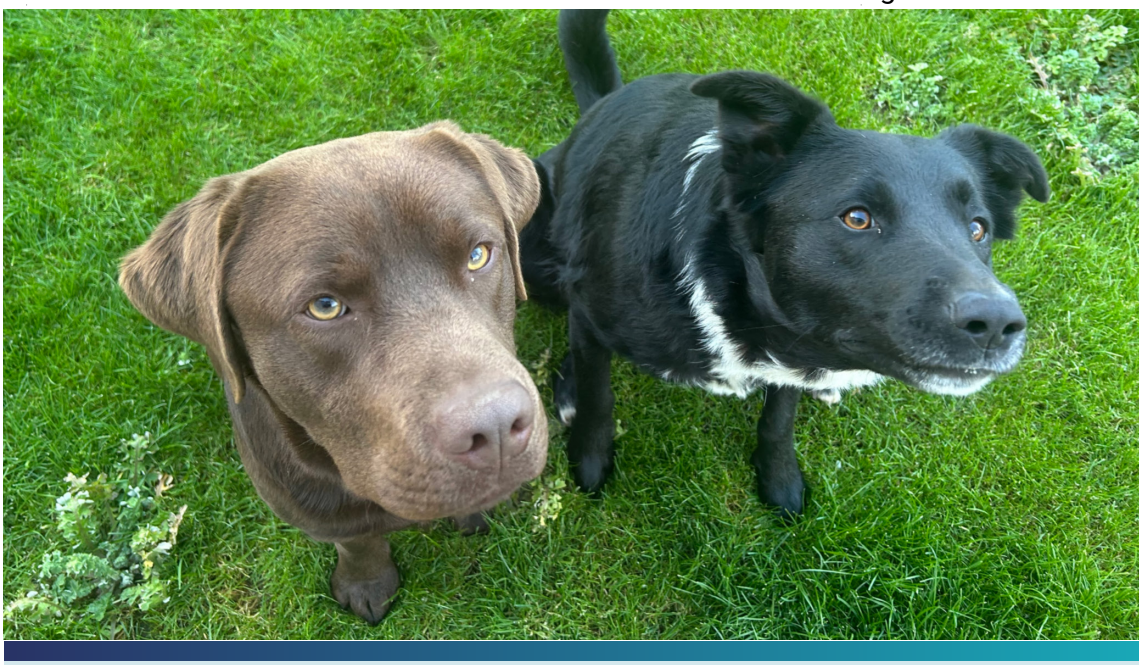
South Gippsland is home to 4,814 registered dogs, 1,199 registered cats and six Domestic Animal Businesses.

In 2024/25, Council responded to 1,446 animal-related requests concerning dogs and cats. While these figures highlight the significant level of pet ownership in the municipality, the actual numbers are expected to be considerably higher, as not all animals are currently registered.

This underlines the importance of ongoing education around registration, which not only helps Council reunite lost pets with their owners quickly but also supports effective planning for animal management services across the community.

2024 Snapshot

Registered declared dogs (dangerous, menacing or restricted breeds)	4
Dog attack or rush	66
Number of registered Domestic Animal Businesses	6
Keeping of animals/excess animal permit issued	36
Number of infringements (Animal infringements & cautions included)	73
Number of successful prosecutions	1
Cat cage requests	109
Dogs impounded	125
Dogs euthanised	7
Cats impounded	275
Cats euthanised	92
Returned to owner	118
Re-homed	28
Surrendered	91



Animal Management Services and Programs

South Gippsland Shire Council currently provides the following domestic animal management services and programs to residents:

- Ongoing maintenance of a dog and cat registration database.
- Response to customer complaints relating to animal management issues such as barking dogs, dog attacks, dogs at large and nuisance cats.
- Operation of Council's pound and animal shelter.
- Provision of an after-hours emergency service.
- Provision of dog litter bag dispensers at 15 locations throughout the Shire.
- Cat trapping program – supply of cat traps for trapping of feral and/or nuisance cats.
- Collection of stray or wandering dogs and cats, including surrendered animals.
- Provision of advice and information to residents relating to animal management issues.
- Promotion of responsible pet ownership through distribution of education material for all new animal registrations.
- Regular inspections of Domestic Animal Businesses to ensure compliance with the Act and relevant Codes of Practice.
- Regular inspections of restricted breeds, dangerous and menacing dog premises to ensure compliance with the Act and relevant Codes of Practice.
- Provision of animal management training opportunities for Community Safety officers.
- Quick responsiveness to dog attack complaints.
- Follow-up of animal registration renewals and proactive new-registration campaigns.
- Enforcement of non-compliance with Council's Local Law, the Act and relevant Codes of Practice.
- Investigation of animal welfare matters under the *Prevention of Cruelty to Animals Act 1986.*
- Prosecution of offences under the Act and other regulations including Council's *General Local Law 2024.*

Community Engagement

Council undertook extensive engagement with community during development of the *2025–29 Council Plan* and the *2024 General Local Law*.

Insights from these engagements—along with survey results from the previous *Domestic Animal Management Plan* (DAMP)—have shaped the development of the actions featured in the DAMP.

The key issues that emerged reflect what we heard in previous consultations, confirming that community priorities have remained consistent since 2022. They also align with the experiences of Council officers in their day-to-day roles.

Here is a summary of what we heard:

Key animal concerns identified:

- Dogs being walked off-lead and not under effective control
- Dog aggression
- Impact on native wildlife
- Wandering animals
- Animals not being desexed
- Irresponsible breeding
- Dog waste
- Cost of living and access to affordable veterinary care
- Barking dogs
- Dogs harassing and attacking livestock



2025-29 Council Plan Engagement (Shaping South Gippsland)

- *946 survey responses provided*
- *1241 Council Plan suggestions*

Requests related to animals were among the top 10 issues raised by community during the *Shaping South Gippsland* engagement. Residents highlighted the importance of balancing compliance and animal welfare with access to recreational spaces for pets.

Key community requests included:

- A stronger focus on animal re-homing initiatives.
- The creation of off-leash dog parks.
- Improved beach access for dogs.
- Better enforcement of signage related to dogs.
- Increased limits on the number of animals permitted.
- Strengthened local laws to address roaming cats and dogs.

2024 Local Law Engagement

- *261 people surveyed*

During the Local Law engagement, most participants (62 per cent) reported having no issues or concerns regarding animals or livestock.

Of the 34 per cent who did raise concerns and provided feedback, the majority focused on issues related to dogs—particularly the need for dedicated off-leash areas. Other commonly raised issues included limits on the number of dogs allowed and concerns about barking.

Cats were the next most mentioned, with participants expressing concern about cats being allowed to roam freely outside the home.

Guiding Principles and Actions



Domestic Animal Management Act

Under the ***Domestic Animals Act 1994***, all Victorian councils are required to develop a new Domestic Animal Management Plan (DAMP) every four years.

The Plan must promote responsible pet ownership and animal welfare, protection for the community and environment from nuisance caused by dogs and cats, and outline methods to evaluate whether Council's animal management services are effective.

Guiding Principles:

- Detail the training provided to Authorised Officers to ensure they are capable of administering and enforcing the Act.
- Promote and encourage responsible ownership of dogs and cats (including registration and identification of pets).
- Minimise the risk of dog attacks on people and animals.
- Address issues of overpopulation and high euthanasia rates.
- Minimise nuisance caused by dogs and cats.
- Identify dangerous, menacing, and restricted breed dogs, and ensure they are kept in compliance with the Act and Regulations.



Priority 1:

Training of Authorised Officers



Council's animal management services are delivered by the Community Safety team.

This team is responsible for:
- enforcing animal-related laws
- registering pets
- managing stray and lost animals
- responding to nuisance and attack complaints
- promoting responsible pet ownership, and
- supporting re-homing and the care of impounded animals.

To carry out these duties safely and effectively, and inline with the requirements of the *Domestic Animals Act 1994*, Community Safety officers receive regular training in:
- animal handling—including managing aggressive animals
- animal welfare
- restricted breed identification
- first aid and
- communication.

The team collaborates with industry partners, government agencies, pet service providers and other key stakeholders to share knowledge, build relationships, and support community outcomes.

Ongoing professional development is a key priority, ensuring Officers remain skilled, up to date and supported in their roles.

All new Community Safety Officers are required to complete a thorough induction, which includes Council policies, processes and procedures.

Regular team training and refresher courses, and ongoing on-the-job training and coaching is provided. Personal Development Plans set the goals of each Officer and opportunities are identified based on need as well as career progression.

Actions:

Current Situation:
All new Community Safety officers complete a comprehensive induction program covering Council's policies, processes, and procedures.

Ongoing professional development is supported through regular team training sessions, refresher courses, and continuous on-the-job training and coaching. Each officer also has a Personal Development Plan, which sets individual goals and identifies opportunities based on both organisational needs and career progression.

Actions		Year 1	Year 2	Year 3	Year 4
1.1	Develop and maintain individual Personal Development Plans for each officer, including mandatory training in areas such as: - Domestic animal and livestock handling - Animal behaviour, bite prevention, and restricted breed assessment - Situational awareness and complex conversations Provide additional training opportunities in areas such as: - Investigations and prosecutions - Mental health first aid - Further education and training - Microchipping implantation accreditation				
1.2	Facilitate opportunities for officers to network with other municipalities, industry providers, and government agencies.				
1.3	Ensure officers hold the appropriate authorisations and delegations to perform their duties.				
1.4	Continually identify and implement further training opportunities to support the development of multi-skilled and highly qualified officers.				

Priority 2:

Registration and Identification

Council promotes and encourages responsible dog and cat ownership through a range of communication and education initiatives.

Recognising the community's growing preference for online services and engagement through social media, Council has introduced online pet registration via the payments portal and launched a dedicated Facebook page for the South Gippsland Pound and Animal Shelter to support pet re-homing and strengthen community connections.

Responsible pet ownership includes:
- Animals being trained and exercised.
- Microchipping, desexing, and registration of pets.
- Compliance with signage and regulations.
- Awareness of the impacts pets can have in conservation areas.

The Community Safety team prioritises communication campaigns that promote these responsibilities, while also improving access to services and education.



Cr Hersey and Pickle

Fee Incentives

To further support responsible ownership, Council has introduced several new initiatives within its registration fees and charges schedule:
- Reduced fee for dogs under 12 months, aligning with veterinary advice on delayed desexing.
- Free initial registration for animals adopted from recognised rescue or rehoming organisations.
- Pay-on-time discounts for registration renewals.

Registration fees currently set for the 2025/2026 financial year are as follows:

Category	Fee	Applicable Pension	
Full Fee	$180	Eligible pension	$90
Reduced Fee*	$60	Eligible pension	$30
Dog under 12 months	$60	Eligible pension	$30
Dog or cat purchased from recognised re-homing organisation	$0		
Dog or cat transferred from another Victorian Council	$0		
Guide Dog (seeing or hearing), Government Dog, Assistance Dog (criteria apply)	$0		
Declared dog**	$371		
State Government levy ***	$9		

* Reduced fee applies to desexed animals, animals registered with and to a current financial member of an applicable organisation, animals registered to a domestic animal business, dogs kept for farm working purposes and animals over 10 years of age.

** Declared Dangerous, Menacing or Restricted Breed. Pension discounts do not apply.

50% pro-rata applies from 11 October each year on all new proactive registrations, except declared dogs. Full fees will still apply to late renewals and unregistered impounded animals.

Applications for refund of registration fees, in full or part, will be considered within three months of registration or renewal.

***State Government levy is set by the State Government each year and will be applied to each registration.

Actions:

Current Situation:
All dogs and cats receive a lifetime registration tag upon initial registration, which is replaced at no cost if lost. Registered animals are sent a renewal notice prior to the due date each year, with follow up text messages and a supporting media campaign.

Community Safety Officers undertake door-knocking activities to follow up non-renewal of registration and work with owners to achieve compliance before escalating to enforcement action.

Impounded animals must be microchipped and registered prior to be released back to owners. Community Safety Officers provide education on the benefits of having your animal microchipped and registered, so if found they can be returned home as quickly as possible.

Actions		Year 1	Year 2	Year 3	Year 4
2.1	Develop an educational communications campaign in relation to responsible pet ownership, including the benefits of pet ownership, being active with your pet and what it means to have your dog under effective control.	🐾			
2.2	Continually update Council's website with relevant information and links to partner agencies and authorities.	🐾	🐾	🐾	🐾
2.3	Provide new owners who purchase animals through Council's animal shelter with an information pack.	🐾	🐾	🐾	🐾
2.4	Have a presence at markets throughout the year to promote responsible pet ownership.	🐾	🐾	🐾	🐾
2.5	Deliver a pet expo to celebrate responsible pet ownership, contingent on the successful development and approval of a business case.			🐾	
2.6	Develop an educational communications campaign to demonstrate the benefits of microchipping and registration.	🐾			
2.7	Offer discounted microchipping opportunities at markets and other events.	🐾	🐾	🐾	🐾
2.8	Explore options with veterinary partners and other industry partners to offer discounted microchipping opportunities.		🐾		
2.9	Continue to follow up un-renewed animal registrations, through education and compliance activities.	🐾	🐾	🐾	🐾
2.10	Develop a campaign to increase new registrations, through education and targeted door knocking activities.	🐾			
2.11	Seek grant funding opportunities to support discounted microchipping activities.	🐾	🐾	🐾	🐾
2.12	Investigate options for reduced registration fees or initiatives to support community compliance.	🐾	🐾	🐾	🐾

Priority 3:
Nuisance

Nuisance typically refers to barking dogs and wandering dogs and cats.

Under the Act, an animal nuisance exists if the keeping or behaviour of an animal causes a condition, state, or activity that constitutes:

- Damage to property owned by a person other than the keeper.
- Excessive disturbance to a person other than the keeper because of noise.
- Danger to the health of an animal or a person other than the keeper.

Council recognises that dogs will bark to some degree when alerting or during general play. However, we encourage responsible pet ownership by asking residents to manage their pets in a way that:

- Protects the health and welfare of the animal.
- Maximises the companionship benefits of pet ownership.
- Minimises potential nuisance or harm to others.



These two are the opposite of a nuisance.
They are demonstrating good kitty behaviour.

Actions:

Current Situation:
Council continues to educate and promote responsible pet ownership, including the importance of containing pets to their owner's property and the benefits of desexing to reduce wandering and prevent unwanted litters. A cat-trapping program is provided to help reduce the number of feral cats within the municipality, while dog waste bag dispensers are available at 15 locations across South Gippsland to support community amenity. In addition, all nuisance complaints are investigated, with officers working closely with pet owners to achieve resolution.

Actions		Year 1	Year 2	Year 3	Year 4
3.1	Develop an educational communication campaign in relation to barking dogs.				
3.2	Develop an educational communication campaign in relation to cats trespassing and wandering at large.				
3.3	Continually explore new ways of managing barking dog complaints, through improved reporting, recording and management techniques with dog owners.				
3.4	Advocate for additional support for councils to manage surrendered and unclaimed cats and dogs.				
3.5	Seek funding opportunities to support Council's efforts in rehoming surrendered and unclaimed cats and dogs.				
3.6	Introduce a dog on leash order across South Gippsland Shire and identify areas that would be suitable to exclude as off leash.				
3.7	Introduce a sunset to sunrise cat containment order across South Gippsland Shire.				

Priority 4:
Dog Attacks

Council understands that dog rushes and attacks can be highly distressing and prioritises responding to all reports as a matter of urgency.

A dog rush refers to an incident involving a person, while an attack may involve people, dogs, livestock, or other small animals. All reports are thoroughly investigated, with possible outcomes ranging from infringements to prosecution or declarations, depending on the severity and circumstances.

All rushes and attacks, regardless of seriousness, should be reported to Council. This is important to ensure that community risk can be minimised.

Rushes and attacks can be reported to Council at any time, via Council's 24-hour emergency line and will be responded to by a Community Safety Officer at any time.

In 2024/25 there were 66 dog attacks/rushes reported.



The only attacking baby Willard does is to shoes!

Actions:

Current Situation:

All dog attack reports are responded to promptly and investigated thoroughly and educational resources are distributed to raise awareness of preventing attacks both in the home and in the community. Council also provides information to both victims and dog owners about the investigation process and the possible outcomes.

Actions		Year 1	Year 2	Year 3	Year 4
4.1	Develop an educational communication campaign in relation to dog attacks in both the home and the community.				
4.2	Continue to follow thorough and consistent investigation and prosecution processes in relation to dog attacks.				
4.3	Share the outcomes of dog attack matters through media channels to promote Council action and raise awareness.				
4.4	Continually review information provided to both victims and dog owners involved in a dog attack incident, to ensure currency and relevancy.				
4.5	Consider and document options for declaration of dogs involved in dog attack incidents.				

Priority 5:

Dangerous, Menacing and Restricted Breed Dog

The Act allows councils to declare dogs either menacing or dangerous following incidents of rushes or attacks.

The *Domestic Animals Act 1994* allows councils to declare a dog to be dangerous if:

- The dog has caused serious injury or death to a person or animal.
- The dog is a menacing dog and its owner has received at least two infringement notices for failing to comply with restraint requirements.
- The dog has been declared dangerous under corresponding legislation in another state or territory.
- For any other reason prescribed.

The *Domestic Animals Act 1994* also allows Council to declare a dog menacing if:

- The dog has caused a non-serious bite to a person or animal.
- The dog has rushed at or chased a person.

The declaration of a dog as menacing or dangerous is never undertaken lightly, and the process is followed to ensure safety of the community.

Officers are trained in restricted breed identification and can declare a dog to be a restricted breed if it meets the standard set.

Declared dogs are recorded on the Victorian Declared Dog Registry (VDDR) which all councils have access to ensure accurate records of declared dogs are maintained. Declarations transfer across municipalities and owners must ensure they notify Council of any change of address either with the same municipality or to a new one.

Actions:

Current Situation:
Officers conduct annual inspections of all declared dog properties and work closely with owners to promptly address any non-compliance issues. Where necessary, dogs may be seized and held until required works are completed to ensure community safety.

The Victorian Declared Dog Registry is regularly updated with information on all South Gippsland declared dogs and monitored to identify any changes.

The declaration process is applied, where required, following dog-related incidents to safeguard the community. Owners of dogs proposed for declaration are provided with clear information about their obligations to ensure compliance with requirements.

Actions		Year 1	Year 2	Year 3	Year 4
5.1	Develop an educational communication campaign in relation to declared dogs.				
5.2	Continue to conduct annual inspections of all properties with declared dangerous or restricted breed dogs to ensure compliance.				
5.3	Monitor the Victorian Declared Dog Registry to identify any new animals that have moved to South Gippsland Shire.				
5.4	Continually review information provided to owners of declared dogs, to ensure currency and relevancy.				
5.5	Continue to follow up reports of suspected restricted breed dogs.				

Priority 6:

Over population and high euthanisation

Council's Pound and Animal Shelter is a safe environment where animals found wandering can be housed. Council's priority is always to get animals home as quickly as possible, and accurate microchip and registration details assist officer's in achieving this.

The facility is audited annually against the Code of Practice and is cleaned daily, including weekends. Officers provide care 365 days a year, ensuring animals are fed a premium diet and receive daily enrichment. All necessary veterinary care is provided during their stay, supported by service agreements with local veterinary clinics.

Suitable unclaimed and surrendered animals are re-homed, either via transfer to another re-homing organisation under a84Y agreement, or directly via Council's online PetRescue profile.

Council's priority is always to achieve positive outcomes for both the community and animal welfare. In some cases, however, euthanasia may be the most appropriate option to protect animal welfare or community safety. These decisions are never made lightly, and all possible alternatives are carefully considered before an outcome is determined for each animal.

Actions:

Current Situation:
Council's animal management services include accepting surrendered animals from owners who are no longer able to care for them, providing a cat-trapping program to help manage the feral cat population across South Gippsland, and partnering with Victorian-based rehoming organisations to achieve the best outcomes for animals suitable for rehoming.

Council also maintains close relationships with local veterinary clinics to ensure prompt and professional care for all animals in its facility and is committed to operating a compliant and functional pound and animal shelter.

Actions		Year 1	Year 2	Year 3	Year 4
6.1	Develop an educational communication campaign in relation to over-population of semi-owned and feral cats across South Gippsland Shire.			🐾	
6.2	Continually review the cat trapping program to ensure it is meeting the needs of Council and the community.	🐾	🐾	🐾	🐾
6.3	Advocate for additional support for Council to manage feral cats.	🐾	🐾	🐾	🐾
6.4	Seek funding opportunities for Council to deliver discounted desexing of cats with partner agencies.	🐾	🐾	🐾	🐾
6.5	Investigate ways to help owners who are struggling to care for unwell or aggressive pets by providing access to humane euthanasia options or referrals, reducing the need for owners to surrender animals to Council.	🐾	🐾	🐾	🐾
6.6	Explore the option of introducing a mandatory cat desexing order across South Gippsland Shire.				🐾
6.7	Introduce an applicable fee for the surrender of animals to Council, to assist with the veterinary and daily care costs associated with rehoming or euthanasia.	🐾			

Priority 7:

Domestic Animal Management Businesses

Under the Act, certain animal related businesses must be registered with Council and audited against Codes of Practice to ensure animals being managed by the business are safe. Domestic Animal Businesses include:

- Breeding businesses (cats and/or dogs).
- Training facilities for dogs.
- Pet shops.
- Animal shelters.
- Dog or cat rearing premises.
- Animal pounds either run by Council or a Council contractor.
- Boarding establishments.

In 2024/25 there were six Domestic Animal Management Businesses registered in South Gippsland.



Senior boy 'Jack' has seen it all. He thinks he would be a very capable Animal business manager.

Actions:

Current Situation:
All registered domestic animal businesses are audited annually against the relevant Codes of Practice, with Officers working with business owners to rectify any identified non-compliances in a timely manner.

Officers respond to reports of suspected unregistered domestic animal businesses to achieve compliance and registration. All existing and prospective new businesses are provided with copies of the relevant Codes of Practice to ensure businesses are kept informed and operated to standard.

Actions		Year 1	Year 2	Year 3	Year 4
7.1	Develop an educational communication campaign in relation to the benefits of using a registered domestic animal business for your pet's needs.				
7.2	Continue to conduct annual inspections of all registered domestic animal businesses.				
7.3	Identify, and respond to reports of, potential unregistered domestic animal businesses and work with the owners to achieve compliance.				
7.4	Look to list all registered domestic animal businesses on Council's website.				

SOUTH GIPPSLAND SHIRE COUNCIL

9 Smith Street (Private Bag 4) Leongatha VIC 3953
Phone: 5662 9200 Fax: 5662 3754
Email: council@southgippsland.vic.gov.au
Website: www.southgippsland.vic.gov.au
Facebook: www.facebook.com/southgippslandshirecouncil

South Gippsland
Shire Council

5.3. STATUTORY PROCEDURES - PROPERTY SALES - 4-6 POWER STREET, FOSTER

Directorate:	Infrastructure Sustainability
Department:	Infrastructure Planning

Council Plan
Theme - Developing a Sustainable Future

Financial sustainability is a key element to Council's future.

EXECUTIVE SUMMARY

The purpose of this report is to commence the statutory process to sell 4-6 Power Street Foster and part 5 Simpson Street Foster.

RECOMMENDATION

That Council:

1. **Commence statutory procedures in accordance with s.114 of the *Local Government Act 2020* to sell the following properties:**

    a. **4-6 Power Street, Foster and part 5 Simpson Street, Foster being the land described in certificates of title Volume 12549 Folio 485, Volume 9943 Folio 692, Volume 9851 Folio 370. Volume 10852 Folio 160 and Volume 10852 Folio 159 with an area of approximately 4,152m^2;**

    b. **It is proposed to sell proposal 1a by public sale for not less than a valuation obtained for the land which is made not more than six months prior to the sale.**

2. **Gives public notice with respect to the proposal on Council's website and in local newspapers in the edition week commencing 26 January 2026 on the proposal (Resolution 1) inviting written submissions to be received by 5pm Wednesday 25 February 2026.**

2. **Gives public notice with respect to the proposal on Council's website and in local newspapers in the edition week commencing 26 January 2026 on the proposal (Recommendation 1) inviting written submissions to be received by 5pm Wednesday 25 February 2026.**

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; and**

    b. **Receives a further report to consider submissions and/or determine the outcome at the next available Council Meeting.**

REPORT

Figure 1: 4-6 Power Street Foster and part 5 Simpson street Foster



Figure 2: Part 5 Simpson Street Foster



4-6 Power Street Foster was acquired in 2020, and part 5 Simpson Street Foster was acquired in 2023 as a site to relocate the Foster Depot. The combined area is 4152m^2. There is a government road that abuts the land that Council currently licenses included in the fence line that is 1367m^2.

The relocation sites were acquired as the current Foster Depot was included in the Foster Framework Plan, within the South Gippsland Planning Scheme, and had identified the current site situated at 24 -26 Pioneer Street, Foster as a site for town centre expansion.

As the Foster Framework Plan did not realise the town centre expansion, the Foster Depot has remained at 24-26 Pioneer Street Foster and 4-6 Power Street Foster and part 5 Simpson Street Foster are surplus to requirements.

CONSULTATION / COMMUNITY ENGAGEMENT

A public notice will be placed on Council's website and in local papers in the week commencing 26 January 2026 calling for submissions for 28 days to the proposed land sales. If submissions are received Council are required to consider those submissions with submitters having the opportunity to be heard in support of their submissions.

RESOURCES / FINANCIAL VIABILITY

Income from the sale of the properties will not be budgeted but placed in a reserve for future developments required.

RISKS

Nil

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Attachments are available on Council's website at the following LINK.

Nil

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 3. Decision Making

Council Policy / Strategy / Plans

Documents are available on Council's website at the following LINK.

Nil

Legislative Provisions

Local Government Act 2020

Regional, State and National Plan and Policies

Nil

5.4. ACTIVITIES AND PERFORMANCE OF COMMUNITY ASSET COMMITTEES

Directorate:	Empowering Communities
Department:	Community, Customer and Visitor

Council Plan
Theme - Empowering Communities

Community Asset Committees help provide community spaces for individuals and groups to thrive, fostering inclusion, enhancing access to services, and encouraging active community participation.

EXECUTIVE SUMMARY

Council has 12 Community Asset Committees run by delegated community committee members as per section 47 of the Local Government Act 2020.

This report provides a summary of the activities and performance of these Community Asset Committees (CACs).

RECOMMENDATION

That Council:

1. **Notes the report on the activities and performance of Council's Community Asset Committees; and**

2. **Thank all Committee members of the 12 Community Asset Committees for their work supporting communities and Council to manage community assets.**

REPORT

Council has 12 Community Asset Committees run by delegated committees comprising of community members as per section 47 of the *Local Government Act 2020*.

The delegations for all 12 Community Asset Committees were recently reviewed and signed by the Chief Executive Officer on 1 September 2025.

Community Halls and Centres	Recreation Reserves & Sports Stadiums
Mirboo North Community Hall	Walter J Tuck Recreation Reserve
Foster Stockyard Gallery	Korumburra Recreation Reserve
Allambee South Community Hall	Foster Showgrounds

Community Halls and Centres	Recreation Reserves & Sports Stadiums
Sandy Point Community Centre & TP Taylor Reserve	John Terrill Memorial Park & Fish Creek Recreation Reserve
Port Welshpool & District Maritime Museum	Meeniyan & District Sports Stadium
Foster War Memorial Arts Centre	Blank
Dumbalk Hall	Blank

The activities and performance of CACs relate to the powers and functions of committees to manage respective facilities, which include:

- The power to enter contracts and incur expenditure under $5,000 with approval being required from Council for contracts over $5,000.
- The power to negotiate the use, including seasonal use agreements, of facilities with user groups and the power to approve programs operating from the community asset.
- The power to set user fees.
- The power to apply income received from facility users to the ongoing operation and management of the community asset.

It is considered that the 12 South Gippsland Shire Council Community Asset Committees have acted in accordance with their delegation, ensuring community assets and facilities are managed for the benefit of the South Gippsland community. Committees provide information on their activities to Council as required through their delegation including meeting minutes, volunteer registers and financial information.

It is a testament to our communities' dedication to these facilities that each CAC has been successful in maintaining a functioning committee.

Community members in Meeniyan are currently engaged in conversations with officers to determine the potential for a Community Asset Committee to be established to manage the recently completed Meeniyan Hub.

CONSULTATION / COMMUNITY ENGAGEMENT

Community Asset Committees are a key stakeholder of Council and officers are in contact with each committee to ensure their ongoing support.

RESOURCES / FINANCIAL VIABILITY

Council provides maintenance support to Community Asset Committees to maintain their assets, through maintenance allocations or direct in-house support. These provisions are included in ongoing budget allocations.

RISKS

Community Asset Committees provide support to Council through the management of community facilities. Without this support Council may be required to provide facility management services or consider the closure of facilities. This risk is mitigated through maintaining relationships with each of the CACs.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Attachments are available on Council's website at the following LINK.

Nil

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 7. Risk & Compliance

Council Policy / Strategy / Plans

Documents are available on Council's website at the following LINK.

Nil

Legislative Provisions

Local Government Act 2020

Regional, State and National Plan and Policies

Nil

5.5. DOMESTIC ANIMAL MANAGEMENT PLAN 2023-2025 - ANNUAL IMPLEMENTATION REPORT

Directorate:	Empowering Communities
Department:	Community, Health and Safety

Council Plan
Theme - Developing a Sustainable Future
Theme - Empowering Communities

The Domestic Animal Management Plan (DAMP) will ensure domestic animals are managed effectively protecting the environment and the health and safety of the community.

EXECUTIVE SUMMARY

The purpose of this report is to highlight Council's progress and achievements implementing the Domestic Animal Management Plan (DAMP) 2022-2025, with 97 per cent of actions completed or on track and will carry over to the next Plan.

An Annual Progress Report for 2024-2025 (refer to **Attachment [5.5.1])** will be presented and a copy provided to the Minister for Agriculture.

RECOMMENDATION

That Council:

1. **Notes the progress of the Domestic Animal Management Plan 2022-2025 (Attachment [5.5.1]; and**

2. **Advises the Minister for Agriculture of the Domestic Animal Management Plan – Annual Progress Report 2024-2025 (Attachment [5.5.1];.**

REPORT

In accordance with section 68A of the *Domestic Animals Act 1994 (the Act)*, Council is required to prepare a Domestic Animal Management Plan (DAMP) every four years. The DAMP 2022-2025 (refer to **Attachment [5.5.2]**) was adopted at the 16 November 2022 Council Meeting and outlines the services, programs and policies established to address the administration of the Act. It also ensures responsible pet ownership with consideration to the wider environment and municipality.

The DAMP includes nine priority areas and identifies 34 action items to be completed during its life cycle. The progress of these actions is reported annually, with a copy required to be sent to the Minister for Agriculture at the end of each calendar year. The Domestic Animal Management Plan 2022-2025 – Annual Progress Report 2024-2025 (refer to **Attachment [5.5.1])** details the

actions that have been undertaken. This is the final report for the current DAMP; a new Plan will be adopted by Council covering the 2026-2029 period.

Councils progress of the 34 actions is:

- 21 actions completed.
- 12 actions on track, which are all ongoing actions and will carry over to the next DAMP 2026-2029.
- 1 action remains at monitor.

CONSULTATION / COMMUNITY ENGAGEMENT

There was an extensive consultation period during the development of the Domestic Animal Management Plan 2022-2025. Future actions, specifically those associated with new Council Orders, were subject to additional community engagement and consultation during the development of the DAMP 2026-2029.

RESOURCES / FINANCIAL VIABILITY

The implementation of actions included in the DAMP are accommodated from within the Community Safety team operational budget.

RISKS

If Council does not endorse the Domestic Animal Management Plan 2022-2025 – Annual Progress Report 2024-2025, it will not be able to meet its legislative obligations, including the report being forwarded to the Minister for Agriculture.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Attachments are available on Council's website at the following LINK.

1. Domestic Animal Management Plan 2022-2025 - Progress Reporting Year 3 [**5.5.1** - 7 pages]
2. Domestic Animal Management Plan 2022-2025 [**5.5.2** - 34 pages]

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 1. Direction & Leadership
Pillar 5. Communications & Community Engagement

Council Policy / Strategy / Plans

Documents are available on Council's website at the following LINK.

Domestic Animal Management Plan

Legislative Provisions

Domestic Animals Act 1994

Regional, State and National Plan and Policies

Nil

Domestic Animal Management Plan 2023-2025

Council Plan Objective – Healthy and Engaged Communities
Council Plan Objective - Protecting and Enhancing our Environment

Action Plan Reporting on Activities

				2025	
				Year 3	
STRATEGY	**ACTION**	**Who**	**When**	**Progress Update - 3rd year**	**Status 3**
Training of Authorised Officers	Ensure all officers have access to the Bureau of Animal Welfare website.	Community Safety Support Officer	Ongoing	Officers have access to all required systems and any changes to staff are communicated appropriately.	Completed
Training of Authorised Officers	Maintain a training register for individual officers.	Community Safety Coordinator	Annually	Training is identified through PDP process for all staff. Any new training opportunities identified are considered for all relevant staff.	Completed
Training of Authorised Officers	Ensure officers attend at least one training / networking session each year.	Community Safety Coordinator	As per training register	Officers attend mandatory training sessions annually, as well as any additional opportunities that are identified through PDPs.	Completed
Training of Authorised Officers	Maximise learning and development opportunities to attract and maintain quality staff and performance.	Community Safety Coordinator	As per training opportunities	Through networking and professional relationships with other Councils, State Departments and Authorities and relevant sector organisations we can identify and connect in to other training opportunities to keep officers skilled and engaged.	Completed
Training of Authorised Officers	Identify additional training and development opportunities as they arise.	Community Safety Coordinator	As per training opportunities	Through networking and professional relationships with other Councils, State Departments and Authorities and relevant sector organisations we can identify and connect in to other training opportunities to keep officers skilled and engaged.	Completed

Registration and Identification	Continue to conduct registration compliance campaigns across the municipal district targeting townships and rural areas each year.	Community Safety Coordinator	Ongoing	Registration renewal door knocks undertaken to achieve the following: * take payments to ensure animals are renewed * identify additional animals * cleanse our registration data and remove animals no longer at properties * gather evidence for follow up enforcement * increase community presence * provide education on animal management activities	Completed
Registration and Identification	Introduce an online animal registration application system for new registrations.	Community Safety Support Officer	Ongoing	Online new animal registrations through e-pathway is live and successful.	Completed
Registration and Identification	Continue to distribute animal information articles on Council's website, social media, telephone on-hold messages and in local newspapers to promote the benefits of registration, microchipping and legislative compliance	Community Safety Support Officer Communications Officer	Ongoing	South Gippsland Shire Pets Facebook page is live and followers are slowly increasing. Sharing a variety of notifications, good news stories and education. Printed and online materials being reviewed and distributed as appropriate. Review and update on website continues.	Completed
Registration and Identification	Continue compliance and enforcement activities to achieve greater compliance with all aspects of the Act.	Community Safety Coordinator	Ongoing	The team continues to follow up known breaches of registration, intially through education but will escalate to enforcement measures if compliance is not obtained.	Completed

Nuisance	Continue to distribute animal information articles on Council's website, social media, telephone on-hold messages and in local newspapers to promote the issues relating to nuisance dogs and cats	Community Safety Support Officer Communications Officer	Ongoing	NoiseNet devices installed for ongoing barking dog complaints to gather relevent evidence. Barking dog process reviewed to ensure information materials are distributed and add value. Review of website to ensure relevant information can be found, including links to appropriate other pages, such as Animal Welfare Victoria. Animals of South Gippsland Facebook page being utilised. Updated complaint form launched on website to collect more detailed information.	Completed
Nuisance	Investigate the introduction of a 'Leash Order' to reduce the incidence of wandering/ unrestrained dogs in public places and number of dogs causing a nuisance	Community Safety Coordinator	Future Plan	This action carries over to the 2026-2029 DAMP for the introduction of the Orders, should Council wish to proceed	On Track
Nuisance	Investigate the need for designated 'Dog Off-Leash' parks if a leash order is introduced.	Community Safety Coordinator	Future Plan	This action carries over to the 2026-2029 DAMP for the introduction of the Orders, should Council wish to proceed	On Track
Nuisance	Investigate the introduction of a 'Cat Curfew Order' to reduce the incidence of cats causing a nuisance, attacks on native fauna and unwanted cat litters.	Community Safety Coordinator	Future Plan	This action carries over to the 2026-2029 DAMP for the introduction of the Orders, should Council wish to proceed	On Track
Dog Attacks	Issue infringements and prosecute offenders for non-compliance with the Act in accordance with our normal practices.	Community Safety Coordinator Community Safety Support Officer	Ongoing	All dog attacks are investigated thoroughly and apropriate enforcement steps are determined and taken for each one. Where infringements are issued it is done in line with best practice and Council policy. Unpaid infringements escalate to Fines Victoria for follow up. Serious matters, or nominations for Court, proceed through to prosecution in the Magistrates' Court of Victoria	Completed

Dog Attacks	Continue to educate the public regarding the broader implications of dog attacks to the community, the victim, the offending animal and the owner of that animal	Community Safety Coordinator	Ongoing	This action is strengthened in the 2026-2029 DAMP with a dedicated commuication and education campaign.	On Track
Dog Attacks	Continue to distribute animal information articles on Council's website, social media, telephone on-hold messages and in local newspapers to promote issues relating to dog attacks.	Community Safety Support Officer Communications Officer	Ongoing	Distribution of materials to affected persons, updated information of Council's website, utilisation of Council's Facebook pages and media releases.	On Track
Dog Attacks	Provide residents with information on how to report dog attacks and promote and encourage the reporting of any dog attack.	Community Safety Support Officer Communications Officer	Ongoing	Distribution of materials to affected persons, updated information of Council's website, utilisation of Council's Facebook pages and media releases.	On Track

Dangerous, Menacing and Restricted Breed Dogs	Promote the Department of Primary Industries "Dangerous Dogs Hotline"	Community Safety Support Officer	Ongoing	A link to the hotline to be published on Council's website, however we would rather dog attacks be reported directly to our Officers, rather than through a third party to pass on to us. Reporting a 'dangerous dogs' is misleading and can cause confusion with the customer about action Council can take.	Monitor
Dangerous, Menacing and Restricted Breed Dogs	Provide advice and guidance to dog owners regarding restricted breeds and dangerous dogs.	Community Safety Coordinator Community Safety Support Officer	Ongoing	This action is strengthened in the 2026-2029 DAMP with a dedicated commuication and education campaign.	On Track
Dangerous, Menacing and Restricted Breed Dogs	Conduct annual inspections of premises where declared restricted breeds of dogs are housed.	Community Safety Officers	Annually in April	No restricted breed dogs have been identified in South Gippsland during this period.	Completed
Dangerous, Menacing and Restricted Breed Dogs	Conduct annual inspections of premises where declared dangerous and menacing dogs are housed.	Community Safety Officers	Annually in April	Dangerous and menacing dog inspections undertaken each year as part of animal registration renewal process. Currently no restricted breed dogs identified in South Gippsland.	Completed
Dangerous, Menacing and Restricted Breed Dogs	Proactively enforce menacing, restricted breed and dangerous dog legislation.	Community Safety Coordinator Community Safety Officers	When Required	Dogs are declared menacing or dangerous, as required, following serious incidents.	Completed
Dangerous, Menacing and Restricted Breed Dogs	Ensure that the standards to identify restricted breed dogs are applied.	Community Safety Coordinator Community Safety Officers	When Required	Officers complete training to identify restricted breed dogs as it is offered by the Department of Agriculture. This helps them compare suspected dogs against the written standard. Relevant standard is available for all Officers to access at all times.	Completed
Overpopulation and High Euthanasia	Expand Council's cat trapping program.	Community Safety Officers	2023	Current trapping program is meeting the needs of the community and ensuring Council has capacity to manage the number of animals coming in. Action to purchase additional traps completed in 2023. Will continue to monitor and adjust program as required.	Completed
Overpopulation and High Euthanasia	Through Council's pound service, advertise lost and/or found dogs and cats on Council's website and in local papers.	Pound Service Provider	Ongoing	Council has moved to offer direct adoptions from the pound, available animals are advertised on Pet Rescue and Council's Facebook page	Completed

Overpopulation and High Euthanasia	Ensure that notices advertising animals for sale within South Gippsland contain the microchip number for each animal being sold.	Community Safety Support Officer Community Safety Officers	Ongoing	Where advertisements are discovered, through print and online platforms, compliance with microchipping and the Pet Exchange Register is confirmed.	On Track
Overpopulation and High Euthanasia	Investigate the extended use of social media to increase the return of lost or impounded animals to their owners.	Community Safety Coordinator Community Safety Support Officer Community Safety Officers	Ongoing	Council utilises the dedicated Animals of South Gippsland facebook page to advertise dogs and cats that have been impounded and their owners are unable to be identified or contacted. Outcomes are also posted in updates.	On Track

Domestic Animal Businesses	Develop a procedure that will allow for all audit inspection documentation to be stored electronically against the license.	Community Safety Support Officer Community Safety Officers	2023	Action completed in 2023.	Completed
Domestic Animal Businesses	Assessment of Council's registration database, to proactively identify unregistered Domestic Animal Businesses.	Community Safety Support Officer Community Safety Officers	Ongoing	Unregistered Domestic Animal Businesses, where identified, are contacted to discuss requirements.	On Track
Domestic Animal Businesses	Provide Domestic Animal Businesses with educative material to ensure they are kept informed of all new developments and changes to legislation that may affect the operation of their business.	Community Safety Officers	Annually in April or as required	Council Officers provide any new relevant information to Domestic Animal Business owners during inspections. Any changes to legislation that affect the Domestic Animal Businesses is communicated with them as received.	Completed
Other Matters	Undertake a review of pound service in 30 June 2023. Management would seek approval from the Chief Executive Officer for a contract extension for an additional year recurring up to five times applicable to 30 June 2028.	Manager Community Health and Safety	30 June 2023	Action completed in 2023.	Completed
Annual Review of Plan and Annual Reporting	Provide the Department of Primary Industries Secretary with a copy of the Domestic Animal Management Plan and any amendments.	Community Safety Coordinator	Annually in December	The Council report concerning the annual review of the DAMP will be prepared following the Council briefing.	On Track
Annual Review of Plan and Annual Reporting	Publish an evaluation of the implementation of the Domestic Animal Management Plan in Council's Annual Report	Manager Community Health and Safety Communications Officer	Annually	Evaluation of the implementation of the Domestic Animal Management Plan is included in Council's Annual Report.	Completed
Annual Review of Plan and Annual Reporting	Review the Domestic Animal Management Plan annually and if appropriate, make any amendments to the Plan.	Community Safety Coordinator Community Safety Officers	Annually	The Council report concerning the annual review of the DAMP will be prepared following the Council briefing.	On Track

SOUTH GIPPSLAND SHIRE COUNCIL

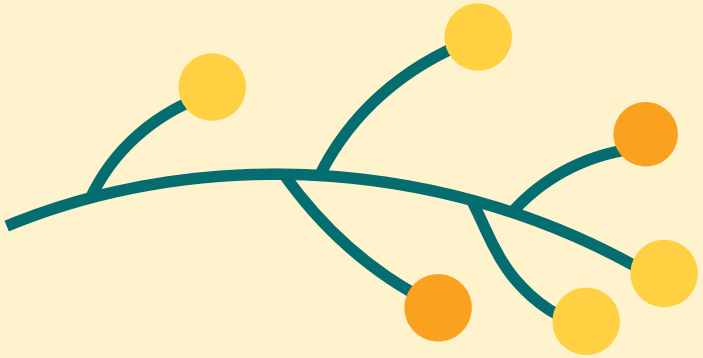
Domestic Animal Management Plan 2022 - 2025



South Gippsland Shire Council

Acknowledgment of Country

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.



Acacia pycnantha (wattle)

Message from the Mayor



Councillor Mohya Davies
Mayor
South Gippsland Shire Council

The Domestic Animal Management Plan provides guidance and sets a clear direction to ensure pets in South Gippsland are valued and treated humanely. It provides an overview of the work that Council is currently doing in the animal welfare and management space, but more importantly, it sets new actions that will align our work to our community's expectations.

To understand what the South Gippsland community wanted in terms of domestic animal management, Council embarked on a significant engagement campaign which generated 583 survey responses, 1,799 website visits and 73 comments via listening posts across our Shire.

This strong feedback is immensely valuable as it helped to guide the Plan you see today. From the feedback that was provided, we now understand what our community thinks around issues such as cat curfews and dog leash orders and what their biggest concerns are in relation to animal and environmental protection.

It was clear from our consultation that people are devoted to their pets, who are considered not animals but 'family'. And this extended to species other than cats and dogs. As part of this Plan, we are dedicated to supporting and valuing pets in our community by:

- Ensuring pet owners understand they have a responsibility to care for and protect their pets and that they do not adversely impact on other pets, people or the environment;
- Delivering programs that work closely with our community to educate and encourage compliance with Council policy and State Government legislation relating to pets; and
- Delivering services within our community to address issues that relate to our pets.

On the next page, you will see some of the Councillors beloved pets who were also keen to be part of this process.

Our animals are a vital part of our community.



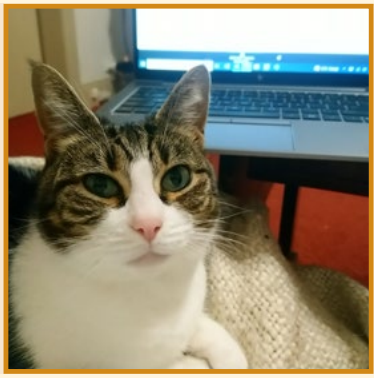
This is Spencer. Best mate of Councillor Clare Williams and an all-round good boy.

Hello there. My name is Daisy, I'm the cat of the house and I agreed to let Councillor Keerie take me home to keep that dog Missy in line.

They like to think they rescued me, but I know better, I rescued them.

I have crucial tasks as you can see in this photo. Here I am helping Councillor Keerie review some Council papers. It is an important job that I take very seriously.

I am mostly an inside cat but now that I have been, hmmm... 'fixed up', I love to spend time sleeping in the sun on our back verandah.





Blue Dog and Annie – best mates of Councillor Scott Rae.

My name is Desi and I'm a Red Heeler x Border Collie with a big personality (at least that's what my owner Councillor Sarah Gilligan says). Sarah says I make my family laugh at least once a day and I'm a pleasure to be around.

I can be a little timid around other dogs, but I was all ears hearing what our community thought about dogs being on leads and off-leash areas.





My name is Missy and I love being part of Councillor Jenni Keerie's family. I was a rescue dog. They also found a rescue cat, but we won't talk about that. This photo is the one I used to win the heart of my family, it worked too!

I'm a good girl and really love keeping the chooks in line. Mum doesn't walk me much any more, I think when I dragged her along the footpath, ran her into a street sign and then she tripped on the gutter she wasn't too keen on doing it again – well, not with a broken ankle anyway. Mum usually drives me to safe places and just lets me out to run. I'm so fast and this always makes her smile.

Introduction

Under the *Domestic Animals Act 1994*, Council must develop and implement a new Domestic Animal Management Plan (DAMP) every four years.

South Gippsland Shire Council is committed to maintaining its parks, gardens and streets for the enjoyment of all residents and visitors and promoting responsible pet ownership is part of this commitment.

South Gippsland is a diverse area consisting of lush rolling hills which give way to a scenic coastline. As South Gippsland's population grows, so does the number of pets who inhabit the municipality.

The DAMP is aimed at promoting and encouraging responsible pet ownership. It explains how Council currently manages this, and establishes objectives to improve and grow the ways in which Council delivers domestic animal management programs.

The DAMP's objectives address our duty of care to the health and welfare of animals with consideration to the environment, amenity and all who live in or visit our community.

In order to develop a DAMP that addresses the key priorities of the South Gippsland community, Council conducted a vigorous community consultation program from August to September 2022. This included collecting and collating feedback through 583 survey responses, 24 written submissions, stakeholder workshops, community listening posts and much more.

The key themes were consistent with previous domestic animal management consultations. The key ares of community focus highlighted in the DAMP are:

- Dogs being walked off-lead and not under effective control.
- Wandering dogs.
- Dog waste facilities when walking dogs.
- Dog aggression.
- Cats' impact on native wildlife.
- Wandering cats.
- Cats not being desexed.
- Irresponsible breeding.

Background



In This Section:

- Snapshot
- What We Do
- How We Developed this Plan
- What We Heard

44% support **exemptions** for cats on farms.



84% support a **night-time cat curfew**.

64% support a **dog leash** order.

62% support a **24-hour cat confinement** order.

69% support **exemptions** for working dogs.





84% agree that there will be a need for **designated off-leash** areas should a dog leash order be introduced.

85% of owners are encouraged to pick up after their dog as a result of Council-provided **dog waste bags**.

The community told us they have concerns with:

- **64%** Cats' impact on native wildlife
- **54%** Wandering cats
- **45%** Cats not being desexed
- **32%** Irresponsible breeding
- **50%** Dogs being walked off lead or not under control
- **39%** Wandering dogs
- **37%** Dog waste
- **31%** Facilities when walking dogs
- **31%** Dog aggression

Pet Ownership, Registration and Desexing

76% Own a dog

32% Own a cat

14% Do not own a dog or cat



84% of pet owners stated that their dogs and cats are **desexed**.

What would make it easier for residents to register pets?

- Registration incentives and discounts.
- SMS / email reminders for renewals.
- Ability to register pets at a vet clinic.

What We Do

South Gippsland Shire is located a pleasant 90-minute drive through coastal flats and rolling hills to the south east of Melbourne. It stretches from Nyora in the west, to Welshpool in the east, and Mirboo North to the north. The southern boundary is formed by the Bass Strait coastline.

As well as the main towns of Leongatha, Korumburra, Mirboo North and Foster, South Gippsland has over 20 smaller communities that are an integral part of the Shire. Its commercial, social, cultural and environmental qualities make it a wonderful environment to live, work, recreate and invest. The Shire has a population of 30,248 (estimated residential population) and covers 3,300 square kilometres which include some of the nation's most arable farming land.

Population and Domestic Animal Snapshot

The following table provides a snapshot of dogs and cats across South Gippsland.

Snapshot Data	2021-22
Population	30,248
Geographic area of municipality	3,296 square kilometres
Registered dogs	5,710
Registered cats	1,584
Dog and cat related requests	854
Registered declared dogs (dangerous, menacing or restricted breed)	3
Dog attack or rush	37
Number of registered Domestic Animal Businesses	7
Keeping of animals / excess animal permits issued	15
Number of infringements	123
Number of successful prosecutions	6
Dogs impounded	124
Dogs euthanised	9
Cats impounded	110
Cats euthanised	14
Cat cage requests	133

Current Domestic Animal Services and Programs

South Gippsland Shire Council currently provides the following Domestic Animal Management services and programs to residents:

- Ongoing maintenance of a dog and cat registration database.
- Response to customer complaints relating to animal management issues such as barking dogs, dog attacks, dogs at large, nuisance cats.
- Provision of an after-hours emergency service.
- Provision of dog litter bins and 'animal welfare' bag dispensers at 15 locations throughout the Shire.
- Cat trapping program – supply of cat traps for trapping of feral and/or nuisance cats.
- Collection of stray or wandering dogs and cats, including surrendered animals.
- Provision of advice and information to residents relating to animal management issues.
- Promotion of responsible pet ownership through distribution of education material for all new animal registrations.
- Regular inspections of Domestic Animal Businesses to ensure compliance with the Act and relevant Codes of Practice.
- Regular inspections of restricted breeds, dangerous and menacing dog premises to ensure compliance with the Act and relevant Codes of Practice.
- Provision of animal management training opportunities for Local Laws Officers.
- Provision of pound services through a contractual agreement.
- Quick responsiveness to dog attack complaints.
- Prosecution of offences under the Act and other regulations including Council's *General Local Law 2014*.

How We Developed the Domestic Animal Management Plan

South Gippsland Shire Council's previous DAMP expired in 2021 and an interim one-year action plan was put in place until a further three-year plan could be developed with input from our newly elected Council.

Development of Council's new DAMP was driven by Council's Local Laws team who really wanted to get input from our community, stakeholders and undertake independent research.

Engagement Approach

Council used a number of consultation tools as part of our engagement activities. These included:

- An online survey via Council's online portal 'Your Say South Gippsland' from 17 August to 11 September 2022 (promoted through media releases, social media posts, published on Council's website and Councillor Bulletin) to allow our community to provide feedback on dogs and cats.
- Written submissions could be uploaded on the website or via email and post.
- In-person and online community listening posts. The in-person sessions were held at Korumburra, Foster, Mirboo North and Leongatha.
- Councillor workshop.
- Hard copy surveys were also available at various locations throughout the Shire and upon request.
- Corflute signs with a QR code to the survey were placed in popular dog walking areas and along the rail trail.
- Key external stakeholders were directly emailed to participate in the engagement process. This included vets, shelters, animal groups, domestic animal businesses, environmental organisations, committees of management, sporting clubs, business groups etc.
- Internal Council stakeholders were contacted directly to participate.
- 4,237 owners of registered dogs or cats were sent an SMS or email invitation with a link to the survey.
- 71 customers who had made a dog or cat related enquiry in the last six months were sent an SMS or email invitation with a link to the survey.

What We Heard

Key Issues

- Dogs off lead / not under owner control / wandering dogs.
- Dog waste.
- Dog aggression.
- Facilities when walking dogs.
- Dogs barking.
- Cats and dogs impact on native wildlife.
- Wandering cats.
- Cats and dogs not being desexed / irresponsible breeding.

Suggestions

- Introduce and enforce a dog leash order in public places, consider working dogs (droving livestock) exemptions.
- Provide designated fenced off-leash areas with appropriate facilities in townships across South Gippsland, including at ovals, parks, reserves and beaches.
- Provide solutions to address dog waste including bags and bins on trails, parks, reserves, beach entry points, town centres.
- Confine cats to owners' property, either night-time or 24/7.
- Make it easier to register pets including incentives and discounts, and investigate whether pets could be registered at vet clinics.
- Education and communication to promote responsible pet ownership, regular messaging using multiple accessible channels.

Activities



In This Section:

- Training of Authorised Officers.
- Registration and Identification.
- Nuisance.
- Dog Attacks.
- Dangerous, Menacing and Restricted Breed Dogs.
- Overpopulation and High Euthanasia.
- Domestic Animal Businesses.
- Pound Provision and Management.
- Annual Review of Plan and Annual Reports.

Training of Authorised Officers

Council's animal management services are delivered through the Local Laws team. The team regularly work with key partners and stakeholders, and aim to build relationships with these partners and the community by providing advice, support and regulatory services.

In addition to animal management, our Local Laws team respond to numerous other issues and community needs to assist with public safety, the environment and amenity.

Current and Planned Training

New staff are required to complete specific training including a Council induction on policies and procedures and an introduction to Council's animal management procedures and programs. Regular team training and refresher courses, and ongoing on-the-job training and coaching is provided.

Staff are encouraged to represent the Shire on industry bodies and committees where appropriate. Internal procedures and processes are regularly reviewed and updated.

The team maintain a training register, detailing all the qualifications and training courses completed by each team member. Performance reviews and professional development plans are also undertaken annually.

Our Plans

- Continue to develop and maintain a training register for individual officers.
- Ensure officers attend at least one training or networking session each year.
- Ensure all officers have access and use the Bureau of Animal Welfare internet site.
- Maximise learning and development opportunities to attract and maintain quality staff and performance.
- Identify and seek additional training and development opportunities as they arise.

Registration and Identification

Current Situation – Our Current Data (2021)

Healthy and happy pets can bring life and vibrancy to a family, and community. They provide companionship and improve wellbeing through supporting physical exercise and mental wellness. These benefits rely on responsible pet ownership. Socialisation of animals is considered an important part of pet ownership. Supervised and responsible socialisation supports dog behaviour so that they are able to cope with unfamiliar situations (e.g. interacting with other animals or people) by teaching them to not react fearfully to new experiences and being more comfortable when encountering something new.

Council promotes and encourages responsible ownership of dogs and cats through a range of communication and education initiatives.

We understand the increasing demand for Council services to be delivered online, and for engagement through social media and other digital means. However, we also acknowledge the power behind face-to-face interactions and that successful education and communication campaigns require a multi-channeled approach.

Community consultation outcomes identified responsible pet ownership as an important factor including animals being trained and exercised, microchipped, desexed and registered with owners complying with regulations and signage. Communication and education campaigns with clear and simple messaging were suggested to support responsible pet ownership as well as increasing awareness of the impacts and implications of pets near conservation areas.

Registration fees currently set for the 2022/2023 financial year are as follows:

Reduced Fee	$55.85	**Pension Concession**	$27.40
Microchipped Only	$164.45	**Pension Concession**	$82.20
Restricted breed / dangerous / menacing dog	$317.70		

- Pro-rata fees commence 11 October each year.
- Provision of free transfer of registration to animal owners who relocate to the South Gippsland Shire.
- Letter and registration application forms are sent to all new pet owners identified through Section 13 notifications received from pounds, shelters and pet shops. The Local Laws Administration Support Officer and Local Laws Officers undertake processes to ensure animals are registered as required by the Act.
- Issue registration renewal notices on an annual basis with reminder notices, final notice, and text messages to ensure animals are registered.
- Ensure each Officer has a microchip scanner to determine if an animal found wandering or contained is currently registered along with the owner's details.

Our Current Education / Promotion Activities

Council's current identification and registration activities include:

- Issuing of 'lifetime' registration identification tags.
- Door-knocking various townships and rural areas in relation to registration requirements and compliance checking.
- Advertising of relevant information on Council's website, in local newspapers, social media and information boards.
- Encouraging the desexing of dogs and cats in an effort to reduce wandering animal issues.

Our Plans

- Continue to conduct registration compliance campaigns across the municipal district targeting townships and rural areas each year.
- Introduce an online animal registration application system for new registrations.
- Continue to distribute animal information articles on Council's website, social media, telephone on-hold messages and in the local newspapers to promote the benefits of registration, microchipping and legislative compliance.
- Continue compliance and enforcement activities to achieve greater compliance with all aspects of the Act.

Nuisance

A nuisance animal is defined or exists if the keeping or behaviour of an animal causes a condition, state or activity that constitutes:

- Damage to property owned by a person other than the keeper.
- Excessive disturbance to a person, other than the keeper, because of noise.
- Danger to the health of an animal or person other than the keeper.

Council encourages people to manage their pets in a way that protects the health and welfare of the animal, maximises the companion benefits of their pet, and minimises potential nuisance or harm to others.

Our Current Orders, Local Laws, Council Policies and Procedures

Council's *General Local Law 2014* provisions relating to domestic animals are as follows:

Clause 46(1) – *"An owner or occupier of a property must not, without a permit, keep or allow to be kept any more in number for each kind of animal than as set out in the following table: [2 dogs and/or 2 cats]"*; and

- Clause 48(1) – *"A person in charge of an animal must not allow any part of the animal's excrement to remain on or in a public place within a built-up area"*; and
- Clause 48(2) – *"A person in charge of an animal which litters in a public place must immediately collect and dispose of the litter in such a manner so as not to cause a nuisance to any other person."*

Council has a number of policies and procedures that relate to the administration and enforcement of the Act. These include a Barking Dog 'step-by-step' process, Wandering Dog Process, Compliance and Enforcement Policy, and Infringement Matrix.

There are also well developed processes for officers to follow and access to guidance that will assist them in their decision making.

Our Current Education / Promotion Activities

- Provide Bureau of Animal Welfare responsible pet ownership brochures and other literature to owners of newly registered animals.
- Provide advice and assistance to customers in relation to animal management issues.
- Encourage desexing of dogs and cats to minimise wandering issues and issues around unwanted litters.
- Provide a cat trapping program to residents for trapping trespassing cats in an effort to reduce the number of feral/stray cats within South Gippsland.
- Provide information and advice about the requirements of trapping cats.
- Provision of dog litter bins and 'animal waste' bags in the 15 parks and reserves across the Shire as follows:
  - Baromi Park – Ridgway, Mirboo North.
  - Mossvale Park – Berry's Creek.
  - Poowong Recreation Reserve – Drouin Road, Poowong.
  - Coleman Park – Queen Street, Korumburra.
  - McIndoe Park – Corner Hassett Street and Turner Street, Leongatha.
  - Tania Park – Brown Street, Leongatha.
  - Horticultural Park – Corner Young Street and Bazley Street, Leongatha.
  - Foster Recreation Reserve – Station Road, Foster.
  - Pearl Park – Main Street, Foster.
  - Sagassar Park – Station Street, Foster.
  - Lewis Street, Port Welshpool.
  - Gale Street, Waratah Bay.
  - Sunnyside Park – Speight Street, Loch.
  - R N Scott Reserve – Wonthaggi Korumburra Road, Kongwak.
  - T P Taylor Reserve – Beach Parade, Sandy Point.

Our Current Compliance Activities

- Ensure nuisance complaints are logged on Council's Customer Request System and linked to the animal registration record to allow for resolution tracking and patterns of behaviour with individual animals and owners.
- Ensure that all notices to comply and infringements are issued in line with Council guidelines, the Act and any relevant Codes of Practice.
- Investigate nuisance animal complaints to ensure effective resolution is achieved.

Our Plans

- Continue to distribute animal information articles on Council's website, social media, telephone on-hold messages and in the local newspapers to promote the issues relating to nuisance dogs and cats.
- Consider community consultation feedback to investigate the introduction of a 'Leash Order' to reduce the incidence of wandering/unrestrained dogs in public places and number of dogs causing nuisance.
- Consider and investigate the need for designated 'Dog Off-Leash' parks if a leash order is introduced.
- Consider community consultation feedback to investigate the introduction of a 'Cat Curfew Order' to reduce the incidence of cats causing nuisance, attacks on native fauna and unwanted cat litters.

Dog Attacks

Dog attacks are a public safety risk and are dealt with as a matter of urgency. Council acknowledges that dog attacks can be traumatic for all parties and takes all attacks seriously ensuring that all reported incidents are investigated.

Any breed or size of dog can become aggressive when protecting its territory. Attacks are not always from dangerous or aggressive breeds and can be from unexpected breeds not generally associated with aggression.

All reported dog attacks are recorded on Council's Customer Request System and assigned to our Locals Laws team. Upon completion of a dog attack investigation, the matter may be dealt with via an infringement process, by way of court prosecution or in another appropriate manner in consultation with the Local Laws Coordinator.

An emergency 24-hour telephone service operates via Council's main telephone number and an on-call rostered Local Laws Officer will respond to all serious dog attacks and other urgent requests.

Our Current Education / Promotion Activities

- Promote responsible pet ownership through the use of local media and Council's website.
- Provide educational material to owners of newly registered dogs.
- Provide information and advice to owners of an attacking dog on the implications which can arise from a dog attack on a person or animal.

Our Current Compliance Activities

- Investigate complaints ensuring all relevant evidence is gathered and considered.
- Conduct regular patrols throughout the municipality.
- Issue infringement notices for non-compliance with legislation.
- Prosecute offenders for non-compliance with legislation.

Our Plans

Council endeavours to minimise the risk of dog attacks on people and animals through a program of education and enforcement initiatives.

- Continue to educate the community regarding the broader implications of dog attacks to the community, the victim, the offending animal and the owner of that animal.
- Continue to distribute animal information articles on Council's website, social media, telephone on-hold messages and in the local newspapers to increase awareness of the incidence of dog attacks and their implications to all parties.
- Issue infringements and prosecute offenders for non-compliance with the Act in accordance with our normal practices.
- Provide residents with information on how to report dog attacks and promote and encourage the reporting of all aggressive dog incidents.

Dangerous, Menacing and Restricted Breed Dogs

Council strives to minimise the risk to the community from menacing, dangerous or restricted breed dogs. In 2022, South Gippsland Shire has three declared dogs.

A dangerous dog is one that a council has declared dangerous because it has bitten a person or animal, causing serious injury or death.

The *Domestic Animals Act 1994* allows Councils to declare a dog to be dangerous if:

- The dog has caused serious injury or death to a person or animal;
- The dog is a menacing dog and its owner has received at least two infringement notices for failing to comply with restraint requirements;
- The dog has been declared dangerous under corresponding legislation in another state or territory; or
- For any other reason prescribed.

The *Domestic Animals Act 1994* also allows Council to declare a dog menacing if:

- The dog has caused a non-serious bite to a person or animal; or
- The dog has rushed at or chased a person.

Owners are required to declare if their dog is a restricted breed, has been declared menacing or dangerous.

Current Situation – Our Current Data (2021)

Declared Menacing Dogs	Declared Dangerous Dogs	Declared Restricted Breed
0	3	0

Our Current Orders, Local Laws, Council Policies and Procedures

- Ensure that all declared dogs are listed on the Victorian Declared Dog Registry.
- Use of breed standard for identifying a restricted breed dog.
- Victorian Breed Assistance Resource Kit (Vic BARK) Smart Device application.

Our Current Education / Promotion Activities

- Provide a range of educational brochures for the community.
- Ensure that owners of declared dogs are aware of their obligations under the Act.

Our Current Compliance Activities

- Animal registration renewal notices are issued annually.
- Annual compliance inspections and spot-check inspections are conducted at all premises where declared dogs are kept to ensure compliance with requirements of the Act.
- Monitor non-residential areas for use of guard dogs.
- Ensure that all declared dogs are listed on the Victorian Declared Dog Registry and all details are updated as soon as possible.
- Review all new dog registrations for potential restricted breeds.

Our Plans

Our aim is to minimise the risks of dog attack to the community and animals from menacing, dangerous and restricted breed dogs.

- Proactively enforce menacing, restricted breed and dangerous dog legislation.
- Ensure that the standards to identify restricted breed dogs are applied.
- Conduct annual inspections of premises where declared restricted breeds of dogs are housed.
- Conduct annual inspections of premises where declared dangerous and menacing dogs are housed.
- Promote the Department of Primary Industries' "Dangerous Dogs Hotline".
- Provide advice and guidance to dog owners regarding restricted breeds and dangerous dogs.

Overpopulation and High Euthanasia

Council's priority is to achieve positive community and animal welfare outcomes wherever possible.

Council's Pound facility is currently run by a third-party provider, South Gippsland Animal Shelter. Council's Pound is a safe environment where animals found wandering can be housed.

The Pound is audited regularly and cleaned daily, including on weekends. Officers have 24/7 access to the facility and the South Gippsland Animal Shelter are able to attend to animals in care seven days per week.

Animal adoptions are currently managed by the South Gippsland Animal Shelter, who work closely with other groups to rehome as many animals as possible.

Current Situation – Our Current Data (2021)

Impounded	234
Returned to Owner	135
Euthanised	23
Rehomed	117
Surrendered	63
Euthanised – Feral cat	49

Our Current Education / Promotion Activities

- Promotion of the State-wide initiative Responsible Cat Ownership program on Council's website and in local newspapers to raise awareness within the community.
- Conduct cat-specific education programs through Council's Communication Plan including promoting identification, registration and desexing.
- Conduct annual 'cat audits' within the community to ascertain the level of 'owned' cats. This is carried out in conjunction with the door-to-door registration compliance checks.

Our Current Compliance Activities

- Promotion of the Responsible Cat Ownership program.
- Provision of cat traps to assist in the trapping of trespassing and problem cats.
- Implement targeted cat trapping programs.
- Implement requirements for registration of cats.
- Conduct annual 'cat audits' within the community to ascertain the level of 'owned' cats.

Our Plans

- Advertise lost and/or found dogs and cats on Council's website and in local papers based on information provided by Council's Pound Service.
- Ensure that notices advertising animals for sale within South Gippsland contain a microchip number for each animal being sold.
- Expand Council's cat trapping program to reduce feral and stray cat numbers.
- Work with Council's Communications team to investigate the extended use of social media to facilitate the return of lost or impounded animals to their owners.

Domestic Animal Businesses

Domestic Animal Businesses include:

- Breeding businesses (cats and/or dogs).
- Training facilities for dogs.
- Pet shops.
- Animal (welfare) shelters.
- Dog or cat rearing premises.
- Animal pounds either run by Council or a Council contractor.
- An establishment boarding dogs or cats – overnight, doggy day care and in-home care.

Under the *Domestic Animals Act 1994*, all of these businesses must be registered with the relevant Council where they operate.

Current Situation – Our Current Data (2021)

Business Type	Number Registered
Breeding	0
Boarding	4
Pet Shop	0
Training Establishment	2
Pounds and Shelters	1

Our Current Orders, Local Laws, Council Policies and Procedures

- Send out annual Domestic Animal Business (DAB) registration renewal notices.
- Inspect all Domestic Animal Businesses annually and as required throughout the year.
- Use of Bureau of Animal Welfare Audit inspection checklists when inspecting these businesses.

Our Current Education / Promotion Activities

- Supply and distribution of information regarding Domestic Animal Businesses and relevant Codes of Practice.
- Provide advice and guidance as required by the Domestic Animal Business owner/s.

Our Current Compliance Activities

- Inspect all Domestic Animal Businesses annually and as required throughout the year.
- Investigate all complaints relating to a Domestic Animal Business.
- Follow up on any non-compliance issues or breaches of the Code of Practice or Act.
- Take any enforcement action necessary.
- Ensure that Domestic Animal Businesses forward Section 13 documents to the relevant Council following the sale of an animal.
- Ensure that notices advertising animals for sale within South Gippsland contain the Domestic Animal Business' Council registration number and comply with relevant Codes of Practice and the Act.
- Liaise with other departments within Council to provide advice when an application for a Domestic Animal Business is received to ensure compliance with regulations and requirements under the Act and relevant Codes of Practice.

Our Plans

- Undertake assessment of Council's registration database to proactively identify unregistered Domestic Animal Businesses.
- Provide Domestic Animal Businesses with education material to ensure they are kept informed of all new developments and changes to legislation that may affect the operation of their business.
- Develop a procedure that will allow for all audit inspection documentation to be stored electronically against the license.

Pound Provision and Management

The South Gippsland Shire domestic animal pound services are provided and managed under a contractual agreement with the Korumburra Veterinary Clinic. This service has been provided by the Korumburra Veterinary Clinic since 1996. Following a comprehensive process, the contract was renewed on 1 July 2018 for a five-year period until 30 June 2023. A review of the pound service is required to determine the direction of Council's pound service post 30 June 2023.

Our Plans

- Undertake a review of the pound service to determine the direction of Council's Pound Service post 30 June 2023.

Annual Review of Plan and Annual Reports

Our Plans

- Provide the Department of Primary Industries Secretary with a copy of the Domestic Animal Management Plan and any amendments.
- Publish an evaluation of the implementation of the Domestic Animal Management Plan in Council's Annual Report.
- Review the Domestic Animal Management Plan annually and if appropriate, make amendments.



Action Plan



This Action Plan assists us in accomplishing the goals and objectives in the Domestic Animal Management Plan. It takes into consideration the regulatory responsibilities, community input from an extensive consultation process, Council's commitment to all who live and visit our municipality, and demonstrates our focus on the amenity and natural environment of South Gippsland.

Activity	Who	When
Training of Authorised Officers		
Ensure all officers have access to the Bureau of Animal Welfare website.	Local Laws Administration Officer	Ongoing
Maintain a training register for individual officers.	Local Laws Coordinator	Annually
Ensure officers attend at least one training / networking session each year.	Local Laws Coordinator	As per training register
Maximise learning and development opportunities to attract and maintain quality staff and performance.	Local Laws Coordinator	As per training opportunities
Identify additional training and development opportunities as they arise.	Local Laws Coordinator	As per training opportunities
Registration and Identification		
Continue to conduct registration compliance campaigns across the municipal district targeting townships and rural areas each year.	Local Laws Coordinator	Ongoing
Introduce an online animal registration application system for new registrations.	Local Laws Administration Officer	Ongoing
Continue to distribute animal information articles on Council's website, social media, telephone on-hold messages and in local newspapers to promote the benefits of registration, microchipping and legislative compliance.	Local Laws Administration Officer Communications Officer	Ongoing
Continue compliance and enforcement activities to achieve greater compliance with all aspects of the Act.	Local Laws Coordinator	Ongoing

Activity	Who	When
Nuisance		
Continue to distribute animal information articles on Council's website, social media, telephone on-hold messages and in local newspapers to promote the issues relating to nuisance dogs and cats.	Local Laws Administration Officer Communications Officer	Ongoing
Investigate the introduction of a 'Leash Order' to reduce the incidence of wandering/ unrestrained dogs in public places and number of dogs causing a nuisance.	Local Laws Coordinator	Future Plan
Investigate the introduction of a 'Cat Curfew Order' to reduce the incidence of cats causing a nuisance, attacks on native fauna and unwanted cat litters.	Local Laws Coordinator	Future Plan
Dog Attacks		
Issue infringements and prosecute offenders for non-compliance with the Act in accordance with our normal practices.	Local Laws Coordinator Local Laws Administration Officer	Ongoing
Continue to educate the public regarding the broader implications of dog attacks to the community, the victim, the offending animal and the owner of that animal.	Local Laws Coordinator	Ongoing
Continue to distribute animal information articles on Council's website, social media, telephone on-hold messages and in local newspapers to promote issues relating to dog attacks.	Local Laws Administration Officer Communications Officer	Ongoing
Provide residents with information on how to report dog attacks and promote and encourage the reporting of any dog attack.	Local Laws Administration Officer Communications Officer	Ongoing

Activity	Who	When
Dangerous, Menacing and Restricted Breed Dogs		
Promote the Department of Primary Industries "Dangerous Dogs Hotline"	Local Laws Administration Officer	Ongoing
Provide advice and guidance to dog owners regarding restricted breeds and dangerous dogs.	Local Laws Coordinator Local Laws Administration Officer	Ongoing
Conduct annual inspections of premises where declared restricted breeds of dogs are housed.	Local Laws Officers	Annually in April
Conduct annual inspections of premises where declared dangerous and menacing dogs are housed.	Local Laws Officers	Annually in April
Proactively enforce menacing, restricted breed and dangerous dog legislation.	Local Laws Coordinator Local Laws Officers	When required
Ensure that the standards to identify restricted breed dogs are applied.	Local Laws Coordinator Local Laws Officers	When required
Overpopulation and High Euthanasia		
Expand Council's cat trapping program.	Local Laws Officers	2023
Through Council's pound service, advertise lost and/or found dogs and cats on Council's website and in local papers.	Pound Service Provider	Ongoing
Ensure that notices advertising animals for sale within South Gippsland contain the microchip number for each animal being sold.	Local Laws Administration Officer Local Laws Officers	Ongoing
Investigate the extended use of social media to increase the return of lost or impounded animals to their owners.	Local Laws Administration Officer Local Laws Coordinator Local Laws Officers	Ongoing

Activity	Who	When
Domestic Animal Businesses		
Develop a procedure that will allow for all audit inspection documentation to be stored electronically against the license.	Local Laws Administration Officer Local Laws Officers	2023
Assessment of Council's registration database, to proactively identify unregistered Domestic Animal Businesses.	Local Laws Administration Officer Local Laws Officers	Ongoing
Provide Domestic Animal Businesses with educative material to ensure they are kept informed of all new developments and changes to legislation that may affect the operation of their business.	Local Laws Officers	Annually in April or as required
Other Matters		
Undertake a review of pound service in 30 June 2023. Management would seek approval from the Chief Executive Officer for a contract extension for an additional year recurring up to five times applicable to 30 June 2028.	Manager Community Safety	30 June 2023
Annual Review of Plan and Annual Reporting		
Provide the Department of Primary Industries Secretary with a copy of the Domestic Animal Management Plan and any amendments.	Local Laws Coordinator	Upon adoption by Council
Publish an evaluation of the implementation of the Domestic Animal Management Plan in Council's Annual Report.	Manager Regulatory Services Communications Officer	Annually
Review the Domestic Animal Management Plan annually and if appropriate, make any amendments to the Plan.	Local Laws Coordinator Local Laws Officers	Annually

SOUTH GIPPSLAND SHIRE COUNCIL

9 Smith Street (Private Bag 4) Leongatha VIC 3953
Phone: 5662 9200 Fax: 5662 3754
Email: council@southgippsland.vic.gov.au
Website: www.southgippsland.vic.gov.au
Facebook: www.facebook.com/southgippslandshirecouncil

South Gippsland
Shire Council

5.6. 2025/26 COUNCILLOR APPOINTMENT TO MYLI LIBRARY

Directorate:	Strategy and Integrity
Department:	Governance and Integrity

Council Plan
Objective - Leading with Integrity

This report ensures Councillors are represented on internal and external committees, boards and advisory committees to provide leadership, advocacy, support and active engagement with the community and to have access to relevant strategic advice and information that can inform Council.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider representation to the Myli Board. Myli is a charitable and not for profit entity established to operate libraries on behalf of South Gippsland Shire, Bass Coast Shire, Baw Baw Shire and Cardinia Shire Councils.

RECOMMENDATION

That Council appoints Councillor Scott Rae to the Myli Board, for a period of two years.

REPORT

Background

Councils may resolve to appoint Councillors as representatives on internal advisory Committees and external organisations to strengthen collaboration, transparency, and informed decision-making.

These appointments ensure that Council's views are effectively communicated and that feedback from community groups, industry bodies, and partner organisations is shared with the broader Council.

By participating in committees and external forums, Councillors gain valuable insights into emerging issues, foster partnerships, and help align external initiatives with Council's strategic priorities.

Council resolved to appoint a number of internal and external advisory groups, boards and committees at its 19 November 2025 Council Meeting. As part of this, Cr John Schelling was appointed to the Myli Board for a term of two years. Since that Council Meeting, Council wishes to reconsider the Councillor appointed to the Myli Board. Therefore, Council is required to appoint another Councillor.

CONSULTATION / COMMUNITY ENGAGEMENT

There was no consultation or community engagement in relation to this report.

RESOURCES / FINANCIAL VIABILITY

Funds are allocated in current and forward annual budgets for required membership fees and any subscriptions, as part of the memberships of the approved committees.

RISKS

The investment of Councillors' time and resources returns positive outcomes and opportunities for Council and the community through access to strategic information and supports Councillors in their community advocacy and leadership roles.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Nil

REFERENCE DOCUMENTS

Council's Good Governance Framework
Pillar 1. Direction & Leadership

Council Policy / Strategy / Plans
Documents are available on Council's website at the following LINK.

Nil

Legislative Provisions
Local Government Act 2020

Regional, State and National Plan and Policies
Nil

5.7. S18 INSTRUMENT OF SUB-DELEGATION UNDER THE ENVIRONMENT PROTECTION ACT 2017

Directorate:	Strategy and Integrity
Department:	Governance and Integrity

Council Plan
Theme - Leading with Integrity

Council's governance is strengthened by maintaining currency in the delegations and authorisations to Officers, so they can undertake the functions they are required to perform on behalf of Council.

EXECUTIVE SUMMARY

The purpose of this report is to recommend that Council adopts the S18 Instrument of Sub-Delegation (**Attachment [5.7.1]**) under the *Environment Protection Act 2017* to delegate the Environment Protection Act's power to the authorised officers.

RECOMMENDATION

That Council resolves that, in the exercise of the powers conferred by s437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021 referred to in the attached Instrument of Sub-Delegation (Instrument of Sub-Delegation) Council to Members of Staff (Attachment [5.7.1]):

1. **There be delegated to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in (Attachment [5.7.1]) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument of Sub-Delegation;**

2. **The Chief Executive Officer is authorised to sign the S6 Instrument of Delegation (Attachment [5.7.1]), to come into force immediately upon signing;**

3. **The duties and functions set out in the Instrument of Delegation (Attachment [5.7.1]) must be performed by Council officers delegated to do so, and the powers set out in the Instrument of Delegation must be executed, in accordance with any guidelines or policies that Council may adopt.**

REPORT

The allocation of delegations to the Chief Executive Officer or other employees contributes to the effective functioning of Council. It is important to update

delegations to reflect changes in personnel/legislation and improvements recommended by legal advisors to ensure decisions made are valid.

The update Instrument of Delegation (**Attachment [5.7.1]**) has been reviewed by Council staff and updated Council officer position titles within the document.

Pursuant to s.437(1) of the *Environment Protection Act 2017*, the Environment Protection Authority (EPA) has issued the Instrument of Delegation under s.437(1) of the Act dated 4 June 2021 to councils.

The *Environment Protection Act 2017* has given the power to appoint authorised officers under the Act and, once appointed, those officers can only be authorised to exercise the power as set out under the *Environment Protection Act 2017*.

The Instrument is contained in **Attachment [5.7.1]**.

CONSULTATION / COMMUNITY ENGAGEMENT

Nil

RESOURCES / FINANCIAL VIABILITY

Nil

RISKS

Failure to update an Instrument of Delegation could result in the decisions of delegated Officers being declared invalid or unenforceable.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Attachments are available on Council's website at the following LINK.

1. S18 Instrument Sub-Delegation Environment Protection Act 2017 - 10 December 2025 [**5.7.1** - 6 pages]

REFERENCE DOCUMENTS

Council's Good Governance Framework

Pillar 4. Structure, Systems & Policies

Council Policy / Strategy / Plans

Documents are available on Council's website at the following LINK.

Nil

Legislative Provisions

Environment Protection Act 2017

South Gippsland Shire Council

INSTRUMENT OF DELEGATION

S18 INSTRUMENT OF SUB-DELEGATION UNDER THE ENVIRONMENT PROTECTION ACT 2017

10 DECEMBER 2025

South Gippsland Shire Council

Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described in column 3 of the Schedule;

2. record that references in the Schedule are as outlined below in Titles;

3. this Instrument of Sub-Delegation is authorised by a resolution of Council passed on 10 December 2025 pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;

4. the delegation:

    4.1 comes into force immediately once the Chief Executive Officer's signature is affixed to this Instrument of Sub-Delegation;

    4.2 remains in force until varied or revoked;

    4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and

    4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

5. this Instrument of Sub-Delegation is subject to the following limitations:

    5.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:

        5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and

        5.1.2 noise from the construction, demolition or removal of residential premises;

6. the delegate must not determine the issue, take the action or do the act or thing:

    6.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

    6.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

        (a) policy; or

        (b) strategy

        adopted by Council;

    6.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

    6.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

South Gippsland Shire Council

Sign by the Chief Executive Office of Council

In the presence of

Witness

South Gippsland Shire Council

Delegation Sources

- Environment Protection Act 2017

Positions

Abbreviation	Position	Name
Building and Planning Enforcement Officer (B&PEO)	Building and Planning Enforcement Officer	
Coordinator Building and Planning Compliance (B&PCC)	Coordinator Building and Planning Compliance	
Coordinator Environmental Health (EHC)	Coordinator Environmental Health	
Environment Health Technical Officer	Environment Health Technical Officer	
Environmental Health Officer (EHO)	Environmental Health Officer	

South Gippsland Shire Council

S18 Instrument of Sub-Delegation under the Environment Protection Act 2017

Environment Protection Act 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 271	Power to issue improvement notice	Environmental Health Officer (EHO), Environment Health Technical Officer, Coordinator Building and Planning Compliance (B&PCC), Building and Planning Enforcement Officer (B&PEO), Coordinator Environmental Health (EHC)	
s 272	Power to issue prohibition notice	Environmental Health Officer (EHO), Environment Health Technical Officer, Coordinator Building and Planning Compliance (B&PCC), Building and Planning Enforcement Officer (B&PEO), Coordinator Environmental Health (EHC)	
s 279	Power to amend a notice	Environmental Health Officer (EHO), Environment Health Technical Officer, Coordinator Building and Planning Compliance (B&PCC), Building and Planning Enforcement Officer (B&PEO), Coordinator Environmental Health (EHC)	

Environment Protection Act 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 358	Functions of the Environment Protection Authority	Environmental Health Officer (EHO), Environment Health Technical Officer, Coordinator Building and Planning Compliance (B&PCC), Building and Planning Enforcement Officer (B&PEO), Coordinator Environmental Health (EHC)	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	Environmental Health Officer (EHO), Environment Health Technical Officer, Coordinator Building and Planning Compliance (B&PCC), Building and Planning Enforcement Officer (B&PEO), Coordinator Environmental Health (EHC)	
s 359(2)	Power to give advice to persons with duties or obligations	Environmental Health Officer (EHO), Environment Health Technical Officer, Coordinator Building and Planning Compliance (B&PCC), Building and Planning Enforcement Officer (B&PEO), Coordinator Environmental Health (EHC)	

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

Directorate:	Strategy and Integrity
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 purpose of this report is to recommend 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 [5.8.1]) 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.**

REPORT

Appointing appropriately qualified officers to make decisions in accordance with enabling legislation contributes to the effective functioning of Council. Authorisations provide powers to officers to administer and enforce any Act, regulations or local laws which relate to the functions and powers of the Council. It is important to ensure that formal Instruments are arranged for new staff, updated to reflect changes in personnel, or amended to reflect changes in the legislation.

A S11A Instrument revision has been prepared for one staff member listed below and is presented for endorsement. This authorisation will enable the officer to fulfil the required legislative compliance duties inherent in the role.

- Josh Campbell

The Instruments are contained in **(Attachment [5.8.1]**.

CONSULTATION / COMMUNITY ENGAGEMENT

Nil

RESOURCES / FINANCIAL VIABILITY

Nil

RISKS

Failure to adopt, update or revoke an Instrument of Appointment and Authorisation could result in a decision of an employee being invalidated or Council being held liable for the actions of former employees.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Attachments are available on Council's website at the following LINK.

1. S11A Instrument of Appointment Josh Campbell - 10 December 2025 [**5.8.1** - 1 page]

CONFIDENTIAL ATTACHMENTS

Nil

REFERENCE DOCUMENTS

Council's Good Governance Framework
Pillar 3. Decision Making

Council Policy / Strategy / Plans
Documents are available on Council's website at the following LINK.

Nil

Legislative Provisions
Local Government Act 2020
Local Government Act 1989
Planning and Environment Act 1987

Regional, State and National Plan and Policies
Nil

South Gippsland Shire Council

S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Josh Campbell

By this instrument of appointment and authorisation South Gippsland Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* – authorises the officer to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and

2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the South Gippsland Shire Council on 10 December 2025.

Allison Jones
Chief Executive Officer
South Gippsland Shire Council

Date:

9 Smith Street (Private Bag 4) Leongatha 3953 – DX 94026 Leongatha
Telephone: (03) 5662 9200 Facsimile: (03) 5662 3754
Email: council@southgippsland.vic.gov.au Website: www.southgippsland.vic.gov.au

5.9. SUMMARY OF STRATEGIC BRIEFINGS - 13 OCTOBER 2025 - 12 NOVEMBER 2025

Directorate:	Strategy and Integrity
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 to Council is to provide a summary of the information presented to Councillors between 13 October 2025 and 12 November 2025.

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

RECOMMENDATION

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

REPORT

Meeting Title	Details
Wednesday 15 October 2025	
Department Transport and Planning	**Councillor Attending** John Schelling, Brad Snell, Clare Williams, Bron Beach, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae **Apology:** Sarah Gilligan **Conflict of Interest:** Nil
Rating - Primary Producer Status Verification Implementation Plan	**Councillor Attending** John Schelling, Brad Snell, Clare Williams, Bron Beach, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae **Apology:** Sarah Gilligan

Meeting Title	Details
	Conflict of Interest: Nil
Roadside Weeds Options	**Councillor Attending** John Schelling, Brad Snell, Clare Williams, Bron Beach, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae **Apology:** Sarah Gilligan **Conflict of Interest:** Nil
Wednesday 5 November 2025	
Submission Hearing - Planning Application 2025/44 - 89 Beach Parade, Sandy Point - Subdivision and construction of dwelling	**Councillor Attending** John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, John Kennedy, Steve Finlay and Scott Rae **Apology:** Bron Beach, Nathan Hersey. **Conflict of Interest:** Nil
Aquatic Strategy Workshop 2	**Councillor Attending** John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, John Kennedy, Steve Finlay and Scott Rae **Apology:** Bron Beach, Nathan Hersey **Conflict of Interest:** Nil
Wandilla Gippsland	**Councillor Attending** Sarah Gilligan, Brad Snell, Clare Williams, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae **Apology:** Bron Beach, Nathan Hersey, John Schelling **Conflict of Interest:** Nil
Early Years Infrastructure Planning Update	**Councillor Attending** John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, John Kennedy, Steve Finlay and Scott Rae **Apology:** Bron Beach, Nathan Hersey. **Conflict of Interest:** Nil
Wednesday 12 November 2025	

Meeting Title	Details
Maintaining a Safe Workplace	**Councillor Attending** John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae **Apology:** Bron Beach **Conflict of Interest:** Nil
Community and the Municipality Demographics	**Councillor Attending** John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae **Apology:** Bron Beach **Conflict of Interest:** Nil
Planning Scheme Review	**Councillor Attending** John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae **Apology:** Bron Beach **Conflict of Interest:** Nil
Fraud and Corruption	**Councillor Attending** John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae **Apology:** Bron Beach **Conflict of Interest:** Nil
Governance Rules Refresher and Mock Meeting	**Councillor Attending** John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, Nathan Hersey, John Kennedy, Steve Finlay and Scott Rae **Apology:** Bron Beach **Conflict of Interest:** Nil

Meeting Title	Details
Economic Modelling/Data Information Session	**Councillor Attending** John Schelling, Sarah Gilligan, Brad Snell, Clare Williams, Nathan Hersey and Scott Rae **Apology:** Bron Beach, John Kennedy, Steve Finlay **Conflict of Interest:** Nil

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Nil

REFERENCE DOCUMENTS

Council's Good Governance Framework
Pillar 3. Decision Making

Council Policy / Strategy / Plans
Documents are available on Council's website at the following LINK.

Public Transparency Policy (C75)

Legislative Provisions
Local Government Act 2020

DOCUMENTS SEALED, CONTRACTS VARIED, AWARDED OR EXTENDED BY CEO - 13 OCTOBER 2-25 TO 12 NOVEMBER 2025	
Directorate:	{directorate}
Department:	{department}

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 October 2025 to 12 November 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 October 2025 to 12 November 2025 those being:

1. **Contracts awarded after a public tender process within the CEO's delegation:**
    a. **CON/453 for the Provision of Annual Road Resealing Program 2025/26 awarded to Primal Surfacing Pty Ltd; and**
    b. **CON/451 for the Bridge Repairs at Markley's Road, Mirboo North, awarded to Jarvis Norwood Constructions Pty Ltd.**
2. **Contract variations approved by the CEO above contingency:**

a. **CON/372 for the provision of Environmental Auditing, GITA and Third Party CQA Services – Cell 5 Koonwarra (Stage 1); and**

b. **CON/403 for the Leongatha Memorial Hall Precinct Feasibility Study.**

REPORT

Under the *Local Government Act 2020* (the Act), s.14 states that each Council is a body corporate with perpetual succession; and must have a common seal. Sealing a document makes it an official document of Council as a corporate body. Documents that require sealing include agreements, leases or any other contractual or legally binding document that binds Council to another party.

Use of the *General Local Law 2024*, Part 5 - Administration, clause 65 – Common Seal of Council, states that if the Chief Executive Officer (CEO) uses the Common Seal in a manner described by sub-clause (5), this means on the authority of a Council resolution, then Council must be advised of such use on a regular basis.

In accordance with the *General Local Law 2024*, Part 5 - Administration, clause 65 (6), the following are presented to Council as documents sealed during the period from 13 October 2025 to 12 November 2025.

Nil

Section 173 Agreements are prepared in accordance with s.173 of the *Planning and Environment Act 1987,* allowing Council to enter into agreements relating to the use or development of land, conditions to which the land be used or developed or any matter that relates to planning or planning schemes in Victoria. Section 174 of the *Planning and Environment Act 1987* requires that such an agreement be under seal and must bind the owner to the covenants specified in the agreement.

In accordance with the *General Local Law 2024*, Instrument of Delegation and *Planning and Environment Act 1987*, the following are presented to Council as documents sealed during the period from 13 October 2025 to 12 November 2025.

Contracts Awarded, Varied or Extended

In accordance with Council's Procurement Policy where contracts are awarded under delegation, varied or extended, they are required to be reported to the next practicable Council Meeting.

1. Contracts awarded by Council after a public tender process, signed by the CEO between 13 October 2025 to 12 November 2025:

    a. Nil

2. Contracts awarded after a public tender process within the CEO's delegation between 13 October 2025 to 12 November 2025:

    a. CON/453 for the Provision of Annual Road Resealing Program 2025/26 awarded to Primal Surfacing Pty Ltd, signed by CEO 5 November 2025.

    b. CON/451 for the Bridge Repairs at Markley's Road, Mirboo North, awarded to Jarvis Norwood Constructions Pty Ltd, signed by the CEO 10 November 2025.

3. Contract variations approved by the CEO above contingency between 13 October 2025 to 12 November 2025:

    a. CON/372 for the provision of Environmental Auditing, GITA and Third Party CQA Services – Cell 5 Koonwarra (Stage 1) was awarded to Bajwa EnviroConsult 1 September 2023. Variations 27 to 31, which exceed the contingency allowance, are recommended for associated additional supervising and testing. A contract variation of $20,840.55 ex. GST was approved by CEO 15 October 2025.

    b. CON/403 for the Leongatha Memorial Hall Precinct Feasibility Study was awarded to Wendy Dunstan, trading as Outside the Square Creative Consulting (OTSCC) 13 June 2024. Variation of $20,628.66 ex. GST, which exceeds the contingency allowance, has been recommended and was approved by CEO 15 October 2025.

    c. CON/403 for the Leongatha Memorial Hall Precinct Feasibility Study was awarded to Wendy Dunstan, trading as Outside the Square Creative Consulting (OTSCC) 13 June 2024. A non-financial variation, being an extension of time of 85 days was recommended to allow for further internal and external consultation and was approved by CEO 15 October 2025.

4. Contract extensions approved by the CEO 13 October 2025 to 12 November 2025:

    a. Nil

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Nil

REFERENCE DOCUMENTS

Council's Good Governance Framework
Pillar 3. Decision Making

Council Policy / Strategy / Plans
Documents are available on Council's website at the following *LINK*.

Governance Rules (C82)
General Local Law 2024
Procurement Policy (C32)

Legislative Provisions
Local Government Act 1989
Local Government Act 2020
Planning and Environment Act 1987

6. COUNCILLOR REPORTS

6.1. COUNCILLOR REPORTS

6.1.1. ONE GIPPSLAND - SMART CITY EXPO WORLD CONGRESS (SCEWC) 2025 AND INTERNATIONAL URBAN AND REGIONAL COOPERATION (IURC) REPORT

6.1 ONE GIPPSLAND - SMART CITY EXPO WORLD CONGRESS (SCEWC) 2025 REPORT	
Directorate:	{directorate}
Department:	{department}

Council Plan
Developing a Sustainable Future

This report relates to Council's role in supporting regional advocacy through One Gippsland and the delivery of initiatives and actions from the Economic Development Strategy, which encourages new industry and investment in Gippsland.

EXECUTIVE SUMMARY

The purpose of this report to Council is to receive a report from Councillor Hersey on his participation as Chair of One Gippsland in the Smart City Expo World Congress (SCEWC) 2025 and the International Urban and Regional Cooperation (IURC) in Barcelona, Spain.

RECOMMENDATION

That Council receives and notes this *One Gippsland - Smart City Expo World Congress (SCEWC) 2025 and International Urban and Regional Cooperation (IURC) Report*.

REPORT

At its meeting on 15 October, Council resolved the following:

That Council:

1. *Endorse Councillor Hersey to attend the Smart City Expo World Congress (SCEWC) 2025 in Barcelona, Spain as South Gippsland Shire Council's Councillor representative and Chair of One Gippsland;*

2. *Provides a financial contribution or reimbursement related to costs incurred by Cr Hersey capped at $500.00 for his participation and attendance at the Smart City Expo World Congress (SCEWC) 2025 in Barcelona;*

3. *Receives a report from Councillor Hersey on the outcomes from One Gippsland's participation, and how they align with Council objectives*

and strategies, at the Smart City Expo World Congress (SCEWC) 2025 to Council after the travel occurs, as per Council's Councillor Support and Expenditure Policy (C51); and

4. *Request One Gippsland provides to its member organisations a summary report on its review of One Gippsland's participation in the International Urban and Regional Cooperation project by March 2026.*

Smart City Expo World Congress (SCEWC) 2025

The International Urban and Regional Cooperation (IURC) is a program of the European Union (EU) promoting multi-city cooperation on sustainable urban development, building partnerships between EU and non-EU cities.

One Gippsland accepted an invitation from the IURC to participate in the Program, supporting involvement on a provisional basis, and attending the Smart City Expo World Congress (SCEWC) 2025 in Barcelona, Spain in November.

Council's participation in the SCEWC 2025 formed part of the broader One Gippsland and IURC engagement with European regions. The focus was on exploring clean energy, advanced manufacturing, agri-food systems, tourism development, and innovation ecosystems relevant to Gippsland's transition and economic diversification.

The event and participation in the IURC program provided an opportunity to build global partnerships, understand emerging technologies, and position Gippsland for future investment, skills development, and supply chain opportunities—particularly in offshore wind, green hydrogen, precision agriculture, and modern industrialisation.

Representation

As South Gippsland Shire Council's Councillor representative and Chair of One Gippsland, Councillor Nathan Hersey attended the Expo, along with fellow One Gippsland representatives Cr Dale Harriman, Mayor of Latrobe City Council, Professor Duncan Bentley, Vice-Chancellor of Federation University and Carolyn Chong, Deputy Vice-Chancellor of Federation University.

The Congress states itself to be the world's biggest and most influential event on urban innovation. The IURC workshops convened up to 138 participating cities and regions from Latin America, the Caribbean, Asia and Australasia. The event aims to support cities and regions to initiate pilot project activities.

Alignment to Council Objectives and Strategies

Council's participation in SCEWC 2025 and the IURC program aligns with the following strategic themes and actions:

- Council Plan 2025-29 - Developing a Sustainable Future.
  - Council is committed to long-term sustainability focusing on preserving resources, protecting and enhancing our environment, and promoting responsible economic and social development.

  - Council's goal is to ensure a balanced approach to growth that supports our economy, agriculture, environmental stewardship, innovation, and resilience in the face of future challenges. Initiatives could include attracting new investment, advancing renewable energy solutions, and fostering sustainable planning
    - 2025/26 Action: Commence review of the Economic Development and Visitor Economy Strategies and deliver initiatives in accordance with the action plan.
    - 2025/26 Action: Continue to develop and participate in advocacy campaigns and support Council's annual advocacy priorities

- Economic Development Strategy 2021-31 - Strategic Theme 1 - Attracting and retaining investment
  - Objective: Growing our economy, employment and attracting investment. Ensuring South Gippsland is investment ready and recognised as a positive location to do business.
    - 1.1 Attract and grow investment to the Shire through the implementation of a targeted Investment Attraction Program
    - 1.1.3 Investigate attending and conducting trade missions annually to encourage future investment in the Shire
    - 1.3.3 Undertake an Advocacy Plan to all levels of government to support investment enablers in the region.
- Economic Development Strategy 2021-31 - Strategic Theme 3 - Developing key industry sectors
  - Objective: Strengthening and growing key industry sectors will equip our economy for the future. Building innovation, value adding and economic capacity
    - 3.1. Provide industry with sector specific and specialised information to maintain viability and an edge in a competitive environment.
    - 3.1.1 Connecting industry to sector experts and relevant support in their fields to support future growth.

Key Activities undertaken

- Participation in IURC global thematic networking sessions.
- One-on-one bilateral meetings with European regional representatives arranged through the IURC.

- Participation in thematic cluster breakouts (Industrial Modernisation, Clean Energy, Blue Economy, Agri-Food Systems, Business Engagement).
- Site Visit - Port of Barcelona – Blue Economy and Hydrogen Strategy Tour Focused on sustainability, port electrification, hydrogen readiness, marine innovation, and decarbonisation pathways. The Port handles €86.3 Billion in cargo and 5.3 million passengers annually.

Overview of One-on-One Meetings

1. Region of Western Greece – Sofia Karveli & Sotirios Pavleas
    - Agri-food focus, food traceability systems, tourism-food integration
    - Strong experience in EU-funded innovation programs
    - Interest in aqua circularity, climate adaptation, and energy efficiency
    - Significant strawberry and olive oil export sectors
    - Growing renewable energy sector (wind/solar)
2. Ljubljana Urban Region (Slovenia) – Tina Pezdirc Nograšek
    - Precision engineering for automotive and aerospace
    - Advanced hydrogen engine research
    - Agri-tech, digital farming, and resilience practices
    - Strong circular economy and sustainability focus
3. Pomorskie Region (Poland) – Patricia Szczygiel
    - Strong clean energy region (onshore + emerging offshore wind)
    - Workforce development pipelines from school to university
    - Interest in aerospace (civil + defence)
    - Crop management technologies using digital agriculture
    - Similar coastal and forestry profile to Gippsland
4. Mazovia Region (Poland) – Marcin Wajda & Aleksandra Szwed
    - Largest regional economy in Poland
    - Strong agritech startup ecosystem
    - Zero-waste dairy processing trials

- Significant biogas investment
- Strong renewable energy transition links

5. Bremen / Bremerhaven (Germany) – Julia Diers
    - Strong offshore wind manufacturing and logistics capability
    - Modern port infrastructure, hydrogen potential
    - Fraunhofer network partnership potential
    - Investment attraction interest (“Bremen Invest”)
    - Advanced aerospace and automotive sectors
6. Central Macedonia (Greece) – Maria Goulaptsi
    - Food processing, textiles, chemicals, machinery
    - Strong research institutions
    - Advanced food-tech and agri-food export expertise
    - Potential for collaboration in value-added agriculture
7. Austrade Madrid – Miguel Rios Gonzalez, Investment Director
    - Provided insights into:
        - European energy transition policy,
        - potential investors,
        - market intelligence,
        - models for successful regional partnerships.

Delegation Thematic Discussions and Themes – Alignment to Strategic Opportunities

Clean Energy & New Energy Systems

- Extensive interest in offshore wind, green hydrogen, biomethane and biogas, and integrated energy systems.
- Regions such as Bremerhaven, Pomorskie, Ile-de-France, and Western Greece demonstrated strong hydrogen, renewable energy or port decarbonisation programs.

- Skills development for offshore wind and hydrogen technologies emerged as a critical need, aligned with Gippsland's own transition and energy diversification.

Modern Industrialisation & Precision Engineering

- Engagement with advanced manufacturing clusters in:
  - Slovenia (precision engineering, aerospace, hydrogen engines)
  - Bremerhaven (wind, maritime, automotive)
  - Italy – Emilia Romagna (automation, packaging, medical devices, advanced manufacturing)
  - France – Auvergne-Rhône-Alpes (robotics, digitalisation, chemicals, green transition technologies)

These regions have sophisticated supply chains and cluster models that Gippsland could learn from to support manufacturing opportunities around offshore wind and energy transition.

Agri-Food, Traceability & Advanced Farming

- Regions such as Central Macedonia, Mazovia, Western Greece, and Slovenia presented world-leading:
  - value-added processing,
  - university–industry collaboration,
  - digital agriculture,
  - food traceability,
  - circularity in agriculture, and
  - export-focused product development.

This aligns strongly with Gippsland's agri-food strengths and opportunities in traceability, protected cropping, ag-tech, and food tourism.

Tourism, Culture, Destination Management

- Destinations such as Coimbra, Messina, Prato, and Granada showcased models for:
  - sustainable urban tourism,
  - heritage interpretation,
  - off-season tourism,
  - VR immersive experiences, and

- circular tourism practices.

These present collaboration opportunities on regional branding, rural tourism, and heritage-based visitor economy initiatives.

Research, Science and Innovation Ecosystems

- Strong interest in partnering with the Fraunhofer-Gesellschaft Institute, Europe's largest applied research organisation.
- Many regions operate research-led innovation ecosystems (clusters, university networks, applied technology centres).
- These could provide insights into:
  - innovation precinct design,
  - skills pipeline creation,
  - R&D partnerships for energy, agriculture, and manufacturing.

Summary

Participation in SCEWC 2025 and IURC activities provided South Gippsland and the broader One Gippsland delegation with a comprehensive insight into global trends in clean energy, industrial innovation, agri-food systems, and sustainable tourism.

The meetings demonstrated substantial alignment between Gippsland's energy transition and diversification, and European regions that are actively pursuing similar goals. There is significant potential for research partnerships, skills development exchanges, investment attraction, agri-food collaboration, and renewable energy cooperation.

These insights and relationships may provide a strong foundation for Gippsland's ambition to position itself as a leader in clean energy, advanced manufacturing, and sustainable agri-food innovation.

Two regions stood out as priority regions for potential collaboration with Gippsland, through One Gippsland:

- *Bremerhaven, Germany - New Energy,* due to their Hydrogen strategy, which is linked to offshore wind, training institutes in renewables, port-based modern industrialisation and supply chain investment attraction.
- *Western Greece – Agri Tech,* due to their EU-backed innovation in agri-food systems, food provenance digitalisation, climate adaptation and circular farming and tourism–food integrated models.

The next steps will require One Gippsland to discuss potential partnerships and projects. One Gippsland will also provide a summary report to member organisations on its participation in the International Urban and Regional Cooperation project by March 2026.

CONSULTATION / COMMUNITY ENGAGEMENT

IURC has engaged with Council through its representation on One Gippsland and with other member Gippsland Councils.

Council Officers have engaged with both Invest Victoria and Austrade for advice on participating and Australia's presence at the Smart City Expo World Congress (SCEWC).

Austrade were supportive of One Gippsland's attendance and offered their support while at the event.

RESOURCES / FINANCIAL VIABILITY

Under its Councillor Support and Expenditure Policy (C51), Councillors undertaking international travel in relation to Council business require Council endorsement prior to the event, which was endorsed at the Council Meeting on 15 October 2025.

Most travel and accommodation costs related to the event were covered through the Program. This included:

- Accommodation in Barcelona for four nights from Monday 3 November to Thursday 6 November 2025;
- Air travel expenses for return economy flight from Melbourne Australia to Barcelona Spain;
- Access to the Expo and World Congress and IURC organised activities;
- Lunch meals during Day One and Day Two of the arranged activities as well as evening IURC reception on Day One; and
- Selected transportation expenses within Barcelona, including chartered bus transport to the Expo and site visits on Day Three and transportation to the IURC reception night.

A total of up to $500 in other incidental travel costs, for example to cover taxi fares and some meals, will be covered and reimbursed by Council.

RISKS

South Gippsland Shire Council is a member of One Gippsland, and its Councillor representative is also Chair. Council endorsed the opportunity and supported the invitation offered by IURC, representing the region and attending the Congress and organised events. To have not attended may have limited some opportunities to learn from other international regions in pursuing agri-food and energy related initiatives. This may have also limited One Gippsland's ability to foster partnerships to benefit the region and its commitment to participate in the IURC program.

STAFF DISCLOSURE

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

ATTACHMENTS

Nil

REFERENCE DOCUMENTS

Council's Good Governance Framework

Nil

Council Policy / Strategy / Plans

Documents are available on Council's website at the following LINK.

C51 - Councillor Support and Expenditure Policy

Legislative Provisions

Local Government Act 2020

Regional, State and National Plan and Policies

Gippsland Regional Plan

6.2. REQUESTS FOR LEAVE OF ABSENCE

6.3. COUNCILLOR UPDATES

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 PERSONAL INFORMATION - South Gippsland Shire Council 2025/26 Community Grants - Round 1 and Agenda item 9.2 PERSONAL INFORMATION - 2026 Australia Day Award Recipients, designated as personal information;**

    a. **being information to protect the privacy of an individual's personal information; and**

2. **Per s.3(1)(a) Agenda item 9.3 - COUNCIL BUSINESS INFORMATION - Fish Creek Football and Netball Club (FCFNC) - Lease Proposal and Acquisition-Round 1, designated as Council business information;**

    a. **being information that would prejudice the Council's position in commercial negotiations if prematurely released; and**

3. **Per s.3(1)(e) Agenda item 9.4 LEGAL INFORMATION - Notice of Motion - Supreme Court Outcome - Korumburra Senior Citizens Club, Korumburra –, designated as legal privileged information;**

a. being information to which legal professional privilege or client legal privilege applies.

8. MEETING CLOSED

NEXT MEETING

The next Council Meeting open to the public will be held on Wednesday, 18 February 2026 commencing at 2pm in the Council Chambers, Leongatha.