

SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting Minutes

Wednesday 20 May 2026



Council Chambers, Leongatha
Commenced at 2:00 PM



*South Gippsland
Shire Council*

OUR COUNCIL PLAN VISION STATEMENT

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

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

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



Leading with Integrity



Developing a Sustainable Future



Empowering Communities

SOUTH GIPPSLAND SHIRE COUNCIL

Wednesday 20 May 2026
Council Chambers, Leongatha, commenced at 2:00pm

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Allison Jones
Chief Executive Officer

Privacy Statement

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

PRESENT

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

1. PRELIMINARY MATTERS

1.1. LIVE-STREAMING COUNCIL MEETING DISCLAIMER

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

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

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

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

Thank you

1.2. WELCOME TO THE COUNCIL MEETING

Public Questions

In accordance with Council's *Governance Rules, clause 57.6 the submission of agenda public questions has now closed. Questions must be received by Council, 24 hours prior to the commencement of the Council Meeting. Questions received within 24 hours of the commencement of the Meeting will be considered at the next Council Meeting.*

1.3. OPENING PRAYER

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

The Opening Prayer was read by Councillor Schelling

1.4. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

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

The Acknowledgement of Traditional Custodians was read by Councillor Beach

1.5. APOLOGIES

Councillor Sarah Gilligan

1.6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council Meeting held on 15 April 2026 in the Council Chambers, Leongatha be confirmed.

RESOLUTION

MOVED: Councillor Beach

SECONDED: Councillor Snell

CARRIED UNANIMOUSLY

1.7. DECLARATION OF CONFLICTS OF INTEREST FOR COUNCILLORS

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

Council's Governance Rules, Chapter 5 – Clause 2 - Disclosure of a Conflict of Interest at a Council Meeting sets out the prescribed manner required to disclose a conflict of interest at South Gippsland Shire Council.

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

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

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

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

Councillor John Schelling has declared a material Conflict of Interest for Agenda Item 5.3 Proposed lease - Lewis Street Port Welshpool, as the subject matter relates to his employer at Evans Petroleum.

1.8. DECLARATION OF CONFLICTS OF INTEREST FOR STAFF

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

Council's Governance Rules, Chapter 5, clause 6, 7 and 8 sets the prescribed manner required for staff to disclose a conflict of interest when:

- Preparing Reports for Meetings
- Exercise of Delegated Power
- Exercise of a Statutory Function

Council staff must immediately upon becoming aware of a conflict of interest provide a written notice to the Chief Executive Officer disclosing the conflict of interest, explain the nature of the conflict and how it will be managed. Upon becoming aware and declaring a conflict of interest, a staff member may not exercise a power or perform a function in the matter. All prepared reports will record that staff member(s) have considered a conflict of interest and include if any, the details of a disclosure.

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

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

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

Nil

2. AGENDA PUBLIC QUESTIONS

2.1. PETITIONS AND JOINT LETTERS

Petitions and Joint Letters are written requests that have been signed by a number of community members. According to the *Governance Rules, Division 9 - clause 58 – Petitions and Joint Letters*, members of the community may submit a valid petition or joint letter to a Councillor or to Council addressed to the Chief Executive Officer.

The Councillor presenting the petition or joint letter is responsible for ensuring that they are familiar with the contents and purpose of the petition or joint letter and that it does not contain language disrespectful to Council.

The requirements of the lead petitioner are detailed in the *Governance Rules*, available on Council's website.

Council received a petition with 2,476 signatures on Tuesday 5 May 2026, in relation to requesting a zero rate rise for Council's Annual Budgets from 2026/27 – 2028/29.

In accordance with Section 58.7 of Council's *Governance Rules*, this petition will be considered as a submission as part of the 2026/27 Annual Budget process. Furthermore, this item will be presented at the 17 June 2026 Council Meeting.

2.2. ANSWERS TO PREVIOUS AGENDA PUBLIC QUESTIONS ON NOTICE

Answers to previous questions taken on notice at a former Council Meeting, may be included in the Minutes of this Meeting or alternatively responded to as a customer request inline with Council's *Customer Service Charter* and *Governance Rules*, available on Council's website.

Background material submitted with a question will not be recorded in the Council Meeting minutes.

NIL

2.3. SUBMITTED AGENDA PUBLIC QUESTIONS

All community member questions for Council Meetings are to be written and submitted 24 hours prior to the commencement of a Council Meeting to allow time for a response to be prepared. Reasonable efforts will be made to answer pre-submitted questions at the Meeting. Any question received after the closing time of 24 hours prior to the commencement of a Council Meeting, will be held over to the next scheduled Council Meeting.

When further time is required to prepare an answer, questions may be taken-on-notice and responses will be included in the minutes of the next Council Meeting or alternatively responded to as a customer request in line with Council's *Customer Service Charter* and *Governance Rules*, available on Council's website.

At the Meeting, the person submitting the question(s) may have the option to read out their question(s) and will be recorded in the minutes. Questions may not be allowed where the question(s) is deemed to be:

- is not relevant to any Council agenda topic
- relates to a matter outside the duties, functions and powers of Council;
- is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- deals with a subject matter already publicly answered; or is repetitious or vexatious questions from the same *Questioner*;
- is aimed at embarrassing a Councillor or a member of Council staff;
- relates to personnel matters; personal hardship of any resident or ratepayer;
- industrial matters; contractual matters; proposed developments; legal advice; law enforcement matters; or
- relates to confidential information as defined under the Act; or
- relates to matters affecting the security of Council property;
- is illegible, vague, not make sense or not be a question;
- relates to council business information and operational matters not specific to Council meeting agenda topics; and/or
- relates to any other matter which Council considers would prejudice Council or any person

A person may submit up to three (3) questions, this includes a combined total of three (3) questions for related parties or groups. The total word count of all questions submitted is to be 200 words or fewer. Background material submitted with a question will not be read out or recorded in the Council Meeting minutes.

The CEO, in consultation with the Mayor, may decide not to refer a question to a Council Meeting if there is a more appropriate way to respond. Questions and responses may be read out by the Chair or a nominated Councillor or Council staff.

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

Nil

3. NOTICES OF MOTION AND/OR RESCISSION

As per clause 25.15 of Council's Governance Rules, Deputy Mayor Snell assumed the Chair to introduce the Notice of Motion

3.1. NOTICE OF MOTION - FORMALLY OPPOSE THE REQUIREMENT FOR SEPERATE KERBSIDE GLASS BIN

PURPOSE

The purpose of this Notice of Motion is to formally oppose the requirement for a separate kerbside glass bin and write to the Victorian Minister for Environment to reconsider the compulsory glass kerbside collection service.

MOTION

I, Councillor Nathan Hersey, advise that I intend to submit the following motion to the Council Meeting scheduled to be held on 20 May 2026.

That Council:

- 1.** Formally opposes the Victorian Government's requirement for a separate kerbside glass bin.
- 2.** Writes to the Minister for Environment seeking reconsideration of the compulsory glass kerbside collection service, and requests:
- 3.** Improved transparency regarding the business case supporting the introduction of a fourth bin;
 - a.** A review of the current policy settings that extends the flexibility of Victoria's Container Deposit Scheme;
 - b.** Allow Councils to adopt alternative and locally appropriate glass recovery methods, including central drop-off points; and
 - c.** Consideration of extending or removing the 1 July 2027 deadline, which currently requires Councils to budget, plan, and procure glass bins without a clearly articulated business case.

BACKGROUND

Provisions for a full purple bin rollout for kerbside collection in South Gippsland Shire Council has not been accommodated for within the draft budget 2026/2027.

Drop off points throughout South Gippsland Shire will be more cost effective and support recycling, noting that approximately 50 per cent of residents are serviced with kerbside collections.

Improvements to the Container Deposit Scheme will have a more lasting outcome.

RESOLUTION

That Council:

- 1. Formally opposes the Victorian Government's requirement for a separate kerbside glass bin.**
- 2. Writes to the Minister for Environment seeking reconsideration of the compulsory glass kerbside collection service, and requests:**
- 3. Improved transparency regarding the business case supporting the introduction of a fourth bin;**
 - a. A review of the current policy settings that extends the flexibility of Victoria's Container Deposit Scheme;**
 - b. Allow Councils to adopt alternative and locally appropriate glass recovery methods, including central drop-off points; and**
 - c. Consideration of extending or removing the 1 July 2027 deadline, which currently requires Councils to budget, plan, and procure glass bins without a clearly articulated business case.**

RESOLUTION

MOVED: Councillor Hersey

SECONDED: Councillor Rae

CARRIED UNANIMOUSLY

Mayor Hersey resumed the Chair

4. URGENT BUSINESS

Normally no motion should be debated by Councillors unless the matter is already included as an item on the Agenda. However, in some circumstances it is possible to raise urgent motions.

Council's Governance Rules 2020, clause 23 - Urgent Business, allows for where a situation has not been provided for under the *Governance Rules*, the Council may determine the matter by resolution. Established practice has provided for urgent motions to be raised at Council provided the matter cannot be dealt with at the next Council Meeting or by Officers under delegation.

It is necessary for the Councillor wishing to raise a matter of urgent business to raise a motion similar to the following:

'That consideration of (the issue) be dealt with as a matter of urgent business and Councillor....be allowed a 'short period' to indicate the reason(s) why the matter should be considered as a matter of urgent business.' If the Chairperson accepts the motion as meeting the urgent business criteria, normal meeting procedures in *Council's Governance Rules 2020, clause 23* will apply.

If the motion to accept the item as a matter of urgent business is passed by Council, the motion relating to the specific issue can then be put and debated in the normal way.

Nil

5. COUNCIL REPORTS

5.1. FISH CREEK FOOTBALL NETBALL CLUB (FCFNC) - LEASE PROPOSAL AND ACQUISITION

Directorate:	Infrastructure Sustainability
Department:	Infrastructure Planning

Council Plan

Theme - Empowering Communities

Council assists with the planning of community and recreation facilities.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council consideration of a ground lease to the Fish Creek Football Netball Club Inc over part of John Terrill Park situated at 47 Falls Road Fish Creek for the construction of a pavilion, as well as the purchase of separate land within 47A Falls Road, Fish Creek from the Fish Creek Football Netball Club for \$170,000 for on-site wastewater management.

RECOMMENDATION

That Council:

1. Notes that no community submissions were submitted for the proposed land lease of 1654m² at John Terrill Park 47 Falls Road, Fish Creek.
2. Approves, under section 115 of the *Local Government Act 2020*, the granting of a lease over 1,654m² at John Terrill Park, 47 Falls Road, Fish Creek, to the Fish Creek Football Netball Club Inc., on the following terms:
 - a. The lease is for land only
 - b. The lease term is 50 years
 - c. Rent is the standard community rental set under Council's Leasing Policy (currently \$104.00 plus GST per annum)
 - d. The permitted use is for the construction and use of a new building for club rooms and associated community purposes
3. Approves the purchase of 47A Falls Road, Fish Creek, for \$170,000 and allocates \$170,000 from the Asset Development Reserve to fund the purchase.

4. Authorise the Chief Executive Officer, or delegate, to execute the land purchase and withdrawal from Asset Development Reserve and negotiate all the further terms and conditions to execute the lease and any associated documentation.

RESOLUTION

MOVED: Councillor Schelling

SECONDED: Councillor Rae

That Council:

1. **Notes that no community submissions were submitted for the proposed land lease of 1654m² at John Terrill Park 47 Falls Road, Fish Creek.**
2. **Approves, under section 115 of the *Local Government Act 2020*, the granting of a lease over 1,654m² at John Terrill Park, 47 Falls Road, Fish Creek, to the Fish Creek Football Netball Club Inc., on the following terms:**
 - a. **The lease is for land only**
 - b. **The lease term is 50 years**
 - c. **Rent is the standard community rental set under Council's Leasing Policy (currently \$104.00 plus GST per annum)**
 - d. **The permitted use is for the construction and use of a new building for club rooms and associated community purposes**
3. **Approves the purchase of 47A Falls Road, Fish Creek, for \$170,000 and allocates \$170,000 from the Asset Development Reserve to fund the purchase.**
4. **Authorise the Chief Executive Officer, or delegate, to execute the land purchase and withdrawal from Asset Development Reserve and negotiate all the further terms and conditions to execute the lease and any associated documentation.**

CARRIED UNANIMOUSLY

5.2. ORGANISATIONAL PERFORMANCE REPORT - 1 JULY 2025 TO 31 MARCH 2026

Directorate:	Strategy and Integrity
Department:	Governance and Integrity

Council Plan

Objective - Leading with Integrity

Council's governance is strengthened by regular organisational performance reporting against the annual actions of the 2025-2029 Council Plan and annual budget.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the Organisational Performance Report for the period of 1 July 2025 to 31 March 2026 (**Attachment [5.2.1]**) which includes the financial and organisational performance against the adopted Annual Budget and highlights progress of the 2025/26 Annual Actions of the *2025-2029 Council Plan* (Council Plan).

Council adopted 30 Annual Actions for 2025/26, in which all actions are on track to be completed by 30 June 2026.

RECOMMENDATION

That Council:

1. Receives and notes the Organisational Performance Report for the period July 2025 to March 2026 (Attachment [5.2.1]);
2. Accepts the opinion of the Chief Executive Officer, as required under s.97(3) of the *Local Government Act 2020*, that a revised budget is not required; and
3. Presents the Organisational Performance Report (Attachment [5.2.1]) for the period July 2025 to March 2026 to the 16 June 2026 Audit and Risk Committee for information.

RESOLUTION

MOVED: Councillor Hersey

SECONDED: Councillor Beach

That Council:

- 1. Receives and notes the Organisational Performance Report for the period July 2025 to March 2026 (Attachment [5.2.1]);**
- 2. Accepts the opinion of the Chief Executive Officer, as required under s.97(3) of the *Local Government Act 2020*, that a revised budget is not required; and**
- 3. Presents the Organisational Performance Report (Attachment [5.2.1]) for the period July 2025 to March 2026 to the 16 June 2026 Audit and Risk Committee for information.**

CARRIED UNANIMOUSLY

Councillor Schelling left the chambers at 2:31PM due to a declared Conflict of Interest for Agenda Item 5.3 Proposed Lease – Lewis Street Port Welshpool

5.3. PROPOSED LEASE - LEWIS STREET PORT WELSHPOOL

Directorate:	Infrastructure Sustainability
Department:	Infrastructure Planning

Council Plan

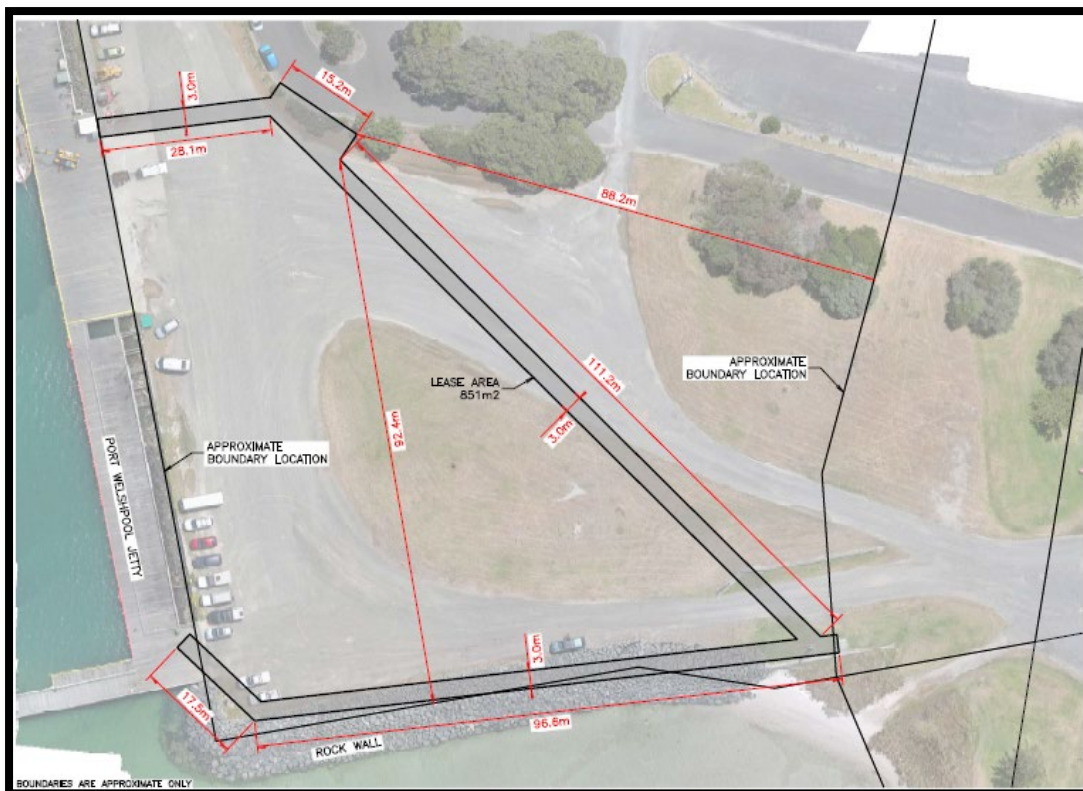
Theme - Developing a Sustainable Future

Council ensures appropriate land management processes are undertaken.

EXECUTIVE SUMMARY

This report is presented to Council to commence the statutory process to lease crown land that Council is the appointed committee of management for, to Evans Petroleum for the purposes of fuel lines and tank at part 80 Lewis Street Port Welshpool. See Figure 1.

Figure 1



RECOMMENDATION

That Council:

1. Commence the statutory process in accordance with section 115 of the Local Government Act 2020 to;
 - a. Lease and area of land 851m² situated at 80 Lewis Street Port Welshpool (shown in Figure 1.) being part crown allotment 35G section B parish of Welshpool to Evans Petroleum Pty Ltd for 21 years with a rental of \$15,000 per annum plus GST with CPI annually and market reviews every five years for the purposes of fuel lines and tank.
2. Gives public notice on Council's website and in local newspapers in the edition commencing 25 May 2026 on the proposal (item 1a) inviting written submissions to be received by 5pm 24 June 2026;
3. Authorise the Chief Executive Officer to fix the time, date and place of a meeting to hear those persons who wish to be heard in support of their submissions;
4. Receives a further report to consider any submissions and determine the outcome at the next available Council meeting.

RESOLUTION

MOVED: Councillor Williams

SECONDED: Councillor Rae

That Council:

1. **Commence the statutory process in accordance with section 115 of the Local Government Act 2020 to;**
 - a. **Lease and area of land 851m² situated at 80 Lewis Street Port Welshpool (shown in Figure 1.) being part crown allotment 35G section B parish of Welshpool to Evans Petroleum Pty Ltd for 21 years with a rental of \$15,000 per annum plus GST with CPI annually and market reviews every five years for the purposes of fuel lines and tank.**
2. **Gives public notice on Council's website and in local newspapers in the edition commencing 25 May 2026 on the proposal (item 1a) inviting written submissions to be received by 5pm 24 June 2026;**

- 3. Authorise the Chief Executive Officer to fix the time, date and place of a meeting to hear those persons who wish to be heard in support of their submissions;**
- 4. Receives a further report to consider any submissions and determine the outcome at the next available Council meeting.**

CARRIED UNANIMOUSLY

Councillor John Schelling returned to the meeting at 2:34PM

5.4. DRAFT ACCESS & INCLUSION ACTION PLAN - COMMENCEMENT OF COMMUNITY FEEDBACK PROGRAM

Directorate:	Empowering Communities
Department:	Community, Customer and Visitor

Council Plan

Theme - Empowering Communities, Healthy, Connected and Inclusive

EXECUTIVE SUMMARY

The purpose of this report is to present a draft South Gippsland Shire Council Access and Inclusion Action Plan 2026-2030 (the Plan), and request Council commence a community feedback program to support community input into the plan.

RECOMMENDATION

That Council:

1. Approve the commencement of a community Feedback program for the Draft South Gippsland Shire Council Access and Inclusion Action Plan 2026-2030 (the Plan), from 25 May 2026 for a period of four weeks; and
2. Receive a report comprising community feedback and suggested changes to the plan at a future Council meeting.

RESOLUTION

MOVED: Councillor Snell

SECONDED: Councillor Finlay

That Council:

1. **Approve the commencement of a community Feedback program for the Draft South Gippsland Shire Council Access and Inclusion Action Plan 2026-2030 (the Plan), from 25 May 2026 for a period of four weeks; and**
2. **Receive a report comprising community feedback and suggested changes to the plan at a future Council meeting.**

CARRIED UNANIMOUSLY

5.5. COMMUNITY ENGAGEMENT POLICY AND STRATEGY

Directorate:	Strategy and Integrity
Department:	Regional Partnerships

Council Plan

Theme - Leading with Integrity

A review of Council's Community Engagement Policy and Community Engagement Strategy is an action outlined in the 2025-29 Council Plan.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the *Community Engagement Policy (C06) (Attachment [5.5.1])* and *Community Engagement Strategy (Attachment [5.5.2])*.

RECOMMENDATION

That Council adopts the updated *Community Engagement Policy (C06)* and *Community Engagement Strategy*.

RESOLUTION

MOVED: Councillor Schelling

SECONDED: Councillor Beach

That Council adopts the updated *Community Engagement Policy (C06)* and *Community Engagement Strategy*.

CARRIED UNANIMOUSLY

5.6. INSTRUMENT OF APPOINTMENT - S11A PLANNING AND ENVIRONMENT ACT 1987 - HEAD OF PLANNING SERVICES

Directorate:	Strategy and Integrity
Department:	Governance and Integrity

Council Plan

Objective - Leading with Integrity

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

EXECUTIVE SUMMARY

This report recommends that Council adopts S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for staff member, David Simon, Head of Planning Services, under the *Planning and Environment Act 1987*.

RECOMMENDATION

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

1. The members of Council staff referred to in the Instrument of Appointment and Authorisation (Attachment 5.6.1) be appointed and authorised as set out in the instrument and detailed in this report; and
2. The Instrument of Appointment and Authorisation comes into force immediately when signed by Council's Chief Executive Officer. It will remain in force until such time as Council determines to vary it, or it is revoked by Council's Chief Executive Officer in the event:
 - a. the officer resigns from Council; or
 - b. is appointed to a position where this appointment and authorisation is not required or suitable.

RESOLUTION

MOVED: Councillor Beach

SECONDED: Councillor Schelling

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

- 1. The members of Council staff referred to in the Instrument of Appointment and Authorisation (Attachment 5.6.1) be appointed and authorised as set out in the instrument and detailed in this report; and**
- 2. The Instrument of Appointment and Authorisation comes into force immediately when signed by Council's Chief Executive Officer. It will remain in force until such time as Council determines to vary it, or it is revoked by Council's Chief Executive Officer in the event:**
 - a. the officer resigns from Council; or**
 - b. is appointed to a position where this appointment and authorisation is not required or suitable.**

CARRIED UNANIMOUSLY

5.7. INSTRUMENT OF DELEGATION - S6 COUNCIL TO MEMBERS OF STAFF - MAY 2026 - PLANNING AND BUILDING SERVICES UPDATES

Directorate:	Strategy and Integrity
Department:	Governance and Integrity

Council Plan

Objective - Leading with Integrity

Council's governance is strengthened by maintaining currency in the delegations and authorisations to Officers, so they can undertake the functions they are required to perform on behalf of Council.

EXECUTIVE SUMMARY

The purpose of this report is to recommend that Council adopts an updated S6 Instrument of Delegation - Council to Members of Staff (**Attachment [5.7.1]**) under the *Planning and Environment Act 2017*, due to a realignment of positions in the Planning and Building Services and Culture and Capability Departments.

RECOMMENDATION

That Council resolves that, in the exercise of the powers conferred by s.11(1) of the *Local Government Act 2020* and the other legislation referred to in the attached S6 Instrument of Delegation - Council to Members of Staff (Attachment [5.7.1]):

1. Members of Council staff holding, acting in or performing the duties of the officers or positions referred to in (Attachment [5.7.1]) be delegated with the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument of Delegation;
2. The Chief Executive Officer is authorised to sign the S6 Instrument of Delegation (Attachment [5.7.1]), to come into force immediately upon signing;
3. Upon this Instrument of Delegation (Attachment [5.7.1]) coming into force, all previous delegations from Council to members of Council staff (other than the Instrument of Delegation to the Chief Executive Officer) are revoked; and
4. The duties and functions set out in the Instrument of Delegation Attachment [5.7.1]) must be performed by Council officers delegated to do so, and the powers set out in the Instrument of Delegation must be

executed by them, in accordance with any guidelines or policies that Council may adopt.

RESOLUTION

MOVED: Councillor Schelling

SECONDED: Councillor Beach

That Council resolves that, in the exercise of the powers conferred by s.11(1) of the *Local Government Act 2020* and the other legislation referred to in the attached S6 Instrument of Delegation - Council to Members of Staff (Attachment [5.7.1]):

- 1. Members of Council staff holding, acting in or performing the duties of the officers or positions referred to in (Attachment [5.7.1]) be delegated with the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument of Delegation;**
- 2. The Chief Executive Officer is authorised to sign the S6 Instrument of Delegation (Attachment [5.7.1]), to come into force immediately upon signing;**
- 3. Upon this Instrument of Delegation (Attachment [5.7.1]) coming into force, all previous delegations from Council to members of Council staff (other than the Instrument of Delegation to the Chief Executive Officer) are revoked; and**
- 4. The duties and functions set out in the Instrument of Delegation Attachment [5.7.1]) must be performed by Council officers delegated to do so, and the powers set out in the Instrument of Delegation must be executed by them, in accordance with any guidelines or policies that Council may adopt.**

CARRIED UNANIMOUSLY

5.8. SUMMARY OF STRATEGIC BRIEFINGS - 1 MARCH 2026 - 31 MARCH 2026

Directorate:	Strategy and Integrity
Department:	Governance and Integrity

Council Plan

Theme - Leading with Integrity

Council's transparency and governance is strengthened by regularly reporting on summaries of briefings held, that assist Council to make informed decisions in Council Meetings on behalf of the community.

EXECUTIVE SUMMARY

The purpose of this report to Council is to provide a summary of the information presented to Councillors between 1 March 2026 and 31 March 2026.

This aligns with the principles of the *Local Government Act 2020* and supports transparency around Council decisions and actions.

The reporting period has been adjusted to report by calendar month. The first two weeks of March were previously reported and have been included again to ensure this report covers the full calendar month of March.

RECOMMENDATION

That Council receives and notes this report, the Summary of Strategic Briefings - 1 March 2026 - 31 March 2026.

RESOLUTION

MOVED: Councillor Snell

SECONDED: Councillor Williams

That Council receives and notes this report, the Summary of Strategic Briefings - 1 March 2026 - 31 March 2026.

CARRIED UNANIMOUSLY

5.9. DOCUMENTS SEALED, CONTRACTS VARIED, AWARDED OR EXTENDED BY CEO - 1 MARCH - 31 MARCH 2026

Directorate:	Strategy and Integrity
Department:	Financial Strategy

Council Plan

Theme - Leading with Integrity

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

EXECUTIVE SUMMARY

The purpose of this report to Council is to document the following actions undertaken by the Chief Executive Officer (CEO) which occurred during the period 1 March 2026 - 31 March 2026. Council's *Procurement Policy (C32)*, *General Local Law 2024* and *Planning and Environment Act 1987* requires the CEO to report to Council any of the following actions undertaken to the next appropriate Meeting:

- Documents sealed;
- Contracts awarded by Council after a public tender process;
- Contracts awarded after a public tender process within the CEO's delegation; and
- Contract variations approved by the CEO above contingency.

The reporting period has been adjusted to report by calendar month. The first two weeks of March were previously reported and have been included again to ensure this report covers the full calendar month of March.

RECOMMENDATION

That Council receives and notes this report Documents Sealed, Contracts Varied, Awarded or Extended by CEO – 1 March 2026 – 31 March 2026 those being:

1. Documents Sealed:
 - a. Section 173 Agreement between South Gippsland Shire Council and the owner of 61 to 63 Whitelaw Street, Meeniyah for a four-lot subdivision. Seal applied 5 March 2026.

- b. Deed of Amendment to Section 173 Agreement between South Gippsland Shire Council and the owner of 66 and 80 Bena Road, Korumburra for subdivision of land. Seal applied 5 March 2026
- 2. Contracts awarded by Council after a public tender process:
 - a. Nil
- 3. Contracts awarded after a public tender process within the CEO's delegation:
 - a. Nil
- 4. Contract variations approved by the CEO above contingency:
 - a. Nil

RESOLUTION

MOVED: Councillor Williams
SECONDED: Councillor Schelling

That Council receives and notes this report Documents Sealed, Contracts Varied, Awarded or Extended by CEO – 1 March 2026 – 31 March 2026 those being:

- 1. Documents Sealed:**
 - a. Section 173 Agreement between South Gippsland Shire Council and the owner of 61 to 63 Whitelaw Street, Meeniyan for a four-lot subdivision. Seal applied 5 March 2026.**
 - b. Deed of Amendment to Section 173 Agreement between South Gippsland Shire Council and the owner of 66 and 80 Bena Road, Korumburra for subdivision of land. Seal applied 5 March 2026**
- 2. Contracts awarded by Council after a public tender process:**
 - a. Nil**
- 3. Contracts awarded after a public tender process within the CEO's delegation:**
 - a. Nil**
- 4. Contract variations approved by the CEO above contingency:**
 - a. Nil**

CARRIED UNANIMOUSLY

6. COUNCILLOR REPORTS

6.1. COUNCILLOR REPORTS

Nil

6.2. REQUESTS FOR LEAVE OF ABSENCE

Nil

6.3. COUNCILLOR UPDATES

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

- Acknowledged participation in Community Engagements throughout the month

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

- Spoke on cost-of-living crisis

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

- Spoke on the Council Plan and grant applications available
- Spoke on the Arts space, highlighting Eat Pray Walk Comedy Show and Lyric Theatre's upcoming show, Billy Elliot
- Acknowledged Wear Orange Wednesday for Volunteer week and encouraged the community to check-in with volunteers in the community and thank them for their work

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

- Spoke on the Art's space and highlighted a number of local artists
- Encouraged community to view the Visit Gippsland website
- Attended the Tea Cosy Festival Opening
- Acknowledged Wear Orange Wednesday for National Volunteer week
- Spoke on ANZAC day and attendance at the Nyora and Korumburra services

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

- Acknowledged the importance of Volunteerism
- Paid tribute to the recent passing of a Korumburra Community Member, Kevin “Coog” Smith
- Attended Council’s Career Expo
- Congratulated Mt Eccles Hall for their recent refurbishments to the building, with the collaboration of community fundraising and Council’s awarded grant funding
- Spoke on ANZAC day and attendance at the Leongatha service
- Acknowledged attendance at multiple small community group meetings
- Attended the Mirboo North Railway station public meeting, accompanied by Councillor Snell
- Attended the stakeholders business breakfast meeting
- Attended the Fish Creek Streetscape Opening
- Attended the Gippsland Sports Awards night and praised a number of members in the sporting community for their efforts and achievements
- Attended a GoGirls Foundation competition, accompanied by Councillor Rae
- Attended meeting with Tom McIntosh MP regarding local initiatives

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

- Attended meeting with OneGippsland, regarding energy transmission options
- Attended Ward Focus Day in Toora
- Attended Myli Board meeting
- Acknowledged attendance at multiple small community group meetings
- Attended the Fish Creek Streetscape Opening
- Attended meeting with Tom McIntosh MP regarding local initiatives
- Attended Yanakie Fundraising Dinner
- Attended Heritage Precincts Community Engagement Sessions
- Attended the Tea Cosy Festival

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

- Attended Grand Ridge Brewery soft opening event
- Attended the stakeholder's business breakfast meeting
- Attended Fish Creek Streetscape opening
- Attended Tea Cosy Festival Opening
- Spoke on and acknowledged IDAHOBIT Day
- Attended Live4Life induction day with Mayor Hersey and spoke on the importance of this program regarding youth mental health
- Attended meeting with Tom McIntosh MP regarding local initiatives
- Spoke on National Volunteer Week, with a special acknowledgement to Road Accident Rescue
- Spoke on the growth in South Gippsland and encouraged local contractors to get involved in upcoming projects
- Spoke on ANZAC day and acknowledged the services at the Leongatha, Mirboo North and Mt Eccles
- Attended the Candlelit Vigil to support Family Violence awareness
- Attended Heritage Precincts Community Engagement Sessions

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

- Spoke on the Notice of Motion adopted by Council
- Attended meeting with Tom McIntosh MP regarding local initiatives and spoke on the importance of utilising investment opportunities for the community
- Attended meeting with Mary Aldred regarding the Agriculture and Business sectors
- Attended meeting with David Davis, Victorian Shadow Minister for Energy and Emissions Reduction
- Acknowledged attendance at multiple small community group meetings and Meet the Mayor sessions
- Highlighted the next Connect with a Councillor session will be held at Loch Public Hall on 3 June 2026
- Attended Kongwak Butter Factory, regarding a large development project

- Reflected on ANZAC day, thanked organisers of services across the Shire and spoke on attendance at the Korumburra service
- Spoke on National Volunteer Week and Wear it Orange Wednesday
- Attended Biodiversity Forum in Leongatha
- Attended Live4Life induction day with Councillor Snell and spoke on the importance of this program regarding youth mental health
- Attended Heritage Precincts Community Engagement Sessions in Loch and Korumburra
- Attended Tea Cosy Festival Opening
- Paid tribute to the recent passing of a Foster Community Member, David Bartley, and spoke on their leadership within the VICSES

7. CLOSED SESSION

The *Local Government Act 2020* (the Act), section 66 provides that if a council or delegated committee determines that a meeting is to be closed to the public to consider confidential information, the Council or delegated committee must record in the minutes of the meeting that are available for public inspection –

- a) the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of ***confidential information*** in section 3(1); and
- b) an explanation of why the specified ground or grounds applied.

The Act defines ***confidential information*** in s.3(1)(a)-(l), and includes information that may prejudice or impact; commercial negotiations, the security of Council, land use planning, law enforcement, legal privilege, personal information, private commercial information, confidential meeting information, internal arbitration, Councillor conduct panel information and information specified under s.77 of the previous *Local Government Act 1989*.

Once confidential information has been considered and decided in a closed session of a Council Meeting, a further resolution to resume open Council is required.

RECOMMENDATION

That Council pursuant to section 66(5)(a) and (b) of the *Local Government Act 2020* close the Council Meeting to the public to consider the following confidential information:

1. **Per s.3(1)(f) Agenda item 9.1 – PERSONAL INFORMATION - s.181 Prejudicial Matter Sale of Property to Recover Unpaid Rates, designated as personal information,**
 - a. **being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs; and**
 - b. **The grounds for designation have been made to protect the privacy of an individual's personal information.**

RESOLUTION

MOVED: Councillor Rae

SECONDED: Councillor Schelling

That the meeting be moved into closed session.

CARRIED UNANIMOUSLY

The meeting moved into closed session at 3:25PM

8. MEETING CLOSED

NEXT MEETING

The next Council Meeting open to the public will be held on Wednesday, 17 June 2026 commencing at 2:00pm in the Council Chambers, Leongatha.

The Council Meeting concluded at 3:31PM