SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting Minutes

Wednesday 16 September 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 16 September 2026
Council Chambers, Leongatha,
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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:	*Coastal Promontory Ward* Councillor Steve Finlay Councillor Scott Rae Councillor Sarah Gilligan *Strzelecki Ward* Councillor Nathan Hersey, Mayor Councillor John Kennedy Councillor Bron Beach *Tarwin Valley Ward* Councillor Brad Snell, Deputy Mayor Councillor John Schelling
NOT PRESENT:	Councillor Clare Williams
OFFICERS:	Allison Jones, Chief Executive Officer Tony Peterson, Executive Director Strategy and Integrity Lucas Gardiner, Executive Director Empowering Communities David Fice, Executive Director Infrastructure Sustainability Rhys Matulis, Manager Governance and Integrity Jodi Cumming, Coordinator Governance Ally Low, Governance Officer Thomas Hender, Senior Technology Support Officer Will Beasley, Technology Support Officer

1. PRELIMINARY MATTERS

1.1. LIVE-STREAMING COUNCIL MEETING DISCLAIMER

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

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

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

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

Thank you

1.2. WELCOME TO THE COUNCIL MEETING

Public Questions
In accordance with 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 Rae

1.4. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

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

The Acknowledgment of Traditional Custodians was read by Councillor Gilligan

1.5. APOLOGIES

Councillor Clare Williams

1.6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council Meeting held on 19 August 2026 in the Council Chambers, Leongatha be confirmed.

RESOLUTION

MOVED: Councillor Gilligan
SECONDED: Councillor Beach

That the Minutes of the South Gippsland Shire Council Meeting held on 19 August 2026 in the Council Chambers, Leongatha be confirmed.

CARRIED UNANIMOUSLY

1.7. DECLARATION OF CONFLICTS OF INTEREST FOR COUNCILLORS

The *Local Government Act 2020* (the Act), Division 2 sets out the requirements relating to 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.

Nil

1.8. DECLARATION OF CONFLICTS OF INTEREST FOR STAFF

The *Local Government Act 2020* (the Act), Division 2 sets out the requirements relating to 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.

Allison Jones, Chief Executive Officer has declared a Material Conflict of Interest in relation to Confidential Agenda Item 9.2 PRIVATE INFORMATION - CEO Employment and Remuneration Committee Report, as it directly relates to the Chief Executive Officer role at Council.

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.

Nil

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.

Council received one public question from Mr David Amor in relation to Council Meeting Agenda Item 5.2 Aquatics options paper.

Question:

Swimming pools. this week in chambers. Please supply costs on splash pool and Basketball stadium. separate costs in last 2,3 years and last 10.

Officer Response:

The Aquatics Options Paper attached in Council Meeting Agenda Item 5.2 sets out a breakdown of costs across three categories: operations, capital, and maintenance covering the last four years. The paper is focused solely on aquatics and does not extend to other parts of the Splash building, outside the aquatic's facility.

Secondly, the basketball stadium costs sit outside the scope of the Aquatics paper, so they have not been reported on as part of this item.

Next steps: the report and options paper are being considered by Council at today's meeting, to resolve on how we proceed. The Officer recommendation is that Council endorse the paper for community engagement. If Council agrees, there will be a further opportunity for the community to comment on the aquatics proposals.

3. NOTICES OF MOTION AND/OR RESCISSION

3.0. NIL

4. URGENT BUSINESS

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

Council's *Governance Rules 2020*, *clause 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. AQUATICS OPTIONS PAPER

Directorate:	Infrastructure Sustainability
Department:	Infrastructure Planning

Council Plan
Theme - Leading with Integrity

Council engages widely in its stewardship role.

EXECUTIVE SUMMARY

This report seeks to release the Aquatic Options Paper (**Attachment [5.1.1]**) (the Paper) for community engagement from 21 September 2026 to 25 October 2026.

Council manages six aquatic facilities for 31,109 residents — one pool for every 5,184 people, against a national average of one per 12,826, and the highest level of provision in Gippsland.

Sustaining all six venues over the next fifteen years is estimated at $78M: the $37M already committed in the Long-Term Financial Plan for operations, maintenance and capital, plus a further $41M is required for full renewal. Three of the sites are at, or near, the end of their useful life.

The Paper sets out the evidence — asset condition, twenty years of visitation, operating and maintenance costs, and the capital renewal required at each venue.

Council is seeking community feedback to inform future decisions on aquatics services, as it is considering options that may include reducing the number of aquatic facilities, including the potential closure of one or more pools.

RECOMMENDATION

That Council:

1. Notes the Aquatic Options Paper (Attachment [5.1.1]);

2. Endorses the release of the Aquatic Options Paper (Attachment [5.1.1]) for community engagement from 21 September 2026 to 25 October 2026, in accordance with *Council's Community Engagement Strategy 2026-2029*; and

3. Notes that a future report will be presented to Council outlining the outcomes of the community engagement process and feedback received.

Councillor Schelling raised a motion different to the Officer recommendation.

RECOMMENDATION

That Council:

1. Notes the Aquatic Options Paper (Attachment [5.1.1]);

2. Endorses the release of the Aquatic Options Paper (Attachment [5.1.1]) for community engagement for an extended period from 21 September 2026 to 6 December 2026, in accordance with Council's Community Engagement Strategy 2026-2029; and

3. Notes that a future report will be presented to Council outlining the outcomes of the community engagement process and feedback received.

RESOLUTION

MOVED: Councillor Schelling
SECONDED: Councillor Rae

That Council:

1. **Notes the Aquatic Options Paper (Attachment [5.1.1]);**
2. **Endorses the release of the Aquatic Options Paper (Attachment [5.1.1]) for community engagement for an extended period from 21 September 2026 to 6 December 2026, in accordance with Council's Community Engagement Strategy 2026-2029; and**
3. **Notes that a future report will be presented to Council outlining the outcomes of the community engagement process and feedback received.**

That Mayor Hersey be granted up to 3-minute extension of speaking time.

MOVED: Councillor Beach
SECONDED: Councillor Rae

CARRIED

That Councillor Gilligan be granted up to 3-minute extension of speaking time.

MOVED: Councillor Schelling
SECONDED: Councillor Rae

CARRIED

The Chair called the item to a vote and the Motion was CARRIED.

Mayor Hersey called for a division.

FOR: Councillor Gilligan, Councillor Schelling, Councillor Beach, Councillor Snell, Councillor Hersey, Councillor Rae, Councillor Finlay and Councillor Kennedy.

AGAINST:

The motion was CARRIED UNANIMOUSLY

5.2. 2025/26 FINANCIAL REPORT AND PERFORMANCE STATEMENT - AUTHORISATION OF CERTIFICATION

Directorate:	Strategy and Integrity
Department:	Governance and Integrity

Council Plan
Theme - Leading with Integrity

The 2025/26 Financial Statements and Performance Statement provides an overview of Council's performance for the 2025/26 financial year to the community and aligns with the Local Government Act 2020.

EXECUTIVE SUMMARY

The purpose of this report is to present the 2025/26 Financial Statement (**Attachment [5.2.1]**) and Performance Statement (Statements) (**Attachment [5.2.2]**); including the Governance and Management Checklist **(Attachment [5.2.3]**) to Council for consideration.

It is recommended that Council provide in-principle approval to the Statements and authorise two Councillors to certify the Statements in their final form on behalf of Council for the year ended 30 June 2026, in accordance with the requirements of the *Local Government Act 2020*.

RECOMMENDATION

That Council:

1. Provides "in principle" approval to the Financial Statement (Attachment [5.2.1]) and Performance Statement (Attachment [5.2.2]) for the year ended 30 June 2026;

2. Authorises the Mayor - Councillor Nathan Hersey, Councillor Sarah Gilligan as member of Council's Audit and Risk Committee, Council's Chief Executive Officer, Allison Jones and Principal Accounting Officer, Taryn Macfarlane to certify the Financial and Performance Statements on behalf of Council for the year ended 30 June 2026;

3. Authorises the Mayor - Councillor Nathan Hersey and Council's Chief Executive Officer, Allison Jones to certify the 2025/26 Governance and Management Checklist (Attachment [5.1.3]), on behalf of Council;

4. Sends the Annual Performance and Financial Statements for the year ended 30 June 2026 to the Victorian Auditor-General's Office (VAGO) for certification; and

5. Authorises the Chief Executive Officer to make any administrative and non-material changes to the Statements as recommended by the Victorian Auditor-General's Office (VAGO); and

6. Upon receipt of the Independent Auditor's Report, include this with the Financial Statement and Performance Statements, combine these documents with the Report of Operations to be endorsed by Council on 21 October 2026, to form the full 2025/26 Annual Report.

An administrative amendment was made to the attachment reference number in resolution three of the Motion during the debate and before Council decision.

RESOLUTION

MOVED: Councillor Beach
SECONDED: Councillor Gilligan

That Council:

1. **Provides "in principle" approval to the Financial Statement (Attachment [5.2.1]) and Performance Statement (Attachment [5.2.2]) for the year ended 30 June 2026;**

2. **Authorises the Mayor - Councillor Nathan Hersey, Councillor Sarah Gilligan as member of Council's Audit and Risk Committee, Council's Chief Executive Officer, Allison Jones and Principal Accounting Officer, Taryn Macfarlane to certify the Financial and Performance Statements on behalf of Council for the year ended 30 June 2026;**

3. **Authorises the Mayor - Councillor Nathan Hersey and Council's Chief Executive Officer, Allison Jones to certify the 2025/26 Governance and Management Checklist (Attachment [5.2.3]), on behalf of Council;**

4. **Sends the Annual Performance and Financial Statements for the year ended 30 June 2026 to the Victorian Auditor-General's Office (VAGO) for certification; and**

5. **Authorises the Chief Executive Officer to make any administrative and non-material changes to the Statements as recommended by the Victorian Auditor-General's Office (VAGO); and**

6. Upon receipt of the Independent Auditor's Report, include this with the Financial Statement and Performance Statements, combine these documents with the Report of Operations to be endorsed by Council on 21 October 2026, to form the full 2025/26 Annual Report.

CARRIED UNANIMOUSLY

5.3. CONTRACT AWARD DELEGATION - SAFE LOCAL ROADS AND STREETS PROGRAM

Directorate:	Infrastructure Sustainability
Department:	Infrastructure Delivery

Council Plan
Theme - Empowering Communities

The road safety works proposed utilising funding from the Safe Local Roads and Streets Program align with Council's strategy of planning for connected communities through improved transport networks.

EXECUTIVE SUMMARY

This report seeks approval for the Chief Executive Officer (CEO) to have delegated authority from Council to award contracts for the timely delivery of projects in 2026/27 utilising allocated funding from the Victorian Government's Safe Local Roads and Streets Program.

As part of the funding was not secured until after the 2026/27 Annual Budget was developed, the CEO does not have implicit delegation to award the full value of contracts in the Program under *S5 Instrument of Delegation to Chief Executive Officer*.

RECOMMENDATION

That Council delegate to the Chief Executive Officer the authority to award contracts for works funded under the Safe Local Roads and Streets Program in 2026/27, subject to the total value of the contracts being within the approved funding allocation of $2,849,000 plus GST.

RESOLUTION

MOVED: Councillor Schelling
SECONDED: Councillor Rae

That Council delegate to the Chief Executive Officer the authority to award contracts for works funded under the Safe Local Roads and Streets Program in 2026/27, subject to the total value of the contracts being within the approved funding allocation of $2,849,000 plus GST.

CARRIED UNANIMOUSLY

5.4. POLICY REVIEW AND REVOCATION - COAL CREEK COMMUNITY PARK AND MUSEUM COLLECTION POLICY (C05)

Directorate:	Empowering Communities
Department:	Community, Customer and Visitor

Council Plan

Theme – Empowering Communities

Enrich the lives of all community members through community and cultural events, skills development, creative industries, sport, recreation and performance spaces.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider revoking the *Coal Creek Community Park Museum and Collection Policy* (C05) as a Council Policy to allow for its reclassification as a Chief Executive Officer Policy.

RECOMMENDATION

That Council:

1. Revokes the Coal Creek Community Park Museum and Collection Policy (C05) (Attachment [5.4.1]);

2. Notes that the Coal Creek Community Park Museum and Collection Policy (C05) (Attachment [5.4.1]) will be removed from Council's website;

3. Notes that a revised Coal Creek Cultural Collection Policy will be administered as a Chief Executive Policy; and

4. Notes that information will be provided to the community on the Coal Creek Cultural Collection with guidelines published on Council's website, outlining collection management principles and public access arrangements.

RESOLUTION

MOVED: Councillor Beach
SECONDED: Councillor Schelling

That Council:

1. **Revokes the Coal Creek Community Park Museum and Collection Policy (C05) (Attachment [5.4.1]);**

2. **Notes that the Coal Creek Community Park Museum and Collection Policy (C05) (Attachment [5.4.1]) will be removed from Council's website;**

3. **Notes that a revised Coal Creek Cultural Collection Policy will be administered as a Chief Executive Policy; and**

4. **Notes that information will be provided to the community on the Coal Creek Cultural Collection with guidelines published on Council's website, outlining collection management principles and public access arrangements.**

CARRIED UNANIMOUSLY

5.5. POLICY REVIEW: PUBLIC TRANSPARENCY POLICY (C75) - FOLLOWING COMMUNITY CONSULTATION FEEDBACK

Directorate:	Strategy and Integrity
Department:	Governance and Integrity

Council Plan
Theme - Leading with Integrity

A review of Council's Public Transparency Policy to ensure good governance, promote transparency and support the community through publicly available information.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the *Public Transparency Policy (C75)* **(Attachment [5.5.1]**) following community consultation from 16 July 2026 to 12 August 2026.

There were four submissions received during this consultation period.

RECOMMENDATION

That Council:

1. Adopts the *Public Transparency Policy (C75*) (Attachment [5.5.1]) and the Engagement Report: Draft Public Transparency Policy (Attachment [5.5.2]); and

2. Writes to submitters for the *Draft Public Transparency Policy (C75*) to thank them for their submission as part of the community consultation from 16 July 2026 to 12 August 2026.

RESOLUTION

MOVED: Councillor Gilligan
SECONDED: Councillor Beach

That Council:

1. **Adopts the *Public Transparency Policy (C75*) (Attachment [5.5.1]) and the Engagement Report: Draft Public Transparency Policy (Attachment [5.5.2]); and**

2. **Writes to submitters for the *Draft Public Transparency Policy (C75*) to thank them for their submission as part of the community consultation from 16 July 2026 to 12 August 2026.**

CARRIED UNANIMOUSLY

5.6. POLICY REVIEW: COUNCILLOR-EMPLOYEE INTERACTION AND ACCESS TO COUNCIL INFORMATION POLICY

Directorate:	Strategy and Integrity
Department:	Governance and Integrity

Council Plan

Theme - Leading with Integrity

A review and revocation of a suite of governance policies to ensure Councils policy framework remains current, effective and compliant to legislation. To provide clear guidance to Councillors on interactions with employees, access to Council business information and record management obligations.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the revised *Councillor-Employee Interaction and Access to Information Policy (C105)* (**Attachment [5.6.1]**) from an internal procedural policy to a Council Policy.

Council is also to consider the recommendation of revoking the *Councillor Access to Council Information Policy (C66)* (**Attachment [5.6.2]**) as this Policy is operational and is no longer required with relevant parts of the Policy included in the revised *Councillor-Employee Interaction and Access to Information Policy (C105)*.

RECOMMENDATION

That Council:

1. Adopts the *Councillor-Employee Interaction and Access to Information Policy (C105)* (Attachment [5.6.1]) as a Council Policy; and

2. Revokes Council's *Councillor Access to Council Information Policy (C66)* (Attachment [5.6.2]).

RESOLUTION

MOVED: Councillor Beach
SECONDED: Councillor Rae

That Council:

1. **Adopts the *Councillor-Employee Interaction and Access to Information Policy (C105)* (Attachment [5.6.1]) as a Council Policy; and**

2. **Revokes Council's *Councillor Access to Council Information Policy (C66*) (Attachment [5.6.2]).**

CARRIED UNANIMOUSLY

5.7. POLICY REVOCATION: RISK MANAGEMENT POLICY (C35) AND HUMAN RIGHTS POLICY (C52)

Directorate:	Strategy and Integrity
Department:	Governance and Integrity

Council Plan
Theme - Leading with Integrity

A review and revocation of a suite of governance policies to ensure Council's policy framework remains current, effective and compliant to legislation.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the recommendation of revoking Council's *Risk Management Policy (C35)* (**Attachment [5.7.1]**) and *Human Rights Policy (C52)* (**Attachment [5.7.2]**).

Council's *Risk Management Policy (C25)* is recommended to be revoked and considered as an internal Council Policy.

Council's *Human Rights Policy (C52)* is recommended to be revoked as Council is obligated to act in accordance with the *Charter of Human Rights and Responsibilities Act 2006 (Charter)* and a specific policy is not required.

RECOMMENDATION

That Council revokes Council's *Risk Management Policy (C35*) (Attachment [5.7.1]) and *Human Rights Policy (C52)* (Attachment [5.7.2]).

RESOLUTION

MOVED: Councillor Schelling
SECONDED: Councillor Rae

That Council revokes Council's *Risk Management Policy (C35*) (Attachment [5.7.1]) and *Human Rights Policy (C52)* (Attachment [5.7.2]).

CARRIED UNANIMOUSLY

5.8. INSTRUMENT OF DELEGATION - S6 COUNCIL TO MEMBERS OF STAFF - SEPTEMBER 2026

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 – September 2026 (**Attachment [5.9.1]**) to include the bi-annual recommended updates through legal advice and position title changes in the Financial Strategy Department.

RECOMMENDATION

That Council resolves that, in the exercise of the powers conferred by section 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 [5.9.1]):

1. Members of Council staff holding, acting in or performing the duties of the officers or positions referred to in (Attachment [5.9.1]) 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 [5.9.1]), to come into force immediately upon signing;

3. Upon this Instrument of Delegation (Attachment [5.9.1]) 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 [5.9.1]) 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.

An administrative amendment was made to the attachment reference number within the Motion during the debate and before Council decision.

RESOLUTION

MOVED: Councillor Gilligan
SECONDED: Councillor Rae

That Council resolves that, in the exercise of the powers conferred by section 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 [5.8.1]):

1. **Members of Council staff holding, acting in or performing the duties of the officers or positions referred to in (Attachment [5.8.1]) 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 [5.8.1]), to come into force immediately upon signing;**

3. **Upon this Instrument of Delegation (Attachment [5.8.1]) 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 [5.8.1]) 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

5.9. SUMMARY OF STRATEGIC BRIEFINGS - 1 JULY 2026 - 31 JULY 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 July 2026 and 31 July 2026.

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

RECOMMENDATION

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

RESOLUTION

MOVED: Councillor Gilligan
SECONDED: Councillor Schelling

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

CARRIED UNANIMOUSLY

5.10. DOCUMENTS SEALED, CONTRACTS VARIED, AWARDED OR EXTENDED BY THE CEO - 1 JULY 2026 - 31 JULY 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 July 2026 to 31 July 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.

RECOMMENDATION

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

1. Documents Sealed:
    a. Nil
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. CON/471-B for the Panel of Suppliers for Supply of Asphalt Materials awarded to A1 Asphalting Supplies Pty Ltd on a Schedule of Rates basis, signed by CEO 10 July 2026.

   b. CON/467 for the Provision of HVAC Maintenance Services awarded to Mickerri Pty Ltd ITF McGrath Family Trust, trading as South Gippsland Air Conditioning for an annual lump sum of $29,890 ex GST and schedule of rates items, signed by CEO 15 July 2026.

   c. CON/471-A for the Panel of Suppliers for Supply of Asphalt Materials awarded to Gippsland Asphalt Pty Ltd on a Schedule of Rates basis, signed by CEO 16 July 2026.

   d. CON/462 for the Repair of Landslip at Silcock's Hill Road, Toora, awarded to McInnes Earthmoving Pty Ltd for a lump sum of $206,301.01 ex GST, signed by CEO 16 July 2026.

   e. CON/463 for the Resheet Program 26/27, Unsealed Roads, awarded to: Hugh Patrick Py Ltd, trading as BJs Earthmoving for a lump sum of $524,982.09, David Harris Earthmoving Pty Ltd for a lump sum of $645,318.53, ACE Earthmoving (Victoria) Pty Ltd for a lump sum of $296,987.70 and Sure Constructions Pty Ltd for a lump sum of $306,899.64, signed by CEO 27 July 2026.

4. Contract variations approved by the CEO above contingency:

   a. Nil

5. Contract Extensions approved by the CEO:

   a. Nil

RESOLUTION

MOVED: Councillor Schelling
SECONDED: Councillor Rae

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

1. Documents Sealed:

   a. Nil

2. Contracts awarded by Council after a public tender process:

b. Nil

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

a. CON/471-B for the Panel of Suppliers for Supply of Asphalt Materials awarded to A1 Asphalting Supplies Pty Ltd on a Schedule of Rates basis, signed by CEO 10 July 2026.

b. CON/467 for the Provision of HVAC Maintenance Services awarded to Mickerri Pty Ltd ITF McGrath Family Trust, trading as South Gippsland Air Conditioning for an annual lump sum of $29,890 ex GST and schedule of rates items, signed by CEO 15 July 2026.

c. CON/471-A for the Panel of Suppliers for Supply of Asphalt Materials awarded to Gippsland Asphalt Pty Ltd on a Schedule of Rates basis, signed by CEO 16 July 2026.

d. CON/462 for the Repair of Landslip at Silcock's Hill Road, Toora, awarded to McInnes Earthmoving Pty Ltd for a lump sum of $206,301.01 ex GST, signed by CEO 16 July 2026.

e. CON/463 for the Resheet Program 26/27, Unsealed Roads, awarded to: Hugh Patrick Py Ltd, trading as BJs Earthmoving for a lump sum of $524,982.09, David Harris Earthmoving Pty Ltd for a lump sum of $645,318.53, ACE Earthmoving (Victoria) Pty Ltd for a lump sum of $296,987.70 and Sure Constructions Pty Ltd for a lump sum of $306,899.64, signed by CEO 27 July 2026.

4. Contract variations approved by the CEO above contingency:

b. Nil

5. Contract Extensions approved by the CEO:

b. Nil

CARRIED UNANIMOUSLY

6. COUNCILLOR REPORTS

6.1. COUNCILLOR REPORTS

Nil

6.2. REQUESTS FOR LEAVE OF ABSENCE

Nil

6.3. COUNCILLOR UPDATES

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

- Met with representatives of IURC regarding renewable energy and materials, accompanied by the Mayor.
- Participated in a Connect with a Councillor session at the Port Welshpool Ferry Terminal.
- Attended the Rural Councils Victoria Annual General Meeting, accompanied by the CEO.
- Attended the South Gippsland Scouts Awards Night.

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

- Attended the Gippsland Dairy Expo.
- Attended the Gippsland Football and Netball Grand Final Day in Meeniyan.
- Attended a number of local community meetings, including the Sandy Point Community AGM, Wild Goats Gallery, Managum Community House and South Gippsland Action Group.
- Spoke on the importance of community groups and their contribution to the local community.

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

- Spoke about financial hardship experienced by members of the Victorian community.

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

- Attended the Australian Local Government Women's Association 75th Anniversary event.
- Attended the Audit and Risk Committee meeting.
- Thanked Councillor Finlay for attending the Sandy Point Community AGM on their behalf.
- Met with the President of the Australian Coastal Councils Association and Ms Mary Aldred regarding environmental matters.
- Spoke about the importance of connecting with community groups.

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

- Attended the annual SEATS meeting.
- Attended the Australian Local Government Women's Association (ALGWA) Conference in Canberra.
- Met with community members regarding planning ideas.
- Attended the Gippsland Dairy Expo.
- Congratulated Councillor Gilligan on their nomination for the Mary Rodgers Award through ALGWA.
- Attended the Regional Writing Summit.
- Spoke about local football and netball grand finals.

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

- Congratulated Councillor Gilligan on their nomination for the Mary Rodgers Award through the Australian Local Government Women's Association (ALGWA).
- Spoke about the use of social media.
- Spoke about the upcoming school holidays.

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

- Attended the Mirboo North Scouts Annual General Meeting.
- Attended the Gippsland Business Awards.
- Attended the Dairy Legends Breakfast and Gippsland Dairy Expo.
- Attended the Inspiring Young People Mentoring Program (LSGBCLLEN)

- Attended a visit to Mirboo North Primary School with the Mayor, Councillor Hersey.
- Attended the SES Annual Dinner and Awards Night.
- Reminded the community about the upcoming Parma with a Farmer event.
- Spoke about the Mirboo North Resilience Hub.

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

- Attended a sod-turning ceremony.
- Attended a meeting with residents regarding heritage matters.
- Reminded the community that consultation on the Heritage Precinct is currently open.
- Opened the Daffodil and Flower Festival in Leongatha.
- Attended Foster Secondary College to hear about Indigenous community engagement and share information about local heritage and art.
- Attended the Gippsland Business Awards.
- Attended the Gippsland Dairy Expo.
- Attended the Inspiring Young People Mentoring Program (LSGBCLLEN)
- Attended Council’s employee induction day.
- Attended the SES Annual Dinner and Awards Night.
- Attended Nyora Primary School.
- Spoke about the Coal Creek “Out of the Box” exhibition

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) and (g) Agenda item 9.1 – PERSONAL INFORMATION AND PRIVATE COMMERCIAL INFORMATION - Commercial Lease Update, designated as private commercial information,

    a. s.3(1)(f) Being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs; and

    b. s.3(1)(g) Being information provided by a business, commercial or financial undertaking that –

        i. Relates to trade secrets; or

        ii. If released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and

    c. The grounds for designation have been made to protect the privacy of an individual’s personal information.

2. Per s.3(1)(f) Agenda item 9.2 PRIVATE INFORMATION - CEO Employment and Remuneration Committee Report, 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 Gilligan

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) and (g) Agenda item 9.1 – PERSONAL INFORMATION AND PRIVATE COMMERCIAL INFORMATION - Commercial Lease Update, designated as private commercial information,

   a. s.3(1)(f) Being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs; and

   b. s.3(1)(g) Being information provided by a business, commercial or financial undertaking that –

      i. Relates to trade secrets; or

      ii. If released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and

   c. The grounds for designation have been made to protect the privacy of an individual's personal information.

2. Per s.3(1)(f) Agenda item 9.2 PRIVATE INFORMATION - CEO Employment and Remuneration Committee Report, 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.

CARRIED UNANIMOUSLY

8. MEETING CLOSED

NEXT MEETING

The next Council Meeting open to the public will be held on Wednesday, 21 October 2026 commencing at 2:00pm in the Council Chambers, Leongatha.

The meeting moved into closed session at 3:42PM.

The meeting concluded at 3:58PM.