

SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting Minutes

Wednesday 10 December 2025



Council Chambers, Leongatha
Commenced 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

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Council Chambers, Leongatha, commenced at 2:00pm

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Allison Jones
Chief Executive Officer

Privacy Statement

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

PRESENT

COUNCILLORS:	<p><i>Coastal Promontory Ward</i> Councillor Sarah Gilligan Councillor Steve Finlay Councillor Scott Rae</p> <p><i>Strzelecki Ward</i> Councillor Nathan Hersey, Mayor Councillor John Kennedy</p> <p><i>Tarwin Valley Ward</i> Councillor Brad Snell, Deputy Mayor Councillor John Schelling Councillor Clare Williams</p>
NOT PRESENT:	Councillor Bron Beach
OFFICERS:	Allison Jones, Chief Executive Officer Tony Peterson, Executive Director, Strategy and Integrity Lucas Gardiner, Executive Director, Empowering Communities David Fice, Executive Director, Infrastructure Sustainability Michelle Jorgensen, Executive Manager, Culture and Capability Rhys Matulis, Manager Governance and Integrity Jodi Cumming, Governance Coordinator Ally Low, Governance Officer Corinne Garton, Desktop Support Officer

1. PRELIMINARY MATTERS

1.1. LIVE-STREAMING COUNCIL MEETING DISCLAIMER

This Council Meeting is being streamed live, recorded and published in accordance with Council's *Live Streaming in Council Meetings Policy*.

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

The Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

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

Thank you

1.2. WELCOME TO THE COUNCIL MEETING

Public Questions

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

1.3. OPENING PRAYER

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

The Opening Prayer was read by Councillor Schelling

1.4. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

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

The Acknowledgment of Traditional Custodians was read by Councillor Snell

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.

RESOLUTION

MOVED: Councillor Schelling
SECONDED: Councillor Kennedy

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

CARRIED UNANIMOUSLY

1.7. DECLARATION OF CONFLICTS OF INTEREST FOR COUNCILLORS

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

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

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

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

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

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

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.

Nil

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.

Nil

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.

Nil

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.

RESOLUTION

MOVED: Councillor Williams

SECONDED: Councillor Schelling

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.**

CARRIED UNANIMOUSLY

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.

RESOLUTION

MOVED: Councillor Williams

SECONDED: Councillor Schelling

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.

CARRIED

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.

Nil

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.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Snell

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.**

CARRIED UNANIMOUSLY

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.

Cr Gilligan moved a Motion different to the recommendation

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Schelling

That Council:

- 1. Amend action 3.7 of the Domestic Animal Management Plan 2026 – 2029 from:**
 - a. Introduce a sunset to sunrise cat containment order across South Gippsland Shire; to**
 - b. Introduce a 24/7 cat containment order across South Gippsland Shire.**
- 2. Adopts the Domestic Animal Management Plan 2026 – 2029 (Attachment [5.2.1]);**
- 3. Publishes the Domestic Animal Management Plan 2026 – 2029 on Council's website;**
- 4. Submits the Plan to the Victorian State Government (Animal Welfare Victoria); and**
- 5. Writes to the submitters as part of the community consultation process thanking them for their input.**

CARRIED UNANIMOUSLY

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 4,152m²;
 - 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.

Cr Rae moved a Motion different to the recommendation.

RESOLUTION

MOVED: Councillor Rae
SECONDED: Councillor Kennedy

That Council:

1. Authorise the Chief Executive Officer to begin the process of seeking a possible commercial tenant for the premises known as 4-6 Power Street and part 5 Simpson Street Foster and report back to Council in accordance with s.115 of the *Local Government Act 2020*, no later than the April 2026 Council Meeting on the progress;
2. Request that the report to Council consider the options for any commercial tenant, costs involved and financial benefits, including potential income over the life of a commercial lease, as well as any immediate and long-term Budget implications, to maintain the building to a standard to lease it; and
3. Note that any costs associated with leasing the building would need to be considered as part of Council's Annual Budget process.

Councillor Gilligan called for a division.

FOR: Councillor Rae, Councillor Snell, Councillor Kennedy, Councillor Hersey

AGAINST: Councillor Gilligan, Councillor Williams, Councillor Finlay, Councillor Schelling

The motion was CARRIED on the casting vote of the Mayor.

5.4. ACTIVITIES AND PERFORMANCE OF COMMUNITY ASSET COMMITTEES

Direktorate:	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.

RESOLUTION

MOVED: Councillor Schelling

SECONDED: Councillor Snell

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.

CARRIED UNANIMOUSLY

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]).

RESOLUTION

MOVED: Councillor Schelling

SECONDED: Councillor Snell

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]).

CARRIED UNANIMOUSLY

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.

RESOLUTION

MOVED: Councillor Finlay

SECONDED: Councillor Kennedy

That Council appoints Councillor Scott Rae to the Myli Board, for a period of two years.

CARRIED UNANIMOUSLY

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.

RESOLUTION

MOVED: Councillor Gilligan
SECONDED: Councillor Schelling

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; and**
- 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.**

CARRIED UNANIMOUSLY

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.

RESOLUTION

MOVED: Councillor Schelling

SECONDED: Councillor Rae

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.**

CARRIED UNANIMOUSLY

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.

RESOLUTION

MOVED: Councillor Gilligan

SECONDED: Councillor Schelling

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

CARRIED UNANIMOUSLY

5.10. DOCUMENTS SEALED, CONTRACTS VARIED, AWARDED OR EXTENDED BY CEO - 13 OCTOBER 2025 - 12 NOVEMBER 2025

Directorate:	Strategy and Integrity
Department:	Financial Strategy

Council Plan

Theme - Leading with Integrity

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

EXECUTIVE SUMMARY

The purpose of this report to Council is to document the following actions undertaken by the Chief Executive Officer (CEO) which occurred during the period 13 November 2025 to 12 January 2026. 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 November 2025 to 12 January 2026 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.

RESOLUTION

MOVED: Councillor Rae
SECONDED: Councillor Schelling

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.

CARRIED UNANIMOUSLY

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

Mayor Hersey reflected on time spent in Barcelona. An official video has been published online, although due to technical restrictions, it was unable to be presented during the Council Meeting.

Please click on link to view the YouTube Video: <https://youtu.be/uCAiaLjx8Yo>

6.2. REQUESTS FOR LEAVE OF ABSENCE

Nil

6.3. COUNCILLOR UPDATES

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

- Attended ViPlus event in Toora, accompanied by Cr Finlay, Cr Schelling and Council Officers, Christian Stefani and Ken Fraser.
- Attended Toora Lions Club to reflect on past twelve months as Mayor.
- Attended Myli accompanied by Cr Rae.
- Attended South Gippsland Hospital's Annual General Meeting in Foster, accompanied by Councillor Rae.
- Attended Leongatha Football Club AFL event with Mayor Hersey.

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

- Spoke on shopping locally for Christmas.

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

- Introduced David Fice, Executive Director Infrastructure Sustainability

- Thanked council officers, CEO and Councillors for their contributions this year.

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

- Attended MAV Climate Advisory Panel Workshop
- Spoke to VAGO reporting
- Attended National Coastal Round Table
- Reminded community to be safe on the roads over the holiday period
- Reminded the community to be aware of the bushfire risks
- Highlighted that Walkerville fire station have begun their open night community dinners
- Thanked Gippsland Southern Hospital's Urgent Care Unit for their care of a family member

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

- Attended Myli accompanied by Councillor Schelling
- Attended South Gippsland Hospital's Annual General Meeting in Foster, accompanied by Councillor Schelling
- Attended reopening of Toora library. Spoke to the grant funding that has assisted the facility.
- Attended GoGirls Foundation Lunch event.
- Attended Meenigan Progress Association dinner event
- Wished everyone a safe and healthy holiday period

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

- Attended Christmas in the Boo event and thanked council staff for the maintenance of the park
- Spoke to the Baromi Centre
- Attending opening Mirboo North Community Garden on Saturday 13 December 2025.
- Wished everyone a safe and merry Christmas

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

- Thanked Councillor Kennedy for attending current exhibition at Coal Creek on his behalf
- Attended Christmas in the village in Loch
- Attended and completed Mayor and Councillor Training
- Attended Gippsland Emergency Relief Fund AGM
- Attended Leongatha Football Club AFL event with Councillor Schelling.
- Attended Audit and Risk Committee Meeting
- Wished everyone a great Christmas
- Reminded Community on behalf of Loch Police, to lock up houses and cars during the holiday season and to have house numbers visible at the front of properties, to assist emergency services.

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

MOVED: Councillor Rae
SECONDED: Councillor Schelling

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.**

CARRIED UNANIMOUSLY

8. MEETING CLOSED

NEXT MEETING

The next Council Meeting open to the public will be held on Wednesday, 18 February 2026 commencing at 2:00pm in the Council Chambers, Leongatha.

Confirmed on this 18th Day of February 2026

Councillor Nathan Hersey, Mayor