

SOUTH GIPPSLAND SHIRE COUNCIL

Council Minutes

Ordinary Meeting of Council

22 November 2017

Ordinary Meeting No. 418
Council Chambers, Leongatha
Commenced at 2pm



minutes



*South Gippsland
Shire Council*

Come for the beauty, Stay for the lifestyle



MISSION

South Gippsland Shire will be a place where our quality of life and sense of community are balanced by sustainable and sensitive development, population and economic growth.

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PRESENT

COUNCILLORS:

Cr Lorraine Brunt, Mayor Cr Aaron Brown, Deputy Mayor Cr Maxine Kiel Cr Meg Edwards Cr Ray Argento Cr Alyson Skinner Cr Jeremy Rich Cr Andrew McEwen Cr Don Hill
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COUNCILLORS
NOT PRESENT:

-

OFFICERS:

Tim Tamlin, Chief Executive Officer Rick Rutjens, Executive Support and Community Information Manager June Ernst, Coordinator Corporate Planning and Council Business Natasha Berry, Corporate and Council Business Officer Jodi Cumming, Corporate and Council Business Officer
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Tim Tamlin
Chief Executive 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*.

To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded and published.

Anyone who is invited to read out a question or a presentation will be recorded and their voice, image and comments will form part of the live stream and recording.

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.

Attendees are advised that they may be subject to legal action if their actions results in inappropriate and/or unacceptable behaviour and/or comments.

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

Thank you

1.2. WELCOME

Please ensure Mobile phones remain 'off' during the Council Meeting.

1.3. OPENING PRAYER

We pray to God to guide us so that the thoughts we have and the decisions made this day, are in the best interests of the people of the South Gippsland Shire.

Amen

1.4. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

The South Gippsland Shire Council respectfully acknowledges the Traditional Custodians of this Land, Elders past and present, their Spirits and Ancestors.

1.5. APOLOGIES

Nil

1.6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council Ordinary Meeting No. 417, held on 25 October 2017 in the Council Chambers, Leongatha be confirmed with the following amendment:

Apply the 'staff disclosure' from Agenda item 4.2 WALKERVILLE RETARDING BASIN – CAPACITY MAINTENANCE OPTION to Agenda item 4.1 WALKERVILLE NORTH FORESHORE DEVELOPMENT PROJECT - INCREASE COUNCIL CONTRIBUTION - AWARD CONTRACT UNDER CEO DELEGATION, an administration error meant that it was applied incorrectly.

MOVED: Cr Kiel

SECONDED: Cr Skinner

THAT THE MINUTES OF THE SOUTH GIPPSLAND SHIRE COUNCIL ORDINARY MEETING NO. 417, HELD ON 25 OCTOBER 2017 IN THE COUNCIL CHAMBERS, LEONGATHA BE CONFIRMED WITH THE FOLLOWING AMENDMENT:

APPLY THE 'STAFF DISCLOSURE' FROM AGENDA ITEM 4.2 WALKERVILLE RETARDING BASIN – CAPACITY MAINTENANCE OPTION TO AGENDA ITEM 4.1 WALKERVILLE NORTH FORESHORE DEVELOPMENT PROJECT - INCREASE COUNCIL CONTRIBUTION - AWARD CONTRACT UNDER CEO DELEGATION, AN ADMINISTRATION ERROR MEANT THAT IT WAS APPLIED INCORRECTLY.

CARRIED UNANIMOUSLY

1.7. DECLARATION OF CONFLICTS OF INTEREST FOR COUNCILLORS

Any interest that a Councillor or staff member has deemed to be significant and has disclosed as either a direct or an indirect interest is now considered to be a conflict of interest. Conflict of interest legislation is in sections 77A, 77B, 78, 78A-D and 79 of the Local Government Act 1989 (the Act). This legislation can be obtained by contacting the Council's Corporate & Community Services Directorate (Council Business) or by accessing the Victorian Legislation and Parliamentary Documents website at www.legislation.vic.gov.au.

An interest may be by close association, financial, conflicting duties or receipt of gifts. If a Councillor or staff member discloses any interest in an item discussed at any Council Meeting (whether they attend or not) they must:

- Complete a disclosure of interest form prior to the Meeting (forms are available from Council Business Department at South Gippsland Shire Council).
- Advise the Chair of the interest immediately before the particular item is considered (if attending the Meeting).
- Leave the Council Chamber or Meeting room while the item is being discussed and during any vote taken (if attending the Meeting).

The Councillor or staff member will be advised to return to the Council Chamber or Meeting room immediately after the item has been considered and the vote is complete.

Councillors should check the Minutes of the Council Meeting to ensure their disclosure is recorded accurately. Councillors are not required to disclose conflict of interest in relation to matters only considered at Meetings they do not attend. Detailed information is available in *Conflict of Interest – A Guide for Councillors – October 2012*.

Councillor Alyson Skinner declared an Indirect Conflict of Interest on Confidential Agenda Item 14.2 2017/18 COMMUNITY GRANTS ROUND 1 ASSESSMENT by close association with respect of one of the applicants.

1.8. DECLARATION OF CONFLICTS OF INTEREST FOR STAFF

Sections 80B and 80C of the Local Government Act 1989 require members of Council staff who have delegated functions and/or provide advice to Council or a Special Committee to disclose conflicts of interest. If Council staff have written, provided information/advice or approved a Council Report and have a conflict of interest, it is the responsibility of that staff member to disclose the interest.

Guidance to identifying and disclosing a conflict of interest is contained in the Victorian State Government, Department of Transport, Planning and Local Infrastructure – *Conflict of Interest – A Guide for Council Staff – October 2011*.

Coordinator Grants and Emergency Management has declared an indirect conflict of interest with Confidential Council Agenda Item 14.2 2017/18 Community Grants Round 1 Assessment by way of close association as she is a family relative of one of the applicants.

Chief Executive Officer has declared a direct conflict of interest with Confidential Council Agenda Item 14.1 that relates to a personnel matter under Local Government Act 1989, s.89(2)(a).

2. OBJECTIVE 1 - STRENGTHEN ECONOMIC GROWTH AND PROSPERITY

2.1. NIL

3. OBJECTIVE 2 - BUILD STRONG PARTNERSHIPS, STRENGTHEN ARTS & CULTURE AND DELIVER EQUITABLE OUTCOMES

3.1. NIL

4. OBJECTIVE 3 - IMPROVE SOUTH GIPPSLAND'S BUILT ASSETS AND VALUE OUR NATURAL ENVIRONMENT

4.1. PROPOSED SALE OF COUNCIL LAND 155-165 COMMERCIAL STREET KORUMBURRA - CONSIDER SUBMISSIONS AND DETERMINE PROPOSAL

Infrastructure Directorate

EXECUTIVE SUMMARY

Council has been approached by a Michael's IGA to develop a full-line supermarket in the main street of Korumburra on the corner of Commercial and King Streets, with a request to purchase Council land. The site for the development includes three parcels of Council land including 155-165 Commercial Street (Korumburra Library), 1 King Street (residential property), and 26 Victoria Street (former Birralee Child Care Centre), which may be partly required for traffic purposes (the Site).

The proposal is a rare opportunity to locate a new, larger, full-line Michael's IGA supermarket in the main street of Korumburra as identified through the *Korumburra Town Centre Framework Plan* that was supported by Council and the community.

Council at its 23 August 2017 Ordinary Meeting resolved to commence statutory procedures in accordance with ss.189 and 223 of the Local Government Act 1989 to advertise the proposal to sell three of its sites in Korumburra by private treaty to facilitate a new full-line supermarket (the Proposal). In response to the s.223 public consultation process, Council received eight submissions all objecting to the sale of the library site and the majority of submissions opposing to a mobile library service. A full copy of all submissions are available in **Confidential Attachment [15.1.1]** for Council's consideration and determination.

The majority of the objections were based around the perception that Council is replacing the current Korumburra Library with a mobile library service permanently, which has not been determined. The new development presents Council an opportunity to progress the development of a Community Hub in Korumburra including a new library and associated community services.

Therefore, it is recommended that Council consider the submissions received and determines the outcome of the proposal to sell the three Council properties.

RECOMMENDATION

That Council:

1. Considers the submissions received and determines that:
 - a. The following land is required for sale by private treaty for not less than a valuation obtained not more than six months prior to the sale:
 - i. 155-165 Commercial Street, Korumburra being the land contained within certificates of title volume 3117 folio 283, volume 4989 folio 766, volume 3235 folio 873, volume 3111 folio 124, and volume 2973 folio 574 being approximately 2,023m²;
 - ii. 1 King Street, Korumburra being the land contained within certificate of title volume 10077 folio 103 and volume 10077 folio 104 being approximately 1,056m²; and
 - iii. 28 Victoria Street, Korumburra being the land described in certificate of title volume 6571 folio 160 being approximately 1,631m².
2. Provides to the submitters the following reasons for its decision:
 - a. The supermarket proposal is a rare opportunity to locate a new, larger, full-line Michael's IGA supermarket in the main street (corner Commercial and King Streets) as identified through the *Korumburra Centre Framework Plan* that is supported by Council and the wider community.
 - b. The project presents an opportunity to provide the community with new infrastructure that will accommodate a permanent Library and associated community services.
 - c. Council will relocate the Library to a permanent facility in Korumburra.

MOVED: Cr McEwen

SECONDED: Cr Brown

THAT COUNCIL:

- 1. CONSIDERS THE SUBMISSIONS RECEIVED AND DETERMINES THAT:**
 - A. THE FOLLOWING LAND IS REQUIRED FOR SALE BY PRIVATE TREATY FOR NOT LESS THAN A VALUATION OBTAINED NOT MORE THAN SIX MONTHS PRIOR TO THE SALE:**
 - I. 155-165 COMMERCIAL STREET, KORUMBURRA BEING THE LAND CONTAINED WITHIN CERTIFICATES OF TITLE VOLUME 3117 FOLIO 283, VOLUME 4989 FOLIO 766, VOLUME 3235 FOLIO 873, VOLUME 3111 FOLIO 124, AND VOLUME 2973 FOLIO 574 BEING APPROXIMATELY 2,023M²;**
 - II. 1 KING STREET, KORUMBURRA BEING THE LAND CONTAINED WITHIN CERTIFICATE OF TITLE VOLUME 10077 FOLIO 103 AND VOLUME 10077 FOLIO 104 BEING APPROXIMATELY 1,056M²; AND**
 - B. THE FOLLOWING LAND, OR PART THEREOF, IS REQUIRED FOR SALE BY PRIVATE TREATY FOR NOT LESS THAN A VALUATION OBTAINED NOT MORE THAN SIX MONTHS PRIOR TO THE SALE. THE SALE OF THIS LAND, OR PART THEREOF, IS SUBJECT TO COUNCIL NOT REQUIRING THE LAND FOR THE FUTURE COMMUNITY HUB PROJECT CURRENTLY ON PUBLIC CONSULTATION.**
 - I. 28 VICTORIA STREET, KORUMBURRA BEING THE LAND DESCRIBED IN CERTIFICATE OF TITLE VOLUME 6571 FOLIO 160 BEING APPROXIMATELY 1,631M².**
 - C. AUTHORISE THE CHIEF EXECUTIVE OFFICER TO EXECUTE THE LAND SALES AND CONDITION CONTRACTS OF SALE AS APPROPRIATE TO PROTECT COUNCIL'S STRATEGIC AND COMMERCIAL INTERESTS.**
- 2. PROVIDES TO THE SUBMITTERS THE FOLLOWING REASONS FOR ITS DECISION:**
 - A. THE SUPERMARKET PROPOSAL IS A RARE OPPORTUNITY TO LOCATE A NEW, LARGER, FULL-LINE MICHAEL'S IGA SUPERMARKET IN THE MAIN STREET (CORNER COMMERCIAL AND**

KING STREETS) AS IDENTIFIED THROUGH THE KORUMBURRA CENTRE FRAMEWORK PLAN THAT IS SUPPORTED BY COUNCIL AND THE WIDER COMMUNITY.

- B. THE PROJECT PRESENTS AN OPPORTUNITY TO PROVIDE THE COMMUNITY WITH NEW INFRASTRUCTURE THAT WILL ACCOMMODATE A PERMANENT LIBRARY AND ASSOCIATED COMMUNITY SERVICES.**
- C. COUNCIL WILL RELOCATE THE LIBRARY TO A PERMANENT FACILITY IN KORUMBURRA.**

CARRIED UNANIMOUSLY

[Link](#)

REPORT

Council at its 23 August 2017 Ordinary Meeting resolved to commence the statutory procedures under ss.189 and 223 of the Local Government Act, and give public notice of its intentions to sell the following Council owned land in Korumburra by private treaty (the Proposal):

- 155-165 Commercial Street (Korumburra Library)
- 1 King Street (residential premises)
- 28 Victoria Street (former Birralelee Child Care site).

A copy of the 23 August 2017 Ordinary Meeting of Council Minutes are available on Council's website.

Submissions (s.223)

Council received eight submissions from the public opposing to the sale of the Korumburra Library site (155-165 Commercial Street) with main concerns around Council providing only a mobile library service as opposed to a permanent library for Korumburra. The submissions are summarised in **Table 1** below and full copies are available in **Confidential Attachment [15.1.1]**.

Table 1 – Summary of Submissions

NO.	SUBMISSION SUMMARY
1.	<ul style="list-style-type: none"> • Was informed that there would be a mobile library service only. • Concerned that it would be difficult to use the service as they are visually impaired.
2.	<ul style="list-style-type: none"> • Does not trust any guarantees that Council will build a new library. • Believes there are other sites to build a supermarket or remain at the current location. • A mobile library is unacceptable. Believes a new supermarket would cause traffic chaos at the bottom of Commercial Street.
3.	<ul style="list-style-type: none"> • Thought the Library was to be included in the supermarket premises. • Wants a permanent Library built as opposed to Council only providing a mobile library service. • States that there is always plenty of money for Leongatha but not Korumburra.

Table 1 – Summary of Submissions

NO.	SUBMISSION SUMMARY
4.	<ul style="list-style-type: none"> • Disappointed to read that Korumburra would be getting a mobile library when their current excellent facility will be demolished to make way for a supermarket. • Strongly urges Council to relocate the Library in a Korumburra building temporarily for the duration of its tenure. • Hopes that the Leongatha Library is not being considered as supplementing Korumburra's deficit. • States that the town requires a full library service in Korumburra.
5.	<ul style="list-style-type: none"> • Opposed to the sale and redevelopment as the charm of the town would be irreparably damaged with a supermarket taking place of the precious buildings and murals. • Objected in 2012 to the rezoning of the site on the same grounds. • States that country folk don't need the construction of a community hub when they can go to a café or sit on a bench to have a chat.
6.	<ul style="list-style-type: none"> • After reading the Sentinel Times (edition 19 September 2017) article "Mobile Library for Korumburra" is concerned about a temporary option of a mobile library service. • States that the community needs a permanent library facility.
7.	<ul style="list-style-type: none"> • After reading the Sentinel Times (edition 19 September 2017) "Mobile Library for Korumburra" article is concerned Korumburra will lose its library. • States that the services currently provided could not be conducted from a mobile library service. • Doesn't approve of the sale of the library building as it is a landmark with historical murals, provides a meeting space, a home for the Historical Society, storage for the Lions Club and Rotarians Art Gallery etc.
8.	<ul style="list-style-type: none"> • Wants Council to ensure that a permanent library is maintained in Korumburra as opposed to a mobile library service.

PROPOSAL

It is proposed that Council sell the following land by private treaty for not less than a valuation obtained and no more than six months prior to the sale:

3. 155-165 Commercial Street, Korumburra being the land contained within certificates of title volume 3117 folio 283, volume 4989 folio 766, volume 3235 folio 873, volume 3111 folio 124, and volume 2973 folio 574 being approximately 2,023m². 1 King Street, Korumburra being the land contained within certificate of title volume 10077 folio 103 and volume 10077 folio 104 being approximately 1,056m². 28 Victoria Street, Korumburra being the land described in certificate of title volume 6571 folio 160 being approximately 1,631m².

The justification behind this recommendation is:

- The supermarket proposal is a rare opportunity to locate a new, larger, full-line Michael's IGA supermarket in the main street as identified through the *Korumburra Centre Framework Plan* that is supported by Council and the wider community
- The project presents an opportunity to provide the community with new infrastructure that will accommodate a Library and associated community services.
- Council will relocate the Library to a permanent facility.

CONSULTATION

Council gave public notice in accordance with s.223 of the Local Government Act 1989 of the Proposal in Council's Noticeboard section of the local newspapers in the week commencing 28 August 2017 and invited written submissions from the community by 26 September 2017.

Council also issued a press release and published the notice on its website.

Council received eight submissions during the s.223 submission period opposing to the sale of the Korumburra Library site. No submitters indicated that they wish to speak to their submission.

RISKS

The proposal is a rare opportunity to locate a new, larger, full-line Michael's IGA supermarket in the main street of Korumburra as identified through the *Korumburra Town Centre Framework Plan* that was supported by Council and the community. If Council were to withdraw the land proposed for sale, the Michael's IGA supermarket development and proposed new community hub may not proceed.

CONFIDENTIAL ATTACHMENT(S)

Confidential Attachment [15.1.1] – Submissions - 155-165 Commercial Street Korumburra – has been provided in accordance with s.77(2)(c) of the Local Government Act 1989, the Chief Executive Officer designates this Agenda Item as confidential information on the grounds that it relates to s.89(2)(h) - any other matter which the Council or Special Committee considers would prejudice the Council or any persons.

This item is deemed confidential to protect the privacy of the submitters.

REFERENCE DOCUMENTS

Legislative Provisions


Local Government Act 1989

4.2. PROPOSED NEW ROAD NAME AS 'AVERY LANE' - UNNAMED ROAD OFF SOUTH GIPPSLAND HWY, LEONGATHA

Infrastructure Directorate

EXECUTIVE SUMMARY

There are four properties abutting an unnamed road off the South Gippsland Highway, Leongatha which is creating confusion for the general public, transport vehicles, and emergency services. The properties are addressed to the South Gippsland Highway when in reality, the entrance and access to these properties are via this unnamed road.

The unnamed road runs off South Gippsland Hwy, Leongatha to the east for approximately 355 metres (shown as  in **Figure 1**) and is on Council's Public Road Register as a public road.

Public safety is paramount. This unnamed road will be officially named and registered with the Office of Geographic Names, thus ensuring emergency services can locate all properties on this road by providing a unique road name and appropriate property numbering.

The name proposed is 'AVERY' in recognition of Harry Avery who had a small butchers shop in McCartin Street, Leongatha in the 1940s and 1950s. The Averys had also owned the land where the old "Drive In" site was adjacent to this road where they operated an abattoir.

The Leongatha and District Historical Society and the affected land owners / occupiers were consulted with no objections received or other names proposed for the unnamed road. Therefore it is considered appropriate that Council name this unnamed road 'AVERY LANE'.

RECOMMENDATION

That Council:

1. Considers the results of the Naming Survey distributed on 28 August 2017 (Attachment [4.2.3]) noting that 100 per cent were in favour of the name 'Avery'.
2. Determines the unnamed road heading east bound (Attachment [4.2.1]) off South Gippsland Highway, Leongatha as 'AVERY LANE' and renumbers all affected properties accordingly.
3. Forward the proposed new road name to the Registrar of Geographic Place Names for final consideration and approval.
4. Subject to Geographic Place Names approval of the proposed new name, place a notice in local newspapers and advise abutting property owners / occupiers, local organisations, and local stakeholders of the new road name.

MOVED: Cr Kiel

SECONDED: Cr Argento

THAT COUNCIL:

- 1. CONSIDERS THE RESULTS OF THE NAMING SURVEY DISTRIBUTED ON 28 AUGUST 2017 (ATTACHMENT [4.2.3]) NOTING THAT 100 PER CENT WERE IN FAVOUR OF THE NAME 'AVERY'.**
- 2. DETERMINES THE UNNAMED ROAD HEADING EAST BOUND (ATTACHMENT [4.2.1]) OFF SOUTH GIPPSLAND HIGHWAY, LEONGATHA AS 'AVERY LANE' AND RENUMBERS ALL AFFECTED PROPERTIES ACCORDINGLY.**
- 3. FORWARD THE PROPOSED NEW ROAD NAME TO THE REGISTRAR OF GEOGRAPHIC PLACE NAMES FOR FINAL CONSIDERATION AND APPROVAL.**
- 4. SUBJECT TO GEOGRAPHIC PLACE NAMES APPROVAL OF THE PROPOSED NEW NAME, PLACE A NOTICE IN LOCAL NEWSPAPERS AND ADVISE ABUTTING PROPERTY OWNERS / OCCUPIERS, LOCAL ORGANISATIONS, AND LOCAL STAKEHOLDERS OF THE NEW ROAD NAME.**

CARRIED UNANIMOUSLY

[Link](#)

REPORT

Background

Council has received a request from property owners in the locality of Leongatha to name an unnamed road off the South Gippsland Highway (Koonwarra end) that their property abuts.


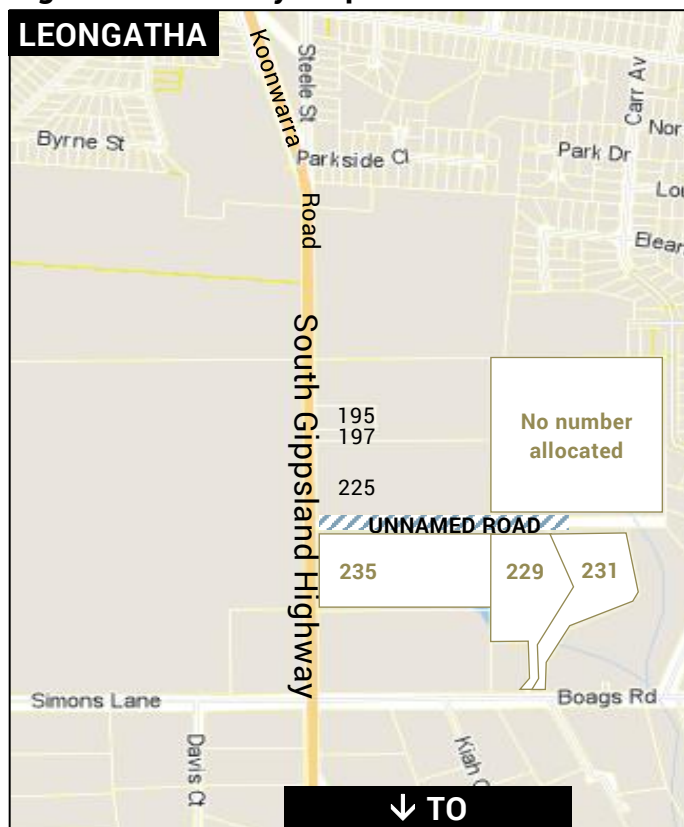
The unnamed road runs to the east off the South Gippsland Highway and is approximately 355 metres in length. There are four properties abutting this unnamed road. The four properties are addressed to the South Gippsland Highway, but in reality, access to the properties are from this unnamed road, shown as  in **Figure 1** below.

Figure 1 – Locality Map



A detailed aerial map showing access points is available in **Attachment [4.2.1]**.

The unnamed road is creating confusion for the general public, transport vehicles, and emergency services as the four properties are not addressed properly (addressed to South Gippsland Highway) therefore, Council needs to name the road and renumber the affected properties accordingly so that each property has its own unique property address.

A road name forms part of a property address and Council recognises the significance of a road name in property addressing, as well as ensuring the integrity of Council's Property Base and Public Roads Register. Council also ensures compliance with relevant criteria of the Geographic Place Names legislation.

Proposed Road Name

The proposed name put forward to Council is '**EVERY LANE**' after Harry Avery who had a small butchers shop in McCartin Street, Leongatha in the 1940s and 1950s. The Averys had also owned the land where the old "Drive In" site was adjacent to this road where they ran an abattoir.

The name was sent to the Leongatha and District Historical Society, whom have approved the name 'Avery' as detailed in **Attachment [4.2.2]**.

VICNAMES Compliance Check

A VICNAMES 15km duplicate¹ or similar sounding/spelling name search was carried out on the suggested name 'EVERY'. This proposal complies with the VICNAMES statutory [naming rules](#) – refer to refer to **Table 1** below:

Table 1 – VICNAMES Compliance Check

PROPOSED ROAD NAME	EVERY Lane
ORIGIN	Harry Avery had a small butchers shop in McCartin Street, Leongatha in the 1940s and 1950s. The Averys had also owned the land where the old "Drive In" site was adjacent to this road where they ran an abattoir.
COMPLIANCE	✓
15KM DUPLICATION CHECK	No duplications ¹ or similar sounding or similar spelt road names found.

This naming process provides the opportunity to consult the community to gain an indication of community support or opposition to a naming proposal. The abutting land owners were consulted via a survey to gauge the level of support for the proposed name, in line with the [Naming Rules for Naming Places in Victoria 2016](#).

CONSULTATION

Consultative actions are carried out for the naming and renaming of all roads, primarily in consideration of the significance and potential effects of a

¹ **Duplicates** are considered to be two (or more) names within close proximity, or names that are identical or have similar spelling or pronunciation.

proposal. The views of potentially affected property owners and occupiers must be sought and considered. Public submissions and service authority comments may be sought if considered necessary.

Surveys can be used to gain an indication of community support or opposition to a naming/renaming proposal. They should be used with the immediate community that are directly affected by an address change.

**1. *First Round Consultation – Survey to immediate community*
Closed 28 September 2017**

Council sent out a survey to the abutting land owners/occupiers of this unnamed road asking if they agreed or disagreed with the proposed name of 'AVERY LANE'. If they did not respond to the survey, it was to be taken as tacit approval of the proposed name. The survey is available in **Attachment [4.2.3]**.

When a survey is sent to the immediate community, consent is considered to be achieved when the number of respondents expressing consent, added to the number of non-respondents (indicating, if applicable, tacit consent) is greater than 50% of the total surveyed population. The outcome of the first round consultation is noted in **Table 2** below.

Table 2 – Survey Results

ANALYSING THE SURVEY RESULTS	RESPONSE
Population in immediate community	4
Respondents who objected	0
Respondents who expressed consent	2
Non-responses (tacit consent)	2
<i>Total community that consents</i>	<i>100%</i>
This proposal is considered to have community consent for the proposed name of 'AVERY'.	

The survey results are included in **Attachment [4.2.4]**.

For non-responses, on the chance that they were not able to vote for whatever reason, another opportunity is provided for them to lodge a submission to Council if they do not support the proposal during second round consultations.

**2. Second Round Consultation – Immediate Community Notified
Closed 15 November 2017**

Letters have been sent to residents abutting the unnamed road (**Attachment [4.2.5]**) to notify them of the survey results being 100% in favour of the name 'Avery' and that a report will be presented to Council on 22 November 2017 recommending the unnamed road is named 'AVERY LANE'.

3. Internet and Public Notice – Building Awareness

A public notice was placed in Council's Noticeboard section of the local newspapers during the week commencing 11 September 2017 inviting the public to lodge expressions of support or objection to this naming proposal. A notice also published on Council's website under *Roads and Infrastructure* → *Roads* → *Naming roads, places & features* | [Current Projects](#). There were no objections received in response to the public notice.

**4. VicNames Consultation – Registrar of Geographic Place Names
Final Approval of 'AVERY LANE'**

If Council adopts 'AVERY LANE' for the unnamed road, it will be forwarded to the Registrar of Geographic Place Names for final consideration and approval. If the name conforms to the naming rules, the Office of Geographic Place Names will Gazette the name and include it to the Vicnames Registrar and notify relevant stakeholders.

If the name does not conform to the naming rules, a new proposal will be sent back to the naming authority for reconsideration of a new name.

RESOURCES

The only future cost to Council will be for the erection of new signage at approximately \$150 each, and this is accommodated in Council's signage budget.

RISKS

Council's risk is minimal as the methodology for the road naming has followed the Naming Rules for Naming Places in Victoria 2016.

ATTACHMENTS

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

1. Aerial Map - Unnamed Road Proposed as 'Avery Lane' Leongatha **[4.2.1]**
2. Leongatha & District Historical Society - Approval of 'Avery Road' Leongatha **[4.2.2]**

3. First Round Consultation - Copy of Survey - August 2017 - 'Avery Road' Leongatha [4.2.3]
4. First Round Consultation - Returned Survey Results - September 2017 - 'Avery Road' Leongatha [4.2.4]
5. Second Round Consultation - Letter to Residents - October 2017 - 'Avery Road' Leongatha [4.2.5]

REFERENCE DOCUMENTS

Council Policy

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

Road Naming Procedure

Legislative Provisions

Geographic Place Names Act 1998

Local Government Act 1989

Naming Rules for Places in Victoria - Statutory Requirements for Naming Roads, Features and Localities – 2016

Road Management Act 2004

AS/NZS4819:2011 Rural and urban addressing

4.3. LOCAL ROADS TO MARKET PROGRAM ROUND 2 - APPLICATION

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

It is proposed to submit an application to the State Governments Local Roads to Market Program – Round Two to support reconstruction of the Ruby Arawata Road Bridge, Ruby.

The objective of the \$25M Local Roads to Market Program is to improve the efficiency and competitiveness of the agricultural sector.

RECOMMENDATION

That Council:

1. Submits a grant application requesting \$300,000 to the Local Roads to Market Program – Round Two for the Ruby Arawata Road Bridge Reconstruction project; and
2. Notes that Council's contribution of \$170,000 is allocated in the 2018/19 Financial Budget for the Ruby Arawata Road Bridge Reconstruction project.

MOVED: Cr Brown

SECONDED: Cr McEwen

THAT COUNCIL:

1. **SUBMITS A GRANT APPLICATION REQUESTING \$300,000 TO THE LOCAL ROADS TO MARKET PROGRAM – ROUND TWO FOR THE RUBY ARAWATA ROAD BRIDGE RECONSTRUCTION PROJECT; AND**
2. **NOTES THAT COUNCIL'S CONTRIBUTION OF \$170,000 IS ALLOCATED IN THE 2018/19 FINANCIAL BUDGET FOR THE RUBY ARAWATA ROAD BRIDGE RECONSTRUCTION PROJECT.**

CARRIED UNANIMOUSLY

[Link](#)

REPORT

Local Roads to Market Program

The objective of the \$25M Local Roads to Market Program is to improve the efficiency and competitiveness of the agricultural sector, by upgrading local roads, intersections and bridges to enable use by large and heavy vehicles. This will help reduce travel times, strengthen business productivity and improve road safety. It will also seal strategically significant local roads identified by food processors or producers to reduce damage to produce.

While the primary focus of the program is to improve the State's local agricultural supply routes, upgrading these local transport connections will also benefit communities and other road users. The capacity of existing local roads and bridges will be enhanced, facilitating better connections for agricultural produce, particularly connections to arterial roads and national highway freight networks.

Funding under the program is available for rural, regional and outer suburban (or 'interface') councils across Victoria to better link farmers and industries with processing centres, receival sites, ports and markets.

The Local Roads to Market Program is funded through the Agriculture Infrastructure and Jobs Fund (AIJF), which is part of the Victorian Government's plan to support Victorian farmers, who represent a contribution of almost \$12 billion to the Victorian economy.

Round Two

Applications for Round Two close on 30 November 2017.

Applicants from rural councils are expected to make a financial contribution or source third-party funding for the project on the following basis:

- \$1 matched contribution to \$2 funding request sought.

Ruby Arawata Road Bridge Reconstruction Project

Council has identified and prioritised nine significant road projects to enhance the economic prosperity and liveability of South Gippsland. One such project is the reconstruction of the Ruby Arawata Road Bridge at Ruby.

The Ruby Arawata Road Bridge is over 100 years old and deteriorating with age. Integrity testing undertaken on the bridge has determined that it is unsuitable for Higher Mass Limit (HML) and Performance Based Standard (PBS) vehicles with only General Mass Limit (GML) vehicles allowed to utilise the bridge. This may result in economic growth of the area being restricted.

The project is estimated at \$470,000 with funding of \$300,000 recommended to be sought through the Local Roads to Market Program.

CONSULTATION

The Ruby Arawata Road Bridge was endorsed by Council on the 22 March 2017 as a Strategic Road. The report provided to Council identified a list of road projects identified in consultation with VicRoads, the Gippsland Local Government Network (GLGN) and South East Australia Transport Strategy Inc. (SEATS).

RESOURCES

Funding of Council's required contribution of \$170,000 is allocated in the 2018/19 Financial Budget which will meet the funding ratio under the Local Roads to Market Program.

RISKS

If Council does not support an application for the project it will miss an opportunity to obtain external funding to reconstruct the Ruby Arawata Road Bridge and will require to fully fund the project.

REFERENCE DOCUMENTS

Council Policy

*Documents are available on Council's website: www.southgippsland.vic.gov.au
Asset Management Plan - Road Infrastructure*

Legislative Provisions

Local Government Act 1989
Road Safety Act 1986

4.4. AWARD CONTRACT - CON/152 PROVISION OF WORKSITE TRAFFIC MANAGEMENT SERVICES

Infrastructure Directorate

EXECUTIVE SUMMARY

Council has an obligation under the *Road Management Plan* to minimise the hazards to road users, and to maintain the integrity of this network. Council also has an obligation to deliver the projects within the adopted maintenance and capital works programs on time and within budget. Procuring the provision of worksite traffic management services will ensure Council meets these obligations.

In accordance with Council's *Procurement Policy* and procedures, Council is required to go out to open tender for the provision of worksite traffic management services.

In response to Council's Request for Tender *RTF/152 Provision of Worksite Traffic Management Services* (RTF/152), three conforming tenders were received. It is recommended that Council accepts all three tenders submitted and award the contract *CON/152 Provision of Worksite Traffic Management Services* to a panel of preferred suppliers. This approach allows Council to obtain the best value for money and greater versatility for Council's works programs.

The panel shall operate on a schedule of rates basis and will be for a one year term commencing from the date of the signing of the contract documents.

RECOMMENDATION

That Council:

1. Award contract *CON/152 Provision of Worksite Traffic Management Services* for the schedule of rates items outlined in their submission for a one year term from the date of the signing of the contract documents to:
 - a. LJ & LJ Pty Ltd T/a A Plus Traffic Management;
 - b. Momentum Traffic Control Pty Ltd; and
 - c. Altus Traffic Pty Ltd.
2. Authorise the Chief Executive Officer to sign and affix the Common Seal of the Municipality to the contract documents.

MOVED: Cr Hill

SECONDED: Cr Kiel

**THAT THE RECOMMENDATIONS IN AGENDA ITEMS 4.4 AND 4.5 BE ADOPTED.
CARRIED UNANIMOUSLY**

[Link](#)

REPORT

In response to Council's Request for Tender *RFT/152 Provision of Worksite Traffic Management Services*, three conforming tender submissions were received from the following contractors:

1. LJ & LJ Pty Ltd T/a A Plus Traffic Management;
2. Momentum Traffic Control Pty Ltd; and
3. Altus Traffic Pty Ltd.

Each of these contractors submitted schedule of rates prices for the provision of worksite traffic management services. The tenderers' price comparison was similar to each other.

So that Council may obtain best value for money and greater versatility for Council's works programs, the evaluation panel has recommended accepting all three tenders received in response to *RFT/152*. Successful tenderers will be placed on a panel of preferred suppliers.

The suppliers are encouraged to propose innovative service delivery arrangements, technical expertise, and alternative products aimed at enhancing the achievement of Council's service objectives.

CONSULTATION

Tender specifications were developed in consultation with all relevant officers involved in worksite traffic management services. This tender was advertised on Council's website, *The Age*, and *La Trobe Valley Express* in August 2017.

The tenders were assessed in accordance with the criteria specified in the contract documentation by an evaluation panel on 11 October 2017. The evaluation panel consisted of the Manager Operations (as a representative for the Director of Sustainable Communities and Infrastructure), Coordinator Construction, Coordinator Unsealed Roads Planning, and Contract Administrator.

A summary of the tender evaluation has been included in **Confidential Attachment [15.2.1]** – Tender Evaluation Summary – RFT/152 Worksite Traffic Management Services.

RESOURCES

Worksite traffic management services contract costs are accommodated within Council's annual maintenance budget, capital works budget, and in Council's Long Term Financial Plan. For the past two years Council has spent approximately \$350,000 per year on worksite traffic management services.

RISKS

Council has an obligation under the *Road Management Plan* to minimise the hazards to users of the road network and to maintain the integrity of this network. Council also has an obligation to deliver the projects within the adopted maintenance and capital programs on time and within budget.

Awarding this contract to a panel consisting of three contractors with a wide skill set and equipment in this field will assist Council in addressing these risks.

CONFIDENTIAL ATTACHMENTS

Confidential Attachment [15.2.1] – Tender Evaluation Summary - RFT/152 Worksite Traffic Management Services - has been provided in accordance with s.77(2)(c) of the Local Government Act 1989, the Chief Executive Officer designates this Agenda Item as confidential information on the grounds that it relates to s.89(2)(d) - contractual matters.

This is deemed confidential to protect the names, tender scores, and tendered amounts submitted by the contractors for consideration.

REFERENCE DOCUMENTS

Council Policy

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

C32 Procurement Policy 2017

Road Management Plan 2017

Council Plan 2017-2021

Long Term Financial Plan

Legislative Provisions

Local Government Act 1989

Local Government Procurement Best Practice Guidelines 2013

Occupational Health & Safety Act 2004

Road Management Act 2004

4.5. AWARD CONTRACT - CON/153 SUPPLY AND DELIVERY OF TRAFFIC MANAGEMENT SIGNAGE AND ASSOCIATED PRODUCTS

Infrastructure Directorate

EXECUTIVE SUMMARY

Council has an obligation under the *Road Management Plan* to minimise the hazards to road users, and to maintain the integrity of this network. Council also has an obligation to deliver the projects within the adopted maintenance and capital works programs on time and within budget. Installing and replacing signs compliant with relevant Australian Standards as required will ensure Council meets these obligations.

In accordance with Council's *Procurement Policy* and procedures, Council is required to go out to open tender for the supply and delivery of traffic management signage and associated products.

In response to Council's Request for Tender *RTF/153 Supply and Delivery of Traffic Management Signage and Associated Products* (Retendered), five conforming tenders were received. It is recommended that Council accepts all five tenders submitted and award the contract *CON/153 Supply and Delivery of Traffic Management Signage and Associated Products* to a panel of preferred suppliers. This approach allows Council to obtain the best value for money by ensuring that competitive pricing is utilised. Quotations will be sought on larger quantity items.

The panel shall operate on a schedule of rates basis, subject to rise and fall provisions. The contract will be for a three year term commencing from the date of the signing of the contract documents.

RECOMMENDATION

That Council:

- 1. Award contract *CON/153 Supply and Delivery of Traffic Management Signage and Associated Products* (retendered) for the schedule of rates items outlined in their submission for a three year term from the date of the signing of the contract documents to:**
 - a. Roadside Services & Solutions Pty Ltd;**
 - b. Delnorth Pty Ltd;**
 - c. DeNeefe Signs Pty Ltd;**
 - d. Artcraft Pty Ltd; and**
 - e. Roadside Products Pty Ltd.**
- 2. Authorise the Chief Executive Officer to sign and affix the Common Seal of the Municipality to the contract documents.**

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 30.

[Link](#)

REPORT

In response to Council's Request for Tender *RFT/153 Supply and Delivery of Traffic Management Signage and Associated Products* (Retendered), five conforming tender submissions were received from the following contractors:

1. Roadside Services & Solutions Pty Ltd;
2. Delnorth Pty Ltd;
3. DeNeeffe Signs Pty Ltd;
4. Artcraft Pty Ltd; and
5. Roadside Products Pty Ltd.

Each of these Tenderers submitted schedule of rates prices for the supply and delivery of traffic management signage and associated products subject to rise and fall provisions.

So that Council may obtain best value for money by ensuring that competitive pricing is utilised, the evaluation panel has recommended accepting all five tenders received in response to *RFT/153*. Successful tenderers will be placed on a panel of preferred suppliers. Quotations will be sought on larger quantity items.

CONSULTATION

Tender specifications were developed in consultation with all relevant officers involved in the use of traffic management signs and associated products. This Tender was advertised on Council's website, *The Age*, and *La Trobe Valley Express* in August 2017.

The tenders were assessed in accordance with the criteria specified in the contract documentation by an evaluation panel on 11 October 2017. The evaluation panel consisted of the Manager Operations (as a representative for the Director of Sustainable Communities and Infrastructure), Coordinator Construction, Coordinator Unsealed Roads Planning, and Contract Administrator.

A summary of the tender evaluation has been included in **Confidential Attachment [15.3.1]** – Tender Evaluation Summary – RFT/153 Supply and Delivery of Traffic Management Signage and Associated Products (retendered).

RESOURCES

The purchase of signs is accommodated within the Council's annual maintenance budget, capital works budget, and in Council's Long Term Financial Plan. For the past two years Council has spent approximately \$150,000 per year on signs.

RISKS

Installing and replacing signs as required and in accordance with relevant Australian Standards will reduce Council exposure to litigation. Awarding this contract will enable Council to purchase signs as required to assist in providing a safe and trafficable road network for our community.

CONFIDENTIAL ATTACHMENTS

Confidential Attachment [15.3.1] – Tender Evaluation Summary – RFT/153 Supply and Delivery of Traffic Management Signage - has been provided in accordance with s.77(2)(c) of the Local Government Act 1989, the Chief Executive Officer designates this Agenda Item as confidential information on the grounds that it relates to s.89(2)(d) - contractual matters.

This is deemed confidential to protect the names, tender scores, and tendered amounts submitted by the contractors for consideration.

REFERENCE DOCUMENTS

Council Policy

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

C32 Procurement Policy 2016

Procurement Manual 2017

Road Management Plan 2017

Council Plan 2017-2021

Long Term Financial Plan

Legislative Provisions

Local Government Procurement Best Practice Guidelines 2013

Road Management Act 2004

Occupation Health and Safety Act 2004

Local Government Act 1989

Australian Standards AS 1742.1-2003 Manual of Uniform Traffic Control Devices

Australian Standards AS / NZS 1906.1:2007 Retro Reflective Materials and Devices for Road Traffic Control Purposes - Retro Reflective Sheeting

5. OBJECTIVE 4 - ENHANCE ORGANISATIONAL DEVELOPMENT AND IMPLEMENT GOVERNANCE BEST PRACTICE

5.1. NIL

6. OTHER COUNCIL REPORTS

6.1. NIL

7. NOTICES OF MOTION AND/OR RESCISSION

7.1. NOTICE OF RESCISSION 709 - COUNCIL AGENDA ITEM 7.2 - 25 OCTOBER 2017 - CALL-IN OF PLANNING APPLICATION 2017/78 SUBDIVISION OF THE LAND INTO TWO LOTS

PURPOSE

To rescind the resolution of Ordinary Council Meeting 25 October 2017 item 7.2 to "Call-in of Planning Application 2017/78 Subdivision of the Land into Two Lots".

MOTION

I, Councillor Meg Edwards, advise that I intend to submit the following rescission motion to the Ordinary Meeting of Council scheduled to be held on 22 November 2017.

That Council rescind Council's resolution of item 7.2 at the 25 October 2017 Ordinary Meeting of Council to "Call-in of Planning Application 2017/78 Subdivision of the Land into Two Lots".

MOVED: Cr Edwards

SECONDED: Cr Kiel

THAT COUNCIL RESCIND COUNCIL'S RESOLUTION OF ITEM 7.2 AT THE 25 OCTOBER 2017 ORDINARY MEETING OF COUNCIL TO "CALL-IN OF PLANNING APPLICATION 2017/78 SUBDIVISION OF THE LAND INTO TWO LOTS".

LOST

FOR: Councillors Kiel, Edwards and Brunt.

AGAINST: Councillors Rich, Hill, Brown, Argento, McEwen and Skinner.

[Link](#)

BACKGROUND

Debate centred on the merits of the planning application itself rather than council's delegation under the planning scheme or the intent of Council's Policy.

REFERENCE DOCUMENTS

Council Policy

Documents are available on Council's website: www.southgippsland.vic.gov.au
South Gippsland Planning Scheme

Legislative Provisions

Planning and Environment Act 1987, s60(1B) and s6(1)

**7.2. NOTICE OF RESCISSION 709 - RESOLUTION RESPONSE - COUNCIL
AGENDA ITEM 7.2 - 25 OCTOBER 2017 - CALL-IN OF PLANNING
APPLICATION 2017/78 SUBDIVISION OF THE LAND INTO TWO LOTS**

EXECUTIVE SUMMARY

The Council resolution for 25 October 2017 Council Agenda item '7.2 Notice of Motion 708 – Call-in of Planning Application 2017/18 Subdivision of the Land into Two Lots', was resolved as follows:

That Council:

1. *Authorise the Chief Executive Officer to call in the application numbered 2017/78 Subdivision of the Land into Two Lots for decision of Council at the 22 November 2017 Council Meeting.*
2. *Request the Chief Executive Officer to produce an officer report for the motion comprising the following recommendations:*
 - a. *Approve the officer recommendation, or*
 - b. *Approve an alternative motion to be submitted as an alternative recommendation on the day.*

The Notice of Rescission, number 709, lodged by Cr Edwards, placed an immediate hold on these resolutions being actioned. As a result the report was not able to be prepared or presented to Council at this 22 November 2017 meeting.

In the interests of good governance, this report outlines the response to be taken in regard to the planning matter should the Notice of Rescission be carried, or lost.

If the Notice of Rescission Motion is 'Carried', the original resolutions will not be implemented and therefore no report brought back to Council.

If the Notice of Rescission is 'Lost', the original resolutions will stand and the report, scheduled to come to the 22 November 2017 meeting, will be presented at the 20 December 2017 Ordinary Council Meeting.

RECOMMENDATION

That Council note that the rescission was CARRIED and that there is no further action.

OR

That Council note that the rescission was LOST and resolve that the original resolution be brought to the 20 December 2017 Ordinary Meeting of Council.

MOVED: Cr Hill

SECONDED: Cr McEwen

THAT COUNCIL NOTE THAT THE RESCISSION WAS LOST AND RESOLVE THAT THE ORIGINAL RESOLUTION BE BROUGHT TO THE 20 DECEMBER 2017 ORDINARY MEETING OF COUNCIL.

CARRIED UNANIMOUSLY

[Link](#)

BACKGROUND

The 25 October 2017 Agenda item 7.2 Notice of Motion 708, was designed to allow Councillors the opportunity to debate in open Council an application for restructure of an existing property where there is a divergence of opinion between the officer recommendations/advice and some Councillor opinions.

Notice of Rescission 709, was lodged after the 25 October 2017 meeting, to reconsider the resolutions of Council for Agenda item 7.2 Notice of Motion 708, due to a concern the merits of the debate focused on the planning application itself, rather than on Council's delegation under the planning scheme or the intent of Council's policy.

REFERENCE DOCUMENTS

Council Policy

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

Council Plan 2017-2021

S6. Instrument of Delegation – Members of Staff, 25 October 2017

South Gippsland Planning Scheme

Legislative Provisions

Planning and Environment Act 1987, s60(1B) and s6(1)

7.3. NOTICE OF MOTION 710 - E-PETITION FOR SOUTH GIPPSLAND BUS SERVICES

PURPOSE

To support the e-petition to the Legislative Council on South Gippsland Bus Services and the campaign of the South West Gippsland Transport Group to improve local bus services in South Gippsland.

MOTION

I, Councillor Andrew McEwen, advise that I intend to submit the following motion to the Ordinary Meeting of Council scheduled to be held on 22 November 2017.

That Council:

1. Endorses the e-petition to the Victorian Legislative Council No. 42 "South Gippsland Bus Services."
2. Promotes the e-petition on its social media, at its Council offices and in local media.
3. Writes to the Hon. Jacinta Allen, Minister for Transport supporting the proposal improvements to local bus services.
4. Writes to local members of parliament seeking their support for the proposal improvements to local bus services.

MOVED: Cr McEwen

SECONDED: Cr Rich

THAT COUNCIL:

1. **ENDORSES THE E-PETITION TO THE VICTORIAN LEGISLATIVE COUNCIL NO. 42 "SOUTH GIPPSLAND BUS SERVICES."**
2. **PROMOTES THE E-PETITION ON ITS SOCIAL MEDIA, AT ITS COUNCIL OFFICES AND IN LOCAL MEDIA.**
3. **WRITES TO THE HON. JACINTA ALLEN, MINISTER FOR TRANSPORT SUPPORTING THE PROPOSAL IMPROVEMENTS TO LOCAL BUS SERVICES.**
4. **WRITES TO LOCAL MEMBERS OF PARLIAMENT SEEKING THEIR SUPPORT FOR THE PROPOSAL IMPROVEMENTS TO LOCAL BUS SERVICES.**

CARRIED

FOR: Councillors McEwen, Argento, Hill, Skinner, Brown, Brunt, Kiel and Rich.

AGAINST: Councillor Edwards.

BACKGROUND

The South West Gippsland Transport Group has published a report on the lack of fairness and equity in the provision of local bus services in South Gippsland.

The South West Gippsland Transport Group has launched an e-petition for the Legislative Council for South Gippsland to have improved bus services for South Gippsland. Hon. Melina Bath has agreed to sponsor the petition.

E-petition No 42 to the Legislative Council

South Gippsland Bus Services

Grievance

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council to the absence of local public bus services for South Gippsland and the paucity of other bus services.

Action

The petitioners therefore request that the Legislative Council call on the government to allocate equitable funding for the provision of local bus services or a Telebus service for South Gippsland in particular for the towns of Leongatha and Korumburra and for improvement in the inadequate cross regional and Melbourne services.

The petitions will be open until Friday, 2 February 2018 to be tabled on the first sitting day of 2018;

The report (refer to **Attachment [7.3.1]**) "A Fair Go for Public Transport for Southern Gippsland" prepared by the group, identified a systematic under resourcing of bus services for South Gippsland. South Gippsland has no local bus services unlike most Shires of similar population. Leongatha and Korumburra are in reality in close proximity with a population approaching 10,000 people.

- There are 18 towns with smaller populations who have local bus services.
- 72 per cent of people in South Gippsland have poor access to services such as hospitals, health centres, courts, Tafe/Universities, Centrelink, Centrelink Agencies and pharmacies.
- Some 20,000 people do not have ready access to important services, which others take for granted.

- South Gippsland is significantly disadvantaged in terms of ready access to public transport with only 8.5 per cent having a bus stop within 800m from home versus 35 per cent for Gippsland councils or the State average of 74 per cent.

In summary the findings of this report are as follows:

1. South Gippsland has minimal bus services to Melbourne in comparison to other regional areas.
2. Has an extremely poor local bus service in comparison to other regional areas.
3. Has poor cross regional services to La Trobe Valley and Wonthaggi.
4. South Gippsland does not have any local bus services with the exception of the truck route to Melbourne and the cross regional services through Leongatha, Mirboo and to Traralgon.

The State government's recent report on "Connecting Regional Victoria Victoria's Regional Network Development Plan" launch by Minister Jacinta Allan states:

We know that public transport is important to our regional communities because we both grew up relying on it to access education, recreation, jobs and services"

"The plan aims to:

- *deliver a better public transport network across regional Victoria, with new connections, more trains, better stations and improved bus and coach services*
- *develop tailored public transport priorities and actions for each region that respond to changing local travel needs and support local infrastructure and services plans"*

The Chair of the Group Cr McEwen said that *"these policies are been honoured in their breach for South Gippsland. We are looking for a fair share and a fair go for South Gippsland."*

"We are urging people to spend five minutes liking our Facebook page and signing the e-petition. The link can be found from our website or Facebook page to the Legislative Council e-petitions as follows:"



south and west gippsland transport group

This is an opportunity to improve transport accessibility for young people, older people and people without a car.

ATTACHMENTS

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

1. South & West Gippsland Transport Group - Transport Analysis for Bus Services - October 2017 **[7.3.1]**

REFERENCE DOCUMENTS

Council Policy

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

Council Plan – 2017-2021

Strengthening Economic Growth and Prosperity

- 1.2 Identify Priority projects and advocate to the State and Federal Government for Funding and Support

Legislative Provisions

Local Government Act 1989, section 3.D (2) d

“Advocating the interests of the local community to other communities and governments.”

7.4. NOTICE OF MOTION 711 - SOUTH GIPPSLAND SHIRE COUNCIL CREATES A COASTAL STRATEGY

PURPOSE

That South Gippsland Shire Council creates a Coastal Strategy.

- Provide guidance for decision making along the coast and in the marine, estuarine and hinterland environments.
- Provide a framework for related coastal plans, regional growth plans, regional catchment strategies, local planning schemes, and management plans for coastal Crown Land.
- Engage communities to continue to value the coast and marine environments and to participate in it's planning and management.

MOTION

I, Councillor Jeremy Rich, advise that I intend to submit the following motion to the Ordinary Meeting of Council scheduled to be held on 22 November 2017.

That Council:

1. Creates a Coastal Strategy.
 - a. The strategy needs to take account of the impact and opportunities of potential growth and development in the coastal areas including the immediate hinterland.
 - b. The strategy requires identification of appropriate amenities, facilities and services in the townships and villages taking into account the impact of further growth of housing in coastal towns in relation to sewerage and services. That the strategy requires focus on five significant themes:
 - i. Managing Coastal Land and Infrastructure;
 - ii. Managing population Growth;
 - iii. Adapting to a changing climate;
 - iv. Integrating marine planning; and
 - v. Valuing the natural environment.
2. The strategy is to be in a workable state by the end of 2017/18.
3. That the necessary resources required to be allocated in the 2017/18 budget to facilitate the creation of the strategy in an efficient and effective way.

MOVED: Cr Argento

SECONDED: Cr McEwen

THAT COUNCIL:

- 1. CREATES A COASTAL STRATEGY.**
 - A. THE STRATEGY NEEDS TO TAKE ACCOUNT OF THE IMPACT AND OPPORTUNITIES OF POTENTIAL GROWTH AND DEVELOPMENT IN THE COASTAL AREAS INCLUDING THE IMMEDIATE HINTERLAND.**
 - B. THE STRATEGY REQUIRES IDENTIFICATION OF APPROPRIATE AMENITIES, FACILITIES AND SERVICES IN THE TOWNSHIPS AND VILLAGES TAKING INTO ACCOUNT THE IMPACT OF FURTHER GROWTH OF HOUSING IN COASTAL TOWNS IN RELATION TO SEWERAGE AND SERVICES. THAT THE STRATEGY REQUIRES FOCUS ON FIVE SIGNIFICANT THEMES:**
 - I. MANAGING COASTAL LAND AND INFRASTRUCTURE;**
 - II. MANAGING POPULATION GROWTH;**
 - III. ADAPTING TO A CHANGING CLIMATE;**
 - IV. INTEGRATING MARINE PLANNING; AND**
 - V. VALUING THE NATURAL ENVIRONMENT.**
- 2. THE STRATEGY IS TO BE IN A WORKABLE STATE BY THE END OF 2017/18.**
- 3. THAT THE NECESSARY RESOURCES REQUIRED TO BE ALLOCATED IN THE 2017/18 BUDGET TO FACILITATE THE CREATION OF THE STRATEGY IN AN EFFICIENT AND EFFECTIVE WAY.**

Cr Rich moved an AMENDMENT to the Motion.

MOVED: Cr Rich

SECONDED: Cr Skinner

THAT COUNCIL:

- 1. INVESTIGATES THE DEVELOPMENT OF A COASTAL STRATEGY.**

- A. THE STRATEGY MAY CONSIDER THE IMPACT AND OPPORTUNITIES OF POTENTIAL GROWTH AND DEVELOPMENT IN THE COASTAL AREAS INCLUDING THE IMMEDIATE HINTERLAND.
 - B. THE STRATEGY MAY IDENTIFY APPROPRIATE AMENITIES, FACILITIES AND SERVICES IN THE TOWNSHIPS AND VILLAGES TAKING INTO ACCOUNT THE IMPACT OF FURTHER GROWTH OF HOUSING IN COASTAL TOWNS IN RELATION TO SEWERAGE AND SERVICES. THE STRATEGY MAY FOCUS ON:
 - I. MANAGING COASTAL LAND AND INFRASTRUCTURE, INCLUDING CROWN LAND;
 - II. MANAGING POPULATION GROWTH;
 - III. ADAPTING TO A CHANGING CLIMATE;
 - IV. INTEGRATING MARINE PLANNING; AND
 - V. VALUING THE NATURAL ENVIRONMENT
2. A REPORT ON THE RESOURCES AND TIMING OF A STRATEGY SHOULD BE RECEIVED BY COUNCIL AT THE ORDINARY COUNCIL MEETING IN MARCH 2018.

The AMENDMENT was CARRIED UNANIMOUSLY and is now the Motion before the Chair.

Cr Edwards moved an AMENDMENT to the Motion.

MOVED: Cr Edwards

SECONDED:

THAT COUNCIL:

1. INVESTIGATES THE DEVELOPMENT OF A COASTAL STRATEGY.
 - A. THE STRATEGY MAY CONSIDER THE IMPACT AND OPPORTUNITIES OF POTENTIAL GROWTH AND DEVELOPMENT IN THE COASTAL AREAS INCLUDING THE IMMEDIATE HINTERLAND.
 - B. THE STRATEGY MAY IDENTIFY APPROPRIATE AMENITIES, FACILITIES AND SERVICES IN THE TOWNSHIPS AND VILLAGES TAKING INTO ACCOUNT THE IMPACT OF FURTHER GROWTH OF HOUSING IN COASTAL TOWNS IN RELATION TO SEWERAGE AND SERVICES. THE STRATEGY MAY FOCUS ON:
 - I. MANAGING COASTAL LAND AND INFRASTRUCTURE, INCLUDING CROWN LAND;
 - II. MANAGING POPULATION GROWTH;
 - III. ADAPTING TO A CHANGING CLIMATE;
 - IV. INTEGRATING MARINE PLANNING; AND
 - V. VALUING THE NATURAL ENVIRONMENT

VI. VALUING AGRICULTURAL LAND AND BIODIVERSITY REQUIREMENTS.

- 2. A REPORT ON THE RESOURCES AND TIMING OF A STRATEGY SHOULD BE RECEIVED BY COUNCIL AT THE ORDINARY COUNCIL MEETING IN MARCH 2018.**

The AMENDMENT lapsed for want of a seconder.

The Motion before the Chair.

MOVED: Cr Rich

SECONDED: Cr Skinner

THAT COUNCIL:

- 1. INVESTIGATES THE DEVELOPMENT OF A COASTAL STRATEGY.**
- A. THE STRATEGY MAY CONSIDER THE IMPACT AND OPPORTUNITIES OF POTENTIAL GROWTH AND DEVELOPMENT IN THE COASTAL AREAS INCLUDING THE IMMEDIATE HINTERLAND.**
 - B. THE STRATEGY MAY IDENTIFY APPROPRIATE AMENITIES, FACILITIES AND SERVICES IN THE TOWNSHIPS AND VILLAGES TAKING INTO ACCOUNT THE IMPACT OF FURTHER GROWTH OF HOUSING IN COASTAL TOWNS IN RELATION TO SEWERAGE AND SERVICES. THE STRATEGY MAY FOCUS ON:**
 - I. MANAGING COASTAL LAND AND INFRASTRUCTURE, INCLUDING CROWN LAND;**
 - II. MANAGING POPULATION GROWTH;**
 - III. ADAPTING TO A CHANGING CLIMATE;**
 - IV. INTEGRATING MARINE PLANNING; AND**
 - V. VALUING THE NATURAL ENVIRONMENT.**
- 2. A REPORT ON THE RESOURCES AND TIMING OF A STRATEGY SHOULD BE RECEIVED BY COUNCIL AT THE ORDINARY COUNCIL MEETING IN MARCH 2018.**

CARRIED UNANIMOUSLY

[Link](#)

BACKGROUND

The Councils Plan 2017 – 2021 identifies a number of issues and strategies that relate to the coastal area and hinterland. This report identifies over 20 activities in the current Council Plan that relate to a coastal strategy.

This Notice of Motion proposes that Council adopts a structured and integrated approach to addressing issues related to coastal and hinterland areas and is aligned with the Council Plan 2017 – 2021.

REFERENCE DOCUMENTS

Council Policy

Documents are available on Council's website: www.southgippsland.vic.gov.au
Council Plan – 2017-2021

Strengthening Economic Growth and Prosperity

- 1.2 Develop a strategy to grow the Shire, attract investment and promote tourism consistent with the 'vision'.
- 1.3 Undertake a review of residential, commercial and industrial land supply to ensure that it is adequate to support growth.
- 1.4 Identify Priority Projects and advocate to the State and Federal Governments for funding and support.
- 1.5 Review and implement the Economic Development and Tourism Strategy to provide direction to support our businesses to grow, generate employment, pursue economic development and the attraction of visitors.
- 1.10 Undertake and investigation of caravan parks and camping grounds at Sandy Point.

Building strong Partnerships Strengthen Arts & Culture & deliver Equitable Outcomes

- 2.1 Where appropriate support community groups to achieve projects they have ownership of and want to progress.
- 2.2 Update and continue to implement the Blueprint for Social Community Infrastructure so that services and the associated supporting infrastructure are planned, ready for business and population growth.
- 2.3 Update and implement strategies for Community Strengthening and Engagement.

- 2.4 Implement the Arts and Culture Strategy and support growth of the sector.
- 2.5 Review the Recreation Strategy.
- 2.6 Review and update the Paths and Trails Strategy to determine where regional and local connections are required.
- 2.8 Investigate opportunities to consider a model for community self-determination to facilitate working in partnership with the community.

Improve South Gippsland Built Assets & Values our Natural Environment

- 3.1 Improve management of roads and roadsides through enhanced operational practices, increased funding and continued advocacy to VicRoads.
- 3.2 Waste Management and Sustainability strategies implemented.
- 3.3 Promote a safe and healthy community through our municipal public health programs, Emergency Management Plans and regulatory activities that meet our statutory obligations.
- 3.4 Facilitate community and business renewable energy programs and sustainable practices to reduce the Shire's carbon footprint.
- 3.5 Undertake a review of the Council's Building Portfolio to ensure it meets community needs.
- 3.6 Advocate to Parks Victoria, DELWP and other relevant stakeholders to improve access, parking, safety and user-friendliness of beaches, State and National Parks, conservation areas and natural assets.
- 3.7 Review the Strategic Land Review Project in regard to public open spaces in Venus Bay.
- 3.9 Council to receive a report on the use of Design Panels for major projects and other development in the municipality.
- 3.11 Council to play an advocacy role for townships that demonstrate 70% or greater community support, for sewerage infrastructure.

SG Economic development and tourism Strategy 2015 – 2020

South Gippsland Municipal Domestic Wastewater management plan 2016 - 2020

Legislative Provisions

Local Government Act 1989, section 3.D (2)d

“Advocating the interests of the local community to other communities and governments.”

The Coastal Management Act 1995

Requires the Victorian Coastal Strategy to provide for the long-term planning of the Victorian coast, in order to:

- Ensure the protection of significant environmental features
- Provide clear direction for the future use of the coast, including the marine environment
- Identify suitable development areas and development opportunities
- Ensure the sustainable use of natural coastal resources. [SEP]

Victorian Coastal Strategy 2014

The strategy was created as part of the Coastal Management Act 1995.

8. PROCEDURAL REPORTS

8.1. COUNCILLOR EXPENDITURE REPORT SEPTEMBER 2017

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

The Councillor Expenditure Report **Attachment [8.1.1]** - Councillor Expenditure - September 2017 provides Council with an update on councillor expenditure from 1 July to 30 September 2017.

RECOMMENDATION

That Council receive and note the Councillor Expenditure Report [Attachment 8.1.1] for the period 1 July 2017 to 30 September 2017.

MOVED: Cr Kiel

SECONDED: Cr Hill

THAT THE RECOMMENDATIONS IN AGENDA ITEMS 8.1, 8.2 AND 8.3 BE ADOPTED.

CARRIED UNANIMOUSLY

[Link](#)

REPORT

The Councillor Expenditure Report provides Council with an update on Councillor Expenditure from 1 July 2017 to 30 September 2017.

Councillor expenditure of \$112,792 for the period ended 30 September 2017 was ahead of budget by \$7,143. The variance is due primarily to pre-payment of Councillor allowances for October 2017 and offset by lower than budgeted travel reimbursements and training costs for the period.

RISKS

Transparency in reporting is a risk management control measure that allows the community and Council to view the financial management and expenditure of Councillors.

ATTACHMENTS

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

1. Councillor Expenditure - September 2017 **[8.1.1]**

REFERENCE DOCUMENTS

Council Policy

Documents are available on Council's website: www.southgippsland.vic.gov.au
Councillor Support and Expenditure Policy, July 2016

Legislative Provisions

Local Government Act 1989 s.75 – Reimbursement of expenses of Councillors

8.2. ASSEMBLY OF COUNCILLORS: 24 AUGUST 2017 TO 21 OCTOBER 2017

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

As part of Council's ongoing efforts to enhance community engagement in Council processes, matters discussed at Councillor Briefing Sessions (other than those matters designated to be of a confidential nature) are reported at Ordinary Council Meetings.

The matters listed in this report were presented or considered, at either an Advisory Committee Meeting, Councillor Strategic Briefing Session or Public Presentation Session between 24 August and 21 October 2017.

RECOMMENDATION

That Council receives and notes this report.

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 54.

[Link](#)

REPORT

Meeting Title	Details
Thursday 24 August 2017	
Korumburra Round Table	<p>Councillors Attending: Councillors Brunt and Brown.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed:</p> <ul style="list-style-type: none"> • Council update provided regarding: <ul style="list-style-type: none"> ○ Korumburra supermarket - and engagement plan ○ Korumburra Hub and consultation process ○ Korumburra Parking Strategy ○ Negotiations with VicTrack • Update from each member on their community group activity • Future format of the Korumburra Round Table • Suggestion to all members to sign up to Council's new initiative "In the Know".
Wednesday 27 September 2017	
Council Agenda Item Discussion 27 September 2017	<p>Councillors Attending: Councillors Brunt, Skinner, Brown, Argento, Rich, Hill, Kiel, McEwen and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors were provided information on Council Agenda items for the Ordinary Council Meeting 27 September 2017.</p>
Public Presentations Open Session	<p>Councillors Attending: Councillors McEwen, Brunt, Skinner, Brown, Argento, Rich, Hill, Kiel and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p>
<p>Presentations were made to Council by the following community members:</p> <p>Donald Atkins, addressed Council regarding Council Agenda Item 5.9 Walkerville North Foreshore Development Project – Increase Council Contribution - Award Contract Under CEO Delegation.</p> <p>Tom Daffy, Deb Brown, David Lewis, Jill Forrester addressed Council with objections to Council Agenda Item 3.1 PLANNING APPLICATION 2017/18 - USE AND DEVELOPMENT OF A BROILER FARM AND SUBDIVISION (80 PIT ROAD WOOREEN).</p> <p>Jack Kraan, addressed Council in support of Council Agenda Item 3.1 PLANNING APPLICATION 2017/18 - USE AND DEVELOPMENT OF A BROILER FARM AND SUBDIVISION (80 PIT ROAD WOOREEN).</p>	

Meeting Title	Details
Wednesday 27 September 2017	
Councillor Appointment to Committees 2017/18	<p>Councillors Attending: Councillors McEwen, Brunt, Skinner, Brown, Argento, Rich, Hill, Kiel and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors considered appointments to Councillor represented Committees for 2017/18.</p>
Council Agenda Item Discussion 27 September 2017	<p>Councillors Attending: Councillors McEwen, Brunt, Skinner, Brown, Argento, Rich, Hill, Kiel and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors were provided information on Council Agenda items for the Ordinary Council Meeting 27 September 2017.</p>
Antidiscrimination Bullying and Harassment Policy	<p>Councillors Attending: Councillors Brunt, Argento and Brown.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors attended a training session on Council's Anti-Discrimination, Bullying and Harassment Policy.</p>
Thursday 28 September 2017	
Korumburra Round Table	<p>Councillors Attending: Councillors McEwen and Brunt.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed:</p> <ul style="list-style-type: none"> • Council update provided regarding: <ul style="list-style-type: none"> ○ Council vote against Broiler Farm proposal ○ Municipal Health & Wellbeing Plan ○ Korumburra Supermarket, engagement plan and recently received objections mostly covering the library options, relocation of user groups. ○ Korumburra Hub, potential sites and consultation process • Update from each member on their community group activity • Update on walkway to the High School

Meeting Title	Details
Tuesday 3 October 2017	
Access and Inclusion Advisory Committee	<p>Councillors Attending: Councillor Brunt</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed:</p> <ul style="list-style-type: none"> • Achievement Awards – person with a Disability, Inclusive Community Contribution • Good Access is Good Business Ambassadors project • Disability Action Plan Review and Development
Wednesday 4 October 2017	
Clarify Council Plan Strategy 4.7 Rate Rise	<p>Councillors Attending: Councillors Rich, Hill, Brown, Kiel and Skinner.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors discussed and clarified the intent of Council Plan 2017-2021 Strategy 4.7 – Work in partnership with the Chief Executive Officer to develop a four year Rate Reduction Strategy, to reduce the rate burden by 3 per cent through improved innovation and productivity savings, streamlining the administrative structures and processes, through improved Business Unit performance and economic growth.</p>
Clarify Council Plan Strategy 2.8 Community Self Determination Model	<p>Councillors Attending: Councillors Rich, Hill, Brown, Kiel, Skinner, Brunt and McEwen.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors discussed and clarified the intent of Council Plan 2017-2021 Strategy 2.8 – Investigate opportunities to consider a model for community self-determination to facilitate working in partnership with the community.</p>

Meeting Title	Details
Wednesday 4 October 2017	
Planning Matter Planning Application 2017/78 - 85 Treas Lane Mirboo North - Subdivision of the land into two lots – presented by Cr Don Hill to Councillors	<p>Councillors Attending: Councillors Rich, Brown, Kiel, Skinner, Brunt, McEwen and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillor Don Hill made a presentation to Councillors to consider Planning Application Planning Application 2017/78 - 85 Treases Lane Mirboo North - Subdivision of the land into two lots by the full Council, thereby overriding Council's delegation of powers for a planning matter. Cr Hill raised a particular concern for rural properties under 100 acres and the legitimacy for small scale intensive agriculture.</p>
Clarify Council Plan Strategy 4.3 – Towards a Digital Strategy	<p>Councillors Attending: Councillors Rich, Brown, Kiel, Skinner, McEwen, Hill and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors discussed and clarified the intent of Council Plan Strategy 4.3 Digital Strategy, considering what has already been done and what may be required in future.</p>
Shared Services Initiatives for GLGN & Local Government	<p>Councillors Attending: Councillor Rich, Brown, Kiel, Skinner, McEwen, Hill and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors were provided a high level overview of the Gippsland Local Government Network (GLGN) Shared Services initiative to enable Councillors to consider if they would like to further pursue the initiative.</p>

Meeting Title	Details
Wednesday 4 October 2017	
Planning Briefing	<p>Councillors Attending: Councillor Rich, Brown, Kiel, Skinner, McEwen, Hill, Edwards and Brunt.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed:</p> <ol style="list-style-type: none"> 1. Strategic Planning Project List 2. Planning Applications of Interest 3. Decisions of August 2017 4. VCAT Decisions
Korumburra Community Hub - Location Options and Public Engagement	<p>Councillors Attending: Councillor Rich, Brown, Kiel, Skinner, McEwen, Edwards and Brunt.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors commenced planning for a Korumburra Community Hub as identified in the Council Plan, Objective 2 – Build Strong Partnerships, Strengthen Arts and Culture and Deliver Equitable outcomes.</p>
Economic Development & Tourism Steering Briefing	<p>Councillors Attending: Councillor Rich, Brown, Kiel, Skinner, McEwen, Edwards, Brunt and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed:</p> <ol style="list-style-type: none"> 1. Economic Development and Tourism Strategy 2. Advocacy Strategy 3. South Gippsland Brand Review 4. Visitor Information Services Review 5. Recreational Vehicle Strategy 6. Citizens Advice Bureau – current funding arrangement

Meeting Title	Details
Wednesday 4 October 2017	
Preparation for Special Statutory Meeting to elect the Mayor and Deputy Mayor (Meeting 15 November 2017)	<p>Councillors Attending: Councillors Rich, Brown, Kiel, Skinner, McEwen, Edwards, Brunt and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors were provided information to assist them in their preparation for the Special Statutory Meeting on the 15 November 2017; which is to determine the term of and carry out the Mayoral and Deputy Mayor election.</p>
Thursday 5 October 2017	
Community Vision Development Workshop	<p>Councillors Attending: Councillors Kiel, Brunt, McEwen, Hill, Edwards, Rich, Brown and Skinner.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors commenced development of a 'Vision' as identified in the Council Plan, Strategy 1.1 – Develop a 'vision' for the future growth and development of the Shire in partnership with the community.</p>
Wednesday 11 October 2017	
Executive Update	<p>Councillors Attending: Councillors Kiel, Skinner, Brunt and Brown.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed:</p> <ul style="list-style-type: none"> • Rural Council Victoria • Murray Goulburn, Leongatha • South East Australian Transport Strategy (SEATS) • Councillor Timetable • Planning Application 2017/78 - 85 Treases Lane, Mirboo North – Sub division of two lots

Meeting Title	Details
Wednesday 11 October 2017	
<p>Leongatha RSL Purchase / Project Scope - What would Council like to do with the building?</p>	<p>Councillors Attending: Councillors McEwen, Brunt, Brown, Kiel, Skinner, Edwards and Rich.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors considered matters to progress entering into a Memorandum of Understanding (MOU) with the Leongatha RSL Sub-Branch for a land swap of Council land. This was in response to Council's resolution of 22 February 2017.</p>
<p>Clarify Council Plan Strategy 2.1 – Support Community Groups</p>	<p>Councillors Attending: Councillors McEwen, Brunt, Brown, Kiel, Skinner, Edwards and Rich.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors discussed and clarified the intent of Council Plan 2017-2021 Strategy 2.1 Where appropriate, support community groups to achieve projects they have ownership of and want to progress.</p>
<p>Draft Annual Plan Initiatives Development and reviewed the Council Plan</p>	<p>Councillors Attending: Councillors McEwen, Brunt, Brown, Kiel, Skinner, Edwards and Rich.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors are required by the Local Government Act 1989, s.125(7) to annually review the Council Plan. The review was completed and Annual Initiatives for 2018/19 to progress the Council Plan were drafted.</p>

Meeting Title	Details
Wednesday 11 October 2017	
Clarify Council Plan Strategy 3.10 – Compliance & Enforcement Policy	<p>Councillors Attending: Councillors McEwen, Brunt, Brown, Kiel, Skinner, Edwards, Rich and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors discussed and clarified the intent of Council Plan 2017-2021 Strategy 3.10 Establish a Council Committee to review the implementation of Council’s ‘Compliance and Enforcement Policy’, and that it seeks appropriate input from the general public and from people who have had concerns with Council’s enforcement of the Policy.</p>
Executive Update	<p>Councillors Attending: Councillor McEwen, Brunt, Brown, Kiel, Skinner, Rich and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed:</p> <ul style="list-style-type: none"> • Planning Application 2017/78 - 85 Treases Lane, Mirboo North – Sub division of two lots
Wednesday 18 October 2017	
Executive Update	<p>Councillors Attending: Councillor Rich, Kiel, Argento, Brunt, Skinner and McEwen.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed:</p> <ul style="list-style-type: none"> • Councillors were provided an update in respect of the Council Plan 2017-2021 Strategy 1.9 Progress the development of a business case to support the establishment of a multipurpose undercover ‘Equestrian/Expo Centre at Stony Creek’. • Regional Events Fund

Meeting Title	Details
Wednesday 18 October 2017	
Council Agenda Item Discussion 25 October 2017	<p>Councillors Attending: Councillors Rich, Kiel, Argento, Brunt, Skinner and McEwen.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors were provided information on Council Agenda items for the Ordinary Council Meeting 25 October 2017.</p>
End of Year Financials 2016/17 and Long Term Financial Strategy (LTFS)	<p>Councillors Attending: Councillors Rich, Kiel, Argento, Brunt, Skinner, McEwen, Edwards and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors were provided an overview of:</p> <ol style="list-style-type: none"> 1. The 2016/17 financial results; 2. The impact of these results on 2017/18 and forward budgets; 3. Benchmarking of financial plan against other large rural councils; and 4. Long Term Financial Strategies
Conduct matter	<p>Councillors Attending: Councillors Rich, Kiel, Argento, Brunt, Skinner, McEwen, Edwards and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Cr Rich made a formal apology to Councillors present pertaining to Cr Brunt. This relates to an internal conduct matter raised by Cr Brunt.</p>

Meeting Title	Details
Wednesday 18 October 2017	
Councillor Expenditure and Code of Conduct, Internal Audit and Policy review	Councillors Attending: Councillors Rich, Kiel, Argento, Brunt, Skinner, McEwen, Edwards and Hill. Conflict of Interest: Nil disclosed. Matters Discussed: Councillors considered the Confidential Internal Audit Report and recommendations arising from the Councillor Expenditure and Code of Conduct Compliance Internal Audit conducted in June 2017.
Walkerville North Foreshore Reserve Development Project Open Session	Councillors Attending: Councillors Rich, Kiel, Argento, Brunt, Skinner, McEwen, Edwards and Hill. Conflict of Interest: Nil disclosed. Matters Discussed: Mr Bill Bray, President Walkerville North Foreshore Committee, following a resolution of Council provided a public briefing detailing the project costs, consultation undertaken with stakeholders by the committee, and information relating to the proposed increase of Council's contribution towards the Foreshore Project.
Public Presentation Open Session	Councillors Attending: Councillors Rich, Kiel, Argento, Brunt, Skinner, McEwen, Edwards and Hill. Conflict of Interest: Nil disclosed. Matters Discussed: David Amor, addressed Council about various concerns, including VicRoads road from Leongatha to Meeniyan, Shire Works carried out at Leongatha Recreation Reserve, computer literacy and Council's Road Maintenance Crews.

Meeting Title	Details
Wednesday 18 October 2017	
Antidiscrimination Bullying and Harassment Training	<p>Councillors Attending: Councillors Kiel, Argento, Brunt, Skinner, Edwards, McEwen and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Discussed: Councillors attended a training session on their behaviour in regard to legislated Anti-Discrimination, Bullying and Harassment requirements.</p>

Legislative Provisions

Local Government Act 1989

8.3. DOCUMENTS SEALED AWARDED OR EXTENDED BY CEO 23 SEPTEMBER TO 20 OCTOBER 2017

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

This document reports to Council the following actions undertaken by the Chief Executive Officer (CEO) which occurred during the period from 23 September to 20 October 2017, as required by the Council's Instrument of Delegation to the Chief Executive Officer and Procurement Policy:

- 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 receive and note this report.

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 54.

[Link](#)

REPORT

Documents Sealed

Under the Local Government Act 1989 (the Act), each Council is a body corporate and a legal entity in its own right. Each Council must have a common seal that is an official sanction of that Council.

Sealing a document makes it an official document of Council as a corporate body. Documents that require sealing may include agreements, contracts, leases or any other contractual or legally binding document that binds Council to another party.

Local law No. 3 2010, Part 9, Section 107 (f) (iv) – the Common Seal of Council, states that 'If the Chief Executive uses the Common Seal in a manner prescribed by sub-clause (c) then he/she must advise Council of such use on a regular basis.' Council's Instrument of Delegation to the CEO also delegates to the CEO the power to 'use the Common Seal of Council subject to that use being reported to Council'.

In accordance with the Local Law and Instrument of Delegation, the following are presented to Council as documents sealed during the period from 23 September to 20 October 2017:

1. Section 173 Agreement between South Gippsland Shire Council and the owner of 54 Outlook Drive, Venus Bay in relation to the development of a dwelling – Seal Applied 27 September 2017;
2. Section 173 Agreement between South Gippsland Shire Council and the owner of 25 & 65 Stewarts Road, Fish Creek in relations to a two (2) lot subdivision (boundary realignment) and to subdivide land adjacent to a road in a Road Zone, Category 1 – Seal Applied 27 September 2017;
3. Section 173 Agreement between South Gippsland Shire Council and the owners of 17 Ashworths Road and 880 Berrys Creek Road, Mirboo North in relation to a two (2) lot subdivision and the creation of a carriageway – Seal Applied 27 September 2017;
4. Contract CON/146-B Construction of Footpath and Kerb & Channel Renewals 2017/2018 between South Gippsland Shire Council and ADA Constructions Services Pty Ltd – Seal Applied 9 October 2017;
5. Contract CON/146-A Construction of Footpath and Kerb & Channel Renewals 2017/2018 between South Gippsland Shire Council and M Mileto and B A Whale (M & M Paving) – Seal Applied 12 October 2017; and

6. CON/140-EE Annual Supply – Plant Hire and Cartage Contractors between South Gippsland Shire Council and William Adams Pty Ltd – Seal Applied 17 October 2017.

Contracts awarded after a public tender process within the CEO's delegation

The CEO's delegation from Council allows the CEO to award contracts up to the value of \$250,000 (inclusive of GST), with the exception of Annual WorkCover and Council insurance premiums.

Council's Procurement Policy requires recording in the Council Minutes all contracts over the statutory threshold set out in the Act (\$150,000 inclusive of GST for goods and services and \$200,000 inclusive of GST for works) for a public tender which shows the contracts purpose, the successful tenderer, contract length and the total contract price.

Further, Council's Procurement Policy requires 'that Council will not disclose information about procurements below the statutory thresholds, however, to ensure compliance with Council's Procurement Policy, it will be noted in this report that a contract awarded below the statutory threshold has been entered into following a public tender.

The following contracts awarded were awarded during the period 23 September 2017 to 20 October 2017 under the CEO's financial delegation of \$250,000 (inclusive of GST) following a public tender that were not specified in the 28 June 2017 resolution (refer to the paragraph below).

Nil.

Council resolved on 28 June 2017 to delegate to the CEO the power to award contracts specified in the resolution, subject to the preferred tenders being within budget and that Council receive a report detailing the contracts awarded. The following contracts were awarded during the period 23 September 2017 to 20 October 2017 that were specified in the 28 June 2017 resolution and that were within budget:

Nil.

Contract variations approved by the CEO

Council's Procurement Policy authorises the CEO to approve any necessary variations to a contract which exceeds the CEO's delegation, to allow the proper fulfilment of the contract and to ensure delays to key projects are avoided, following consultation with the Mayor and subject to this variation being reported to the next practicable Council Meeting.

The following variations to a contract which exceeds the CEO's delegation, approved by the CEO during the period 23 September to 20 October 2017:

Nil.

Contract extensions approved by the CEO

Council's Procurement Policy authorises the CEO to enter into any contract extensions subject to the satisfactory performance of the contractor and the extension being reported to Council for any contracts which in total exceeds the CEO's delegation.

The following contract extensions approved by the CEO during the period 23 September to 20 October 2017:

Nil.

REFERENCE DOCUMENTS

Council Policy

Local Law No. 3 2010, Processes of Municipal Government (Meeting Procedures and Common Seal)

Procurement Policy, 28 June 2017

Instrument of Delegation to the Chief Executive Officer, 22 February 2017

Legislative Provisions

Local Government Act 1989 (the Act), ss.5 and 186

9. COUNCILLOR REPORTS

9.1. REQUESTS FOR LEAVE OF ABSENCE

Nil

9.2. COUNCILLOR UPDATES

Cr Hill left the Council Meeting at 3.37pm.

Cr Argento	
Cr Argento addressed Council by reporting on the recent announcement by Murray Goulburn regarding the termination of 52 positions from the Leongatha factory. He further commented that there is hope that once the Co-operative has settled recent take overs that milk intake and possibly employment could increase.	
Cr Skinner	
Event	Comments
Buy Local Foster Launch	Cr Skinner commented that it was great to see the Chamber of Commerce promote buying within the township.
Great Victorian Bike Ride	Cr Skinner informed everyone that this event would be passing through Foster this weekend and this would mean that the town will be very busy and exciting.

Cr Hill returned to the Council Meeting at 3.39pm.

West Gippsland Library Corporation	Cr Skinner reported that she had attended a confidential briefing on a review on mobile libraries.
Cultural Agencies Liaison Meeting	Cr Skinner said that the group looked at the Long Jetty Progress and that it is progressing to plan.
Meeting for the Review of Council's 'OurSay' Platform	Cr Skinner said that it was a positive engagement that sought to make improvements for the future.
Community Information session for the 'Unify' heavy metal rock concert event	Cr Skinner attended a community information meeting in preparation for the annual January event that is held in Tarwin Lower. She commented on the positive outcomes that this event achieves for the Community.

Cr McEwen	
Event	Comments
Art and Design Awards at the Korumburra Secondary College	Cr McEwen commented on the fantastic quality of work and congratulated the students.
“the HeartLand concert” - Opera Australia at Meeniyan	Cr McEwen attended a recent meeting and reported that the sale of tickets for the event are nearly all sold and that it should be a great event that promotes the area.
Garlic Festival at Meeniyan – 17th February 2018	Cr McEwen commented on how the number of stalls will be increasing from the previous year, that there will be a focus on dairy industry and cheese and that the children’s races will be hosted by some of the Councillors.
Herald Sun – Shine Awards	Cr McEwen commented on the recent awards for women in agriculture and noted that 2 of the 5 winners were women from South Gippsland. He was very proud of this outcome, and extended his congratulations.
Cr Rich	
South East Australian Transport Strategy (SEATS)	Cr Rich attended the meeting in Canberra and commented that one of the current focuses for the group is to seek funding for the coastal highway from Sydney to Melbourne, and ensure that the submission includes that the route does not bypass but rather includes the southern Shires.
Opening of the Anne Frank Exhibition at Coal Creek, Korumburra	Cr Rich attended this event with his Father who came from a similar area from a similar time. Cr Rich was delighted that South Gippsland hosted such an exhibition.
Cr Kiel	
Cr Kiel reported on the recent ‘Community Local Hero’ award presented from Ambulance Victoria to Douglas Mancarella of Mirboo North. He saved his father’s life when he performed CPR on their rural farm.	
Cr Kiel attended the following events:	
<ul style="list-style-type: none"> • Mirboo North school fete • Opening Bath Road Reserve - new signage • Prom Country Regional Tourism AGM at Foster • Port Welshpool Long Jetty site visit progress • ‘OurSay’ community budgeting feedback session • Opened the Anti-Gambling function 	

Cr Edwards commented on/ or attended the following events:

- Leongatha Railway Revitalisation Project
- Opening of the Anne Frank Exhibition at Coal Creek, Korumburra
- New Art Gallery in Foster
- Opening Bath Road Reserve - new signage
- Announcement from Murray Goulburn regarding the loss of jobs from the Leongatha factory.

9.3. COMMITTEE UPDATES

Nil

10. URGENT OR OTHER BUSINESS

MOVED: Cr McEwen

SECONDED: Cr Skinner

THAT COUNCIL CONSIDERS URGENT COUNCIL AGENDA ITEM 10.1 MAV CONTRACT - ELECTRICITY FOR LARGE TARIFF SITES - CHIEF EXECUTIVE OFFICER DELEGATION AS THE CURRENT NEGOTIATED CONTRACT PRICE CAN ONLY BE HELD FOR A SHORT PERIOD, WAITING A FURTHER MONTH TO THE NEXT MEETING OF COUNCIL COULD JEOPARDISE CURRENT NEGOTIATIONS.

CARRIED UNANIMOUSLY

10.1. MAV CONTRACT - ELECTRICITY FOR LARGE TARIFF SITES - CHIEF EXECUTIVE OFFICER DELEGATION

Infrastructure Directorate

EXECUTIVE SUMMARY

The MAV Procurement team have recently facilitated a bulk tendering process for large market sites electricity contracts on behalf of a number of Victorian Councils. South Gippsland Shire Council was a participant in this process.

The MAV recommendation report as a result of the tender is expected on 23 November 2017. Contract prices from retailers are only held for short periods of time (in this case two weeks) therefore, it is recommended that Council authorise the Chief Executive Officer (CEO) to sign the contracts within the necessary timeframe. This will enable Council to take advantage of economies of scale and achieve the best value for money for our large market electricity contracts.

RECOMMENDATION

That Council:

1. Authorise the Chief Executive Officer or his delegate to award the contract for the supply of large tariff electricity sites with the Municipal Association of Victoria Procurement recommended retailer(s) commencing 1 January 2018.

2. Authorise the Chief Executive Officer or his delegate to sign, and if required, affix the common seal of the municipality to the contract documents.
3. Make public the awarding of the contract in the Document Sealed and Contracts Awarded report to the next available Council meeting.

MOVED: Cr McEwen

SECONDED: Cr Skinner

THAT COUNCIL:

1. **AUTHORISE THE CHIEF EXECUTIVE OFFICER OR HIS DELEGATE TO AWARD THE CONTRACT FOR THE SUPPLY OF LARGE TARIFF ELECTRICITY SITES WITH THE MUNICIPAL ASSOCIATION OF VICTORIA PROCUREMENT RECOMMENDED RETAILER(S) COMMENCING 1 JANUARY 2018.**
2. **AUTHORISE THE CHIEF EXECUTIVE OFFICER OR HIS DELEGATE TO SIGN, AND IF REQUIRED, AFFIX THE COMMON SEAL OF THE MUNICIPALITY TO THE CONTRACT DOCUMENTS.**
3. **MAKE PUBLIC THE AWARDING OF THE CONTRACT IN THE DOCUMENT SEALED AND CONTRACTS AWARDED REPORT TO THE NEXT AVAILABLE COUNCIL MEETING.**

Cr Hill left the Council Meeting at 3.58pm.

CARRIED UNANIMOUSLY

Cr Hill was not present for the vote.

[Link](#)

REPORT

Council currently has a contract with ERM Business Energy for the supply of electricity to large tariff sites. The total value of this contract is approximately \$180,000 per year for two years from 1 January 2016 – 31 December 2017.

This contract was tendered through a collective tendering process initiated through MAV Procurement. The MAV are facilitating bulk tendering on behalf of Victorian Council's for large tariff site contracts post 31 December 2017. By participating in this bulk procurement arrangement Council will achieve economies of scale which will ensure best value.

It is expected that the new contract value for large tariff sites will increase to at least \$250,000 per year due to increases in electricity tariff rates since 2016 when the current contracts commenced. It is expected that the new contract will also run for a period of two years making the total contract value approximately \$500,000.

Due to the timelines associated with the process (once tenders are received – contract prices are only held for a short period) approval is sought from Council for the CEO to be delegated the Authority to sign the contracts for the supply of electricity for large tariff sites on behalf of Council.

CONSULTATION

Consultation has taken place with MAV Procurement.

REFERENCE DOCUMENTS

Council Policy

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

Legislative Provisions

Local Government Act 1989

11. PUBLIC QUESTIONS

11.1. PETITIONS AND JOINT LETTERS

Petitions and Joint letters are written requests that have been signed by a number of community members. According to the Local Law No.3 2010 petitions may be presented to Council by a Councillor. A petition presented to the Council must lay on the table until the next Ordinary Meeting of Council and no motion, other than to receive the petition, may be accepted by the Chair unless the Council agrees to deal with it earlier.

The lead petitioner or person organising the petition may in presenting the petition to a Councillor at a Public Presentation session speak briefly to its contents. At the following Ordinary Meeting of Council, a Councillor would accept the petition and introduce it to Council for formal noting and actioning by Council.

The Councillor presenting the petition is responsible for ensuring that they are familiar with the contents and purpose of the petition and that it is not derogatory or defamatory.

Councillor Andrew McEwen tabled a petition titled 'Council Must Retain Home Care Services' in relation to the future management in South Gippsland. It was received at Council from Lead Petitioner Cheryl Moore, the prayer is outlined below. The petition contains 1,549 signatures from residents within the Shire and outside the Shire and 23 signatures from the Australian Services Union.

We, the undersigned, are concerned citizens who urge Councillors to:

- 1. Rescind their motion to look at options of transferring Home Support Services to another organisation, and**
- 2. Retain the Aged and Disability staff within South Gippsland Shire Council.**

RECOMMENDATION

That Council:

1. Receives and notes the petition titled 'Council must retain Home Care Services'.
2. The petition lay on the table until Council considers the future provision of HACC services at a Council Meeting yet to be determined.

MOVED: Cr McEwen

SECONDED: Cr Kiel

THAT COUNCIL:

1. **RECEIVES AND NOTES THE PETITION TITLED 'COUNCIL MUST RETAIN HOME CARE SERVICES'.**
2. **THE PETITION LAY ON THE TABLE UNTIL COUNCIL CONSIDERS THE FUTURE PROVISION OF HOME AND COMMUNITY CARE SERVICES AT A COUNCIL MEETING YET TO BE DETERMINED.**

Cr Hill returned to the Council Meeting at 4.02pm.

CARRIED UNANIMOUSLY

11.2. ANSWERS TO PREVIOUS QUESTIONS ON NOTICE

All community member questions for Ordinary Council Meetings are to be written and submitted to the Council Business Team by close of business on the Friday preceding the meeting to allow time for a response to be prepared, where possible, for the Council Meeting.

Public Question Time in Ordinary Council Meetings is to be used for matters that are generally political in nature or that cannot be addressed by other means. This session should not be used for questions on routine works or operational matters, planning (application) matters or for repeating previously answered questions.

Source: Public Participation in Meetings with Council Policy (C65) – adopted 23 May 2017.

Nil

11.3. SUBMITTED PUBLIC QUESTIONS

All community member questions for Ordinary Council Meetings are to be written and submitted to the Council Business Team by close of business on the Friday preceding the meeting to allow time for a response to be prepared, where possible, for the Council Meeting.

Public Question Time in Ordinary Council Meetings is to be used for matters that are generally political in nature or that cannot be addressed by other means. This session should not be used for questions on routine works or operational matters, planning (application) matters or for repeating previously answered questions.

Source: Public Participation in Meetings with Council Policy (C65) – adopted 23 May 2017.

Nil

12. CLOSED SESSION

Consideration of confidential matters under the Local Government Act 1989, section 89(2).

According to section 89 of the Local Government Act 1989, Council may consider items in closed session. There must be a resolution to move 'In-Committee' stating the reasons why the matter(s) need to be considered in this way. The reasons provided for within the Act are matters concerning personnel, personal hardship, industrial issues, contracts, proposed developments, legal advice or any other matter that Council considers would be prejudicial, to it or any other person.

Once 'In-Committee' discussions and debate have concluded, a further resolution to resume open Council is required.

RECOMMENDATION

That Council close the meeting to the public to allow for consideration of:

- 1. Closed Item 14.1 pursuant to section 89(2)(a) a personnel matter; and**
- 2. Closed Item 14.2 - 2017/18 COMMUNITY GRANTS ROUND 1 ASSESSMENT pursuant to section 89(2)(h) a matter which the Council or Special Committee considers would prejudice the Council or any person.**

MOVED: Cr Kiel

SECONDED: Cr Argento

THAT COUNCIL CLOSE THE MEETING TO THE PUBLIC TO ALLOW FOR CONSIDERATION OF:

- 1. CLOSED ITEM 14.1 PURSUANT TO SECTION 89(2)(A) A PERSONNEL MATTER; AND**
- 2. CLOSED ITEM 14.2 - 2017/18 COMMUNITY GRANTS ROUND 1 ASSESSMENT PURSUANT TO SECTION 89(2)(H) A MATTER WHICH THE COUNCIL OR SPECIAL COMMITTEE CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON.**

CARRIED UNANIMOUSLY

13. MEETING CLOSED

NEXT MEETING

The next Ordinary Meeting of Council open to the public will be held on Wednesday, 20 December 2017 commencing at 2pm in the Council Chambers, Leongatha.

The Council Meeting closed at 5.07pm.

Confirmed this 20th day of December 2017.


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Mayor, Councillor Lorraine Brunt