



South Gippsland
Shire Council

Come for the beauty, Stay for the lifestyle

COUNCIL MINUTES

**ORDINARY MEETING NO. 355
WEDNESDAY 22 FEBRUARY 2012
COUNCIL CHAMBERS, LEONGATHA
COMMENCED AT 2PM**

PRESENT:

Mayor: Cr Warren Raabe
Deputy Mayor: Cr Mohya Davies
Councillors: James Fawcett, Mimmie Jackson, Kieran Kennedy, David Lewis, Jeanette Harding, Jennie Deane and Robert Newton.

OFFICERS:

Tim Tamlin	Chief Executive Officer
Jan Martin	Director Community Services
Phil Stone	Director Development Services
June Ernst	Director Corporate Services
David Roche	Governance Coordinator
Natasha Berry	Governance Officer
Tony Price	Manager Engineering Services
Geoff McKinnon	Manager Sustainability
Paul Stampton	Manager Strategic Planning and Development
Ned Dennis	Manager Community Strengthening
Ian Murphy	Recreation Coordinator
Danielle Todaro	Tourism Coordinator
Gabby Roughead	Executive Assistant to Director Community Services
Brodie Owen	Executive Assistant Corporate Services
Craig Lyon	Strategic Planning Coordinator
Fiona Mottram	Strategic Planning Officer
Stephanie Northover	Planning & Building Administration Officer
Lyndal Peterson	Sustainability Advisor
Christine Hamilton	Sustainability Officer
Marzia Maurilli	Community Facilitator

MISSION

To effectively plan and provide for the social, built, economic and natural environments that ensure the future wellbeing of South Gippsland Communities.

SOUTH GIPPSLAND SHIRE COUNCIL

ORDINARY MEETING NO. 355 WEDNESDAY 22 FEBRUARY 2012 COUNCIL CHAMBERS, LEONGATHA COMMENCED AT 2PM

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Tim Tamlin
Chief Executive Officer

SECTION A - PRELIMINARY MATTERS

A.1 Opening Prayer – The Deputy Mayor

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

Amen

A.2 Acknowledgement of Traditional Custodians – The Mayor

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

A.3 Apologies

Nil

A.4 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council Ordinary Meeting No. 354, held on 21 December 2011 in the Council Chambers, Leongatha be confirmed.

MOVED: Cr Deane

SECONDED: Cr Davies

**THAT THE MINUTES OF THE SOUTH GIPPSLAND SHIRE COUNCIL
ORDINARY MEETING NO. 354, HELD ON 21 DECEMBER 2011 IN THE
COUNCIL CHAMBERS, LEONGATHA BE CONFIRMED.**

CARRIED UNANIMOUSLY

A.5 Requests for Leave of Absence

Nil

A.6 Declaration of Conflict Of Interest

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. This legislation can be obtained by contacting the Council's Organisational Development Department (Governance) 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 the Organisational Development Department – Governance).
- 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 in Local Government – A Provisional Guide with amendments to 1 October 2010.

Councillor James Fawcett declared an indirect interest because of a conflicting duty in the Section E - Item E.4 - Subdivision and sale of Council Land - Part Of 20-22 Pioneer Street, Foster given that he is a Director at South Gippsland Water.

Type of Interest		Example of Circumstance
Direct Interest		Reasonably likely that your benefits, obligations, opportunities or circumstances will be directly altered. Reasonably likely to receive a direct benefit or loss measurable in money. Reasonably likely that your residential amenity will be directly affected.
Indirect Interest	Close Association	A member of your family has a direct interest or an indirect interest. A relative has a direct interest. A member of your household has a direct interest.
	Indirect financial Interest	Likely to receive a benefit or loss, measurable in money, resulting from a change to another person's interest. Holding shares in a company or body that has a direct interest (subject to threshold) When a person with a direct interest owes money to you.
	Conflict of Duty	Manager or member of the governing body of an organisation with a direct interest. Trustee for a person with a direct interest. Past dealings in relation to the matter as duty to another person or body.
	Applicable Gift	Gifts valued at \$500 in previous 5 years. Election donations valued at or above \$500 in previous 5 years. Gifts other than election campaign donations that were received more than 12 months before a person became a Councillor are exempt.
	Party to the Matter	Initiated or became party to civil proceedings in relation to the matter.

Privacy

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.

Council undertakes audio recordings of Council Meetings as a contribution to good governance and accuracy of minutes. An audio recording of this meeting is being made for the purpose of verifying the accuracy of minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, and subpoena or by any other law such as the Freedom of Information Act 1982. It should be noted that other people present at the meeting may be recording the meeting and Council has limited power to regulate this. Council has developed a policy to regulate recordings, "Sound Recording of Council Meetings". A copy of this policy is located on Council's website www.southgippsland.vic.gov.au. Further information or a copy of the policy or can be obtained by contacting Council's Organisational Development Department (Governance).

A.7 Petitions

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 the 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 the Council Meeting speak briefly to its contents. At the same meeting 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.

Cr Lewis presented a Petition to Council from Mr Don Hill on behalf community members in the Shire (refer to Prayer which is outlined below), containing approximately 132 signatures.

Petition to South Gippsland Shire Council

We the undersigned would like council to act on section 3C of the local government act to ensure that farmers pay a fair and equitable share of the rates and charges. Currently farmers pay over double that of residential ratepayers on average. We feel that farmers should pay rates on their dwelling and curtilage only and that such value should be equal to a residential ratepayer's bill for similar house and curtilage.

MOVED: Cr Lewis

SECONDED: Cr Newton

THAT COUNCIL:

- 1. RECEIVE THE PETITION; AND**
- 2. THE PETITION LAY ON THE TABLE UNTIL THE NEXT ORDINARY COUNCIL MEETING 28 MARCH 2012.**

CARRIED UNANIMOUSLY

A.8 Councillor Reports

Cr Kennedy made a presentation to Council by reporting on:

- 1. The lack of infrastructure along the South Gippsland Shire Council coastline, he noted that his lobbying along with local Canoe Committee and Gippsland Ports resulted in the implementation 8 years later of a canoe ramp at the Tarwin Lower Jetty which in turn resulted in the doubled use of the Tarwin River. Cr Kennedy suggested that a small canoe jetty ramp be installed at Venus Bay in order to separate the manpowered and engine boats.**
 - 2. The pippi issue being a problem to locals as they were unable to obtain parking for 6 days of the year when the pippi's are being harvested and concern was raised for their sustainability.**
 - 3. That he and the Director of Development Services, Phil Stone have joined a Pippi Group and had applied for a social cohesion grant of \$50,000 for a Beach Liaison Project Officer to work with South East Asian communities over winter. The grant application was not successful. Cr Kennedy indicated that there were 95 applications and those that dealt with violence, racial and immigration issues outweighed other programs.**
 - 4. The extra pressure of visitors along the coast due to the increasing fuel costs in the next 2-5 years, the effect this will have on families who will attend coastal areas on one tank of fuel and the overflow from Phillip Island to this region. Cr Kennedy noted that it was Council's responsibility to address this.**
-

Cr Harding made a presentation to Council by reporting on:

- 1. Representing the South Gippsland Shire Council by attending a resident of Toora's 100th birthday celebrations and a send off for Jo and Kerrie Pinzone.**
 - 2. Attendance at South East Australian Transport Strategy (SEATS) in Wellington Shire at which Victoria and Gippsland were well represented. The Hon Peter Ryan opened the meeting and indicated that he believed that SEATS played an active role in attracting funding for infrastructure in the Gippsland region, NSW, Leongatha Heavy Duty Alternate Route Study, study for transport and ports.**
 - 3. Attendance over the next 2-3 months of a SEATS Executive Officer to visit each member Shire in Victoria to ensure knowledge of ongoing work.**
-

4. National Local Government and Forestry Conference, information available on website.

Cr Fawcett reported on attendance along with Crs Lewis and Jackson at a meeting on the 16 February 2012 for the Mens Shed group for Leongatha, with a good turnout of approximately 30-40 people. A steering committee will be formed and he commended Mens Shed groups of Korumburra, Foster, Venus Bay and Nyora.

SECTION B - NOTICES OF MOTION AND/OR RESCISSION

B.1 NOTICE OF MOTION NUMBER 636 – FRANKLIN RIVER RESERVE, TOORA

PURPOSE/INTRODUCTION

The former Shire of South Gippsland was appointed Committee of Management for the Franklin River Reserve, by the Minister, in August 1988. The area was reserved for Public; Camping and Water purposes (refer to **Attachment 1**).

Council as Committee of Management is not required to utilise the reserve for camping. The original reservation of the reserve for 'Public purposes, Camping and Water purposes, is dated the 22 April 1887 and relates to historic activities such as droving and horseback travel.

Camping at the Reserve was prohibited by the former South Gippsland Shire Council in 1990.

A copy of a Report from the former Shire of South Gippsland, Finance Committee Meeting dated 15 August, 1990, confirms:

“Camping At the Franklin River Reserve:

The Deputy Shire Secretary informed Councillors of a request which had been received for a group to camp at the Reserve.

Moved: Cr. A H Allott Seconded: Cr. A Sutherland

***“THAT CAMPING NOT BE ALLOWED AT FRANKLIN RIVER RESERVE”
CARRIED”***

Council installed 'No Camping' signs at the site and the Local Laws Team respond to complaints regarding informal campers by adjoining neighbours.

The Reserve has been developed with toilet facilities and an information rotunda. The Lower Franklin River Protection Group has been actively involved in the Reserve and Council maintains the Reserve including infrastructure.

The Reserve is zoned Public Park and Recreation. Council can allow camping within this zone however camping can be only managed by Council and not a contractor on Council's behalf.

The proposal to allow camping was referred to the Department of Sustainability and Environment (DSE) for comment as owner of the land. DSE have no issues with the reserve being used for overnight stays / camping, as long as Council manages the reserve properly.

This Notice of Motion is presented to Council to consider approving overnight stays / camping at Franklin River Reserve, Toora while the RV Strategy (Recreational Vehicle) is being completed (at which time the decision can be reviewed in line with the recommendations of the Strategy).

MOTION

I, Councillor Jeanette Harding, advise that I intend to submit the following motion to the Ordinary Council Meeting scheduled to be held on 22 February 2012.

“THAT THE DECISION MADE BY THE FORMER SOUTH GIPPSLAND SHIRE COUNCIL IS REVOKED AND THAT COUNCIL APPROVE OVERNIGHT STAYS AT FRANKLIN RIVER RESERVE IN TOORA AND REMOVE THE CURRENT ‘NO CAMPING’ SIGNAGE AT THE SITE.

FURTHERMORE, THAT COUNCIL ENSURE NO ADDITIONAL SIGNAGE, INFRASTRUCTURE OR SERVICE LEVELS BE INCREASED AT THE SITE, UNTIL THE DECISION CAN BE REVIEWED IN LINE WITH THE RECOMMENDATIONS OF THE PENDING RV STRATEGY.”

MOVED: Cr Harding

SECONDED: Cr Kennedy

THAT THE DECISION MADE BY THE FORMER SOUTH GIPPSLAND SHIRE COUNCIL IS REVOKED AND THAT COUNCIL APPROVE OVERNIGHT STAYS AT FRANKLIN RIVER RESERVE IN TOORA AND REMOVE THE CURRENT ‘NO CAMPING’ SIGNAGE AT THE SITE.

FURTHERMORE, THAT COUNCIL ENSURE NO ADDITIONAL SIGNAGE, INFRASTRUCTURE OR SERVICE LEVELS BE INCREASED AT THE SITE, UNTIL THE DECISION CAN BE REVIEWED IN LINE WITH THE RECOMMENDATIONS OF THE PENDING RV STRATEGY.”

AMENDMENT

MOVED: Cr Davies

SECONDED: Cr Fawcett

THAT COUNCIL REMOVE THE CURRENT ‘NO CAMPING’ SIGNAGE AT THE FRANKLIN RIVER RESERVE IN TOORA.

FURTHER, THAT COUNCIL ENSURE NO ADDITIONAL SIGNAGE, INFRASTRUCTURE OR SERVICE LEVELS BE INCREASED AT THE SITE, UNTIL THE DECISION MADE BY THE FORMER SOUTH GIPPSLAND SHIRE COUNCIL CAN BE REVIEWED IN LINE WITH THE RECOMMENDATIONS OF THE PENDING RV STRATEGY.

The Amendment was PUT and CARRIED UNANIMOUSLY.

Attachment 1

AERIAL PLAN IDENTIFYING THE LOCATION OF THE RESERVE



SECTION C - COMMITTEE REPORTS

Nil

SECTION D – PROCEDURAL REPORTS

D.1 REPORT ON ASSEMBLIES OF COUNCILLORS - DECEMBER 2011

Corporate 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 on 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 in December 2011.

Document pertaining to this Council Report

Nil

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Act 1989, Section 3D and Section 80A

COUNCIL PLAN

Strategic Goal:	5.0	A Leading Organisation
Outcome:	5.1	Good Governance
Strategy No:	5.1.3	Community Engagement

REPORT

Meeting Type	Councillors Attending	Topics Discussed & Disclosures of Conflict of Interest
Wednesday 7 December 2011		
Planning Committee	Crs Newton, Davies, Jackson, Fawcett, Harding, Lewis, Deane and Raabe.	<p>Conflict of Interest: Crs Jackson and Fawcett left the room with a declared conflict of interest.</p> <ul style="list-style-type: none"> • VCAT decisions. • Planning applications of significance. • Southern Leongatha Outline Development Plan Implementation. • Korumburra Structure Plan & Town Centre Framework Plan. • Leongatha Industrial Land Study. • General Business.
Proposed 4 year Capital Works Program for 2012/13	Crs Newton, Davies, Jackson, Fawcett, Harding, Lewis, Deane, Kennedy and Raabe.	<p>Conflict of Interest: Nil</p> <p>Councillors were presented with the proposed 4 year Capital Works Program for 2012/13.</p>
Council Caravan Parks Project Update	Crs Newton, Davies, Jackson, Fawcett, Harding, Lewis, Deane, Kennedy and Raabe.	<p>Conflict of Interest: Nil</p> <p>Councillors were presented with an update of the Caravan Parks Project.</p>
Gippsland Climate Change Adaption Project Update	Crs Davies, Jackson, Harding, Deane, Kennedy and Raabe.	<p>Conflict of Interest: Nil</p> <p>Councillors were provided with an update from Dr Robert Faggian from the Department of Primary Industries (DPI) in relation to the Gippsland Climate Change Adaptation Project.</p>
Advisory Committees - Youth Council Terms of Reference	Crs Newton, Davies, Jackson, Fawcett, Harding, Deane and Raabe.	<p>Conflict of Interest: Nil</p> <p>Councillors were presented with the South Gippsland Youth Council Terms of Reference.</p>

Meeting Type	Councillors Attending	Topics Discussed & Disclosures of Conflict of Interest
Wednesday 7 December 2011		
Strategic Direction for Aquatic Facilities	Crs Newton, Davies, Jackson, Fawcett, Harding, Lewis, Deane, Kennedy and Raabe.	Conflict of Interest: Nil Councillors were presented with the proposed Strategic Direction for Aquatic Facilities.
Executive Updates	Crs Newton, Davies, Jackson, Fawcett, Harding, Lewis, Deane, Kennedy and Raabe.	Conflict of Interest: Nil <ul style="list-style-type: none"> • Council Agenda Topics - 21 December 2011. • Franklin River Reserve - Toora. • Halloween Funding. • McIndoe Park - Leongatha.
Wednesday 14 December 2011		
Council Agenda Topics - 21 December 2011	Crs Fawcett, Lewis, Raabe, Jackson, Davies, Deane and Harding.	Conflict of Interest: Nil Ordinary Council Meeting Agenda Topics - 21 December 2011.
Long Term Financial Strategy	Crs Fawcett, Lewis, Raabe, Jackson, Davies, Deane, Newton and Harding.	Conflict of Interest: Nil Councillors were presented with the proposed Long Term Financial Strategy 2012 - 2013.
Municipal Early Years Plan	Crs Fawcett, Lewis, Raabe, Jackson, Davies, Deane, Newton and Harding.	Conflict of Interest: Nil Councillors were presented with the proposed Municipal Early Years Plan 2012 - 2016.
Draft Annual Plan 2012-2013	Crs Raabe, Jackson, Davies, Newton, Fawcett, Harding and Deane.	Conflict of Interest: Nil Councillors were presented with the proposed Annual Plan 2012 - 2013.

Meeting Type	Councillors Attending	Topics Discussed & Disclosures of Conflict of Interest
Public Presentations - 2pm Session	Crs Fawcett, Lewis, Raabe, Jackson, Davies, Deane, Newton and Harding.	Conflict of Interest: Nil Presentations were made to Council by the following community members:
<p>Mr Brian Hoskins - Meeniyah Mechanics Institute seeking Council's support towards renovations.</p> <p>Mr Geoff Hutchinson - Item E.3 Broiler Farm at Stony Creek.</p> <p>Mr Kevin Dempsey - Item E.3 Broiler Farm at Stony Creek.</p> <p>Mrs Di Comtess - Item E.3 Broiler Farm at Stony Creek.</p> <p>Mr Jack Kraan - Item E.3 Broiler Farm at Stony Creek, representing the applicant.</p> <p>Mr Gerry Grabau - Item E.3 Broiler Farm at Stony Creek.</p> <p>Mr Francis Rutherford - Item E.3 Broiler Farm at Stony Creek.</p> <p>Mr Tim Reid - Item E.5 Planning Scheme Amendment C64, Foster.</p> <p>Ms Sandra Calvert - Item E.14 ANZAC Commemorative naming project - formalise various road names.</p> <p>Ms Jillian Durance - motor bike noise in and around Moyarra.</p> <p>Ms Liz Rushin - Item E.5 Planning Scheme Amendment C64, Foster.</p> <p>Mr Andrew McCowan - Item E.4 Leongatha South Quarry Extension.</p> <p>Mr Paul Norton - Item E.4 Leongatha South Quarry Extension.</p> <p>Ms Cindy Jefferis - Item E.4 Leongatha South Quarry Extension.</p>		
Proposed 4 year Capital Works Program for 2012/13	Crs Fawcett, Lewis, Raabe, Jackson, Davies, Deane, Lewis and Harding.	Conflict of Interest: Nil Councillors were presented with the proposed 4 year Capital Works Program for 2012/13.
Executive Updates and continuing after dinner	Crs Fawcett, Lewis, Raabe, Jackson, Davies, Deane, Lewis and Harding. After dinner - Crs Harding, Jackson, Davies, Fawcett and Raabe.	Conflict of Interest: Nil <ul style="list-style-type: none"> • Nyora Rail issues. • 16 Harveys Road - Allambee South Proposed Development. • End of formal loan of Sydney 2000 Olympic Torch and Flag.
Public Presentations - 7pm session - Nil sessions		

Meeting Type	Councillors Attending	Topics Discussed & Disclosures of Conflict of Interest
Wednesday 21 December 2011		
Ordinary Council Meeting Agenda Topics - 21 December 2011	Crs Raabe, Newton, Harding, Davies, Jackson, Deane, Fawcett and Lewis.	Conflict of Interest: Nil Ordinary Council Meeting Agenda Topics - 21 December 2011.
Public Presentations - 10am Session	Crs Raabe, Newton, Harding, Davies, Jackson, Deane, Fawcett and Lewis.	Conflict of Interest: Nil Presentations were made to Council by the following community members:
<p>Mr Kevin Dempsey - Item E.3 Broiler Farm at Stony Creek. Ms Sylvia Ashcroft - Item E.3 Broiler Farm at Stony Creek. Mr Jack Kraan - Item E.3 Broiler Farm at Stony Creek, representing the applicant. Mr Andrew McCowan - Item E.4 Leongatha South Quarry Extension. Mr Bryan Trotman - Item E.4 Leongatha South Quarry Extension. Mr Tim Crosdale and Mr Peter Lawlor - Item E.4 Leongatha South Quarry Extension representing Umwelt Environmental Consulting and Holcim respectively. Mr Paul Norton - Item E.4 Leongatha South Quarry Extension and governance matters.</p>		
Reserve Maintenance Grants	Crs Raabe, Newton, Harding, Davies, Jackson, Deane, Fawcett and Lewis.	Conflict of Interest: Nil Councillors were presented with current Recreation Reserve maintenance grant allocations and determining a timeline for their review.
Executive Updates	Crs Raabe, Newton, Harding, Davies, Jackson, Deane and Fawcett.	Conflict of Interest: Nil Confirmation of Acting CEO. Executive Leadership Team - annual leave.

RECOMMENDATION

That Council receive and note this report.

MOVED: Cr Newton

SECONDED: Cr Fawcett

**THAT THE RECOMMENDATIONS IN ITEMS D.1, D.2, D.3, D.4 AND D.5 BE
ADOPTED.**

CARRIED UNANIMOUSLY

D.2 COUNCILLOR EXPENDITURE REPORT - 31 DECEMBER 2011

Corporate Services Directorate

EXECUTIVE SUMMARY

The Councillor Expenditure Report (**Attachment 1**) provides Council with a quarterly update on Councillor Expenditure from 1 July 2011 to 31 December 2011, as resolved in 2003.

Document pertaining to this Council Report

- **Attachment 1:** Councillor Expenditure Report

LEGISLATIVE/ ACTION PLANS/ STRATEGIES/ POLICIES

Local Government Act 1989, Section 75 Reimbursement of expenses of Councillors

Councillor Support and Expenditure Policy

COUNCIL PLAN

Strategic Goal:	5.0	A Leading Organisation
Outcome:	5.1	Good Governance
Strategy No:	5.2.3	Financial Management

REPORT

Background

The Councillor Expenditure Report (**Attachment 1**) provides Council with an update on Councillor expenditure from 1 July 2011 to 31 December 2011.

Councillor expenditure is reported on a cash basis, and no adjustments are made for 'pre-paid expenditure' except at financial year end.

FINANCIAL CONSIDERATIONS

Expenditure is in line with budget.

RECOMMENDATION

That Council receive and note the Councillor Expenditure Report for the period 1 July 2011 to 31 December 2011.

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 16.

Attachment 1

Councillor Expenditure												
From 1 July 2011 to 31 December 2011												
Councillor	Travel Expenditure				Other Expenditure					Total		
	Car	Cost for Fuel *	Cost to Reimburse kms / Fuel Cost **	Mobile Phone	Phone/Fax/ Modem	Conferences / Accomodation/Parking	Councillor Allowance	Remoteness Allowance	CityLink		Internet Account***	
Cr. Robert Newton	Council	\$ 353	\$ -	\$ 114	\$ -	\$ -	\$ 15,083	\$ -	\$ 6	\$ 341	\$ 15,897	
Cr. Jennie Deane	Council	\$ 641	\$ 18	\$ 351	\$ 57	\$ 397	\$ 15,083	\$ -	\$ 24	\$ 414	\$ 16,985	
Cr. Warren Raabe	Council	\$ 359	\$ -	\$ 146	\$ -	\$ 272	\$ 45,153	\$ -	\$ -	\$ 341	\$ 46,271	
Cr. Kieran Kennedy	Council	\$ 991	\$ -	\$ 241	\$ -	\$ 1,423	\$ 15,083	\$ -	\$ 17	\$ 341	\$ 18,096	
Cr. Mohya Davies	Council	\$ 873	\$ -	\$ 336	\$ -	\$ 309	\$ 15,083	\$ -	\$ 7	\$ 819	\$ 17,427	
Cr. Jeanette Harding	Council	\$ 262	\$ -	\$ 345	\$ -	\$ -	\$ 15,083	\$ 240	\$ -	\$ 341	\$ 16,271	
Cr. David Lewis	Council	\$ 547	\$ -	\$ 240	\$ -	\$ -	\$ 15,083	\$ -	\$ 18	\$ 473	\$ 16,361	
Cr. Mimmie Jackson	Personal	\$ -	\$ 246	\$ 122	\$ -	\$ -	\$ 15,083	\$ -	\$ -	\$ 341	\$ 15,792	
Cr. James Fawcett	Personal	\$ -	\$ -	\$ 463	\$ -	\$ -	\$ 15,083	\$ -	\$ -	\$ 331	\$ 15,877	
Total Actual		\$ 4,026	\$ 264	\$ 2,358	\$ 57	\$ 2,401	\$ 165,817	\$ 240	\$ 72	\$ 3,742	\$ 178,977	
Total Budget		\$ 9,450	\$ 1,250	\$ 5,496	\$ 972	\$ 3,591	\$ 171,741	\$ 348	\$ 150	\$ 4,280	\$ 197,278	

* Travelling expenditure for Councillors with council vehicles represents cost of fuel purchases from 1 July 2011 to 31 December 2011.

** Travelling expenditure for Councillors using private vehicles is at the prescribed rate of reimbursement.

*** Cr. Davies Internet Expenditure includes : standard internet expenditure , trial wireless mobility connect modem and service , and Cr. Lewis Internet Expenditure includes : standard internet expenditure , wireless modem and service.

D.3 COUNCILLOR DISCRETIONARY ALLOCATION REPORT

Corporate Services Directorate

EXECUTIVE SUMMARY

Each Councillor, subject to an annual budget and in accordance with the Councillor Discretionary Fund Policy, has the discretion to nominate Council funds to community groups and/or Shire individuals in accordance with the guidelines developed for this purpose.

This report details Councillors recommendations for the period between 28 November 2011 and 31 January 2012.

Document pertaining to this Council Report

Nil

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Councillor Discretionary Fund Policy 2009

COUNCIL PLAN

Strategic Goal:	1.0	A Vibrant, Engaged Community
Outcome:	1.2	Active, Resilient Community
Strategy No:	1.2.1	Community Partnerships

REPORT

Background

The following applications have been allocated funding from the stated Councillor's 2011/2012 Discretionary Fund:

- Port Franklin Tennis and Sports Club: to assist with running the annual Alf Wilder Memorial Junior Fishing Experience.

Cr Mohya Davies - \$100

Cr Jeanette Harding - \$150

Cr Kieran Kennedy - \$150

- Probus Club of Foster and District: to assist with catering for 20th Anniversary celebration.

Cr Mohya Davies - \$200

Cr Kieran Kennedy - \$100

- Stony Creek Football Club: to assist with cost of running a Rodeo.
Cr Jeanette Harding - \$300
Cr Robert Newton - \$300
Cr James Fawcett - \$300
- Tarwin Lower Mechanics Institute: to assist with the cost of purchasing a dishwasher.
Cr Kieran Kennedy - \$500
- Dumbalk and District Progress Association: to assist with producing a quarterly newsletter.
Cr James Fawcett - \$300
Cr David Lewis - \$300
- Mirboo North Swimming Pool Section 86 Committee: to assist with the cost of running annual Pool Party and Mirboo North Idol.
Cr James Fawcett - \$300
Cr David Lewis - \$500
Cr Mimmie Jackson - \$200
- Mirboo North Golf Club: sponsorship towards Australia Day Open Golf Competition
Cr David Lewis - \$200

FINANCIAL CONSIDERATIONS

The Councillor Discretionary Fund is currently funded in the 2011/2012 Annual Budget.

CONCLUSION

The remaining balances of Councillor Discretionary Funds for the 2011/2012 Financial Year as of 31 January 2012 are as follows:

- Cr Mohya Davies - \$1,124
- Cr Jeanette Harding - \$1,448
- Cr Kieran Kennedy - \$2,420

- Cr Jennie Deane - \$3,400
- Cr Robert Newton - \$2,100
- Cr Warren Raabe - \$3,156
- Cr James Fawcett - \$2,800
- Cr Mimmie Jackson - \$3,128
- Cr David Lewis - \$360
- Mayoral Fund - \$800

RECOMMENDATION

That Council receive and note this report.

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 16.

D.4 DOCUMENTS SEALED - DECEMBER 2011 & JANUARY 2012

Corporate Services Directorate

EXECUTIVE SUMMARY

Under the Victorian Local Government Act, each Council is a body corporate and a legal entity in its own right. Each Council must have a common seal (like any corporate entity) 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 include agreements, contracts, leases or any other contractual or legally binding document that binds Council to another party.

Document pertaining to this Council Report

Nil

LEGISLATIVE/ ACTION PLANS/ STRATEGIES/ POLICIES

Local Government Act 1989, Section 5

Local Law No. 3 2010

COUNCIL PLAN

Strategic Goal:	5.0	A Leading Organisation
Outcome:	5.2	Active, Resilient Community
Strategy No:	5.2.5	Risk Management

REPORT

The Local Government Act 1989 requires that every Council must have a common seal and all courts, judges and persons acting judicially must take judicial notice of the imprint of the common seal of a Council on any document.

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.’

In accordance with the Local Law, the following are presented to Council as documents sealed in the month of December 2011 and January 2012.

1. Section 173 Agreement of the Planning and Environment Action 1987 between South Gippsland Shire Council and the owner of 30 Stewart Street, Port Welshpool in relation to construction of a two storey dwelling – Seal Applied 10 January 2012.

2. Section 173 Agreement of the Planning and Environment Action 1987 between South Gippsland Shire Council and the owner of 21 Stewart Street, Port Welshpool in relation to construction of a dwelling – Seal Applied 10 January 2012.
3. Section 173 Agreement of the Planning and Environment Action 1987 between South Gippsland Shire Council and the owner of 1 Dale Drive, Leongatha in relation to a retirement village with 45 units and stage subdivision – Seal Applied 10 January 2012.
4. Section 173 Agreement of the Planning and Environment Action 1987 between South Gippsland Shire Council and the owner of 18 Woorak Avenue, Venus Bay in relation to a single dwelling – Seal Applied 16 January 2012.
5. Contract SGSC11/19 between South Gippsland Shire Council and Holcim (Australia) Pty Ltd in relation to supply and delivery of quarry products and road marking materials – Seal Applied 20 January 2012.
6. Section 173 Agreement of the Planning and Environment Action 1987 between South Gippsland Shire Council and the owner of 52 Harbour View, Sandy Point in relation to construction of a dwelling – Seal Applied 20 January 2012.
7. Section 173 Agreement of the Planning and Environment Action 1987 between South Gippsland Shire Council and the owner of 48B Parr Street and 56A Parr Street, Leongatha in relation to a two lot subdivision – Seal Applied 31 January 2012.

RECOMMENDATION

That Council note that the listed documents have been signed and sealed.

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 16.

D.5 ORGANISATIONAL QUARTERLY PERFORMANCE REPORT - OCTOBER TO DECEMBER 2011, INCLUDING FINANCIAL PERFORMANCE REPORT TO 30 NOVEMBER 2011

Corporate Services Directorate

EXECUTIVE SUMMARY

The organisational Quarterly Performance Report for the period October to December 2011 provides detailed reporting on Council's year to date performance against both the Department Budget and Annual Plan for 2011/12.

The Executive Overview found within the report provides a high level summary, while the Directorate Overviews delve deeper into the key highlights, issues, updates and events that have occurred during this reporting period.

This report is not intended to capture every achievement during the quarter, just those that contribute to the delivery of the corporate priorities. The contents reflect the situation as at the end of December 2011.

The Financial Performance Report, November 2011, incorporated in the organisational Quarterly Performance Report, provides a high level analysis of Council's financial performance for the 5 month period ending 30 November 2011. The projected budget outcome for 2011/12 has parity with the original budget. Budget variations, budget projections and Key Strategic Activity (KSA) performance indicators are outlined in this section of the report.

Document pertaining to this Council Report

- **Appendix 1:** Organisation Quarterly Performance Report October – December 2011

Appendix 1 can be accessed on Council's website <http://www.southgippsland.vic.gov.au/> or by contacting Council on 5662 9200.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Act 1989, Sections 125 – 127 and 223

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Annual Plan 2011/12

Key Strategic Activities

2011/12-2020/21 Long Term Financial Plan

COUNCIL PLAN

Strategic Goal:	5.0	A Leading Organisation
Outcome:	5.2	Systems and Processes
Strategy No:	5.2.6	Business Excellence
	5.2.3	Financial Management

CONSULTATION

Each Department across the organisation has contributed to the report; providing highlights, outcomes and updates for the reporting period.

The community was consulted during the preparation of the Annual Plan 2011/12.

REPORT

Background

The 2011/12 Annual Plan, adopted by Council on 22 June 2011, set the indicators and activities, including the Key Strategic Activities, which would be reported within the Quarterly Performance Report to Council (**Appendix 1**).

In addition, the report contains key financial and directorate focused updates identifying achievements during the October to December 2011 quarter.

The Financial Performance Report, November 2011 provides a high level analysis of Council's financial performance for the 5 month period ending 30 November 2011. The projected budget outcome for 2011/12 has parity with the original budget.

Discussion

The report provides Directorate Overviews which discuss key highlights, issues, updates and events that have occurred during this reporting period. Where possible, comparisons are made and reflected in graphs.

A few significant highlights include:

- The Aged and Disability Services team won an 'Outstanding Project' LGPro Award for their Active Service Model;
- Funding of a planning study for the Leongatha Heavy Vehicle Alternate Route;
- Coal Creek visitation up by 19% compared to same period last year;
- 339 applicants for 22 employment vacancies;

- The number of planning applications completed within statutory timeframe in the Statutory Planning team increased from 47% last quarter to 73%, now above the regional average of 70%; and
- Works have commenced on numerous road and infrastructure projects resulting from the severe rain event in July with the completion of 73 out of the 148 projects recorded.

Overall, Council is tracking exceptionally well in terms of meeting its Annual Plan commitments, with 97% of actions either tracking to schedule or complete.

In addition, 80% of the Key Strategic Activities for 2011/12 are underway, with 10% completed during this time.

The Financial Performance Report, November 2011, contains detailed reporting on:

- Section 1 - Year to date financial performance and projected financial results.
 - This section discusses variations in year to date performance and budget projections. The information is presented in the budgeted financial statements format.
- Section 2 – Annual year to date financial analysis.
 - This section analyses the financial performance for the period ending November 2011.
- Section 3 – Long Term Financial Plan analysis.
 - This section benchmarks and strategically analyses the financial impact of the current year's forecast financial results against the adopted Annual Budget, Long Term Financial Plan and Long Term Financial Strategies.

Conclusion

It is recommended that Council receive and note the organisational Quarterly Performance Report, which provides an overview of Council's performance against both Department Budgets and the Annual Plan for the period October to December 2011 and a high level analysis of Council's financial performance for the period ending 30 November 2011.

FINANCIAL CONSIDERATIONS

Actions within the Council Annual Plan 2011-2012 are funded through the 2011-2012 Budget.

RECOMMENDATION

That Council receive and note the organisational Quarterly Performance Report for the period October to December 2011.

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 16.

SECTION E - COUNCIL REPORTS

E.1 STRATEGIC DIRECTION FOR AQUATIC FACILITIES IN SOUTH GIPPSLAND FEBRUARY 2012

Community Services Directorate

EXECUTIVE SUMMARY

This report presents the amended draft *Strategic Directions for Aquatic Facilities in South Gippsland 2012-2016*, following extensive community engagement and public exhibition process, and recommends its adoption.

The following options are considered for the local level outdoor pools are:

1. develop new infrastructure at all sites;
2. replace existing infrastructure at all sites;
3. renovate existing infrastructure at all sites;
4. focus capital expenditure on two sites while continuing to operate remaining sites; and,
5. focus capital expenditure on two sites with the closure of remaining sites.

Following consideration of these options the report recommends Option 3 - renovate existing infrastructure at all sites.

Document pertaining to this Council Report

- **Attachment 1:** Council and Community Planning Framework
- **Appendix 1:** *Strategic Directions for Aquatic Facilities in South Gippsland 2012-2016 February 2012*

Appendix 1 can be accessed on Council's website <http://www.southgippsland.vic.gov.au/> or by contacting Council on 5662 9200.

COUNCIL PLAN 2011/12

Strategic Goal:	1.0	A Vibrant Engaged Community
Outcome:	1.2	Health and Wellbeing
Strategy No:	1.2.1	Active lifestyle

DEFINITIONS

The following terms are utilised in the identification of the various options

Operation:	Activities associated with undertaking the day-to-day operation of the service.
Maintenance:	Required actions for retaining an asset as near as practicable to its original condition to maintain the level of service (e.g. repair a pump).
Renewal:	Is broken into three categories being Replace, Renovate and Redevelop.
Replace:	Replace individual components of an asset to its original state or capacity. (e.g. replace a pump with a like pump).
Renovate:	Renovate the existing assets with modern day plant, equipment and facilities to achieve the same level of service (e.g. undertake renovation works as guided by a master plan).
Redevelop:	Redevelop the entire site. (e.g. demolish existing and rebuild the total facility).
Upgrade:	Replace an asset or a component of an asset which improves the service level. (e.g. replace a pump with a larger pump).
Extension:	Creating a new asset or adding to the pre-existing asset (e.g. increase the size of the change room).
Condition Intervention Level:	Assets condition has deteriorated to the point where the service is compromised.

CONSULTATION

Extensive consultation has been undertaken throughout the development of the *Strategic Directions for Aquatic Facilities in South Gippsland 2012-2016*.

Council approved exhibition of the draft document at its 27 July 2011 meeting, inviting public submissions until 9 September 2011. The draft document was distributed directly to Special Section 86 pool committees and community associations, mailed or emailed to individuals upon request, placed on Councils website and hard copies were available from Customer Service and Libraries.

The community engagement process has included:

- Meetings with each pool committee of management during August 2011
- Public meetings in Poowong, Korumburra, Leongatha, Mirboo North, Foster and Toora during August 2011
- Council media releases
- Extensive media comment

It is estimated that over 600 people attended the public meetings and over 860 individual submissions and three joint submissions containing 2500 names have been received in response to the draft document.

Copies of the submissions have been provided to Councillors. Key themes emerging from the consultation include:

- A comparison between seasonal outdoor pools and SPLASH is not a fair comparison.
- All the pool facilities are highly valued by their communities for their recreation, health and social engagement services.
- Lower participation venues are being disadvantaged by not being offered Council support for capital improvements therefore creating a situation where these pools cannot improve participation.
- Council should be supporting all communities that demonstrate significant financial commitment towards improving their local pools.

REPORT

Background

At the 27 July 2011 meeting Council considered the draft Strategic Direction for Aquatic Facilities in South Gippsland July 2011 and resolved:

That Council:

- 1. Release the draft Strategic Direction for Aquatic Facilities in South Gippsland July 2011 document for community consultation;**
- 2. Receive written submissions on the draft document until Friday 9th September 2011;**
- 3. Receive a further report detailing the written submissions received at a public briefing in October 2011; and**

4. Be presented with a final draft Strategic Direction for Aquatic Facilities in the South Gippsland Shire for adoption prior to the end of 2011.

The Council Plan is Council's key strategic document setting out corporate goals and objectives for the future. The Council and Community Planning Framework **Attachment 1** indicates the *Strategic Directions for Aquatic Facilities in South Gippsland 2012-2016 is a planning document intended to set operational level outcomes with shorter term goals and deliverable measurable results.*

Discussion

The release of the draft Strategic Direction for Aquatic Facilities in South Gippsland July 2011 document created a significant amount of community interest, discussion and submissions.

The draft document was premised on a long term rationalisation of 3 outdoor aquatic facilities across the municipality. It would have enabled a greater focus of investment for ongoing provision and improvement of the remaining two outdoor facilities of Toora and Korumburra and SG SPLASH within the existing financial commitment in the Council's Long Term Financial Plan (LTFP).

The community consultation process and the submissions received, clearly articulated that the affected local communities do not support this approach for the future management of aquatic facilities. The core sentiment was that local level facilities were important to the local community and that improved facilities should not come at the cost of local outdoor pools.

The revised Aquatics Strategic Direction now reflects a shift in strategy from redeveloping 2 local community pools to renovating 5 local community pools.

Outdoor pools are one element of a large range of facilities and infrastructure provided for the community that are the responsibility of South Gippsland Shire Council. Other community assets funded by Council includes public halls, libraries, kindergartens, maternal and child health centres, visitor information centres, sporting facilities and public open space. Part of Council's responsibility is to effectively balance the resources provided to these facilities.

To demonstrate the significant impact of pools on Council's budget a comparison has been made against Council's 5 sporting stadiums as they also provide recreational health and fitness services to our community. The comparison is detailed below and summarised in the following table.

In accordance with the Building Asset Management Plan framework, Council's LTFP has allocated significant funds to the 5 local level swimming pools. The LTFP has allocated 14% of its building capital and 13% of its

building maintenance budgets to this service. This service operates 13 weeks per year, at all pools except for Toora which operates at 28 weeks per year.

In comparison the LTFP has allocated 2% of its building capital and 6% of its building maintenance budgets to the 5 sport stadiums. This service operates 52 weeks per year.

Comparison of costs

	Local community Swimming Pools	Sport Stadiums
Replacement Cost as at May 2011	\$12,012,822	\$11,148,512

	Swimming Pools	Sport Stadiums
LTFP Maintenance Expenditure 10 years 2012/13 to 2021/22	\$1,207,610	\$528,729
LTFP Capital Expenditure 10 years 2012/13 to 2021/22	\$3,621,030	\$625,000
LTFP Operation Costs 10 Years 2012/13 to 2021/22	\$3,954,112	\$542,931
Total Costs over 10 years	\$8,782,752	\$1,696,660
Duration of service	13-28 weeks	52 weeks
Average weeks per year	16	52
Average cost per week of service	\$54,892	\$3,262

The above demonstrates that the cost to deliver the current service levels for the local community pools is extremely high when compared to other building assets

Social Impacts

Outdoor pools have historically been strongly valued by the local community, with many of the pools built and/or funded by community members. The passion and dedication of volunteers to raise funds, construct, maintain and operate these facilities has resulted in communities having a strong sense of ownership for their pools.

The health and well-being benefits of physical exercise and active play for the individual and society more generally are proven. South Gippsland provides

for a range of active recreational opportunities across the Shire demonstrating the importance placed on recreation.

Accessible local pools provide a venue in summer for a range of water activities, education, events and social interaction. While pools are recreation venues for all ages, children and young adults are the predominant users. Ease of access by walking or cycling to a local venue is therefore important as regular public transport to other towns is virtually nonexistent.

In a number of towns the pools become venues for events such as movies and school carnivals. This fosters a sense of belonging with benefits to individual mental health and a sense of social responsibility. Pools also attract visitors from outside the Shire because of their unique outdoor aspect, safety and surrounds. This in turn results in the profile of a town being raised, local pride fostered and visitor 'spend' contributing to the local economy.

Council recognises the benefits provided to the community through a substantial financial contribution to operating, maintaining and renewing these facilities.

Utilisation

The outdoor pools (excluding Toora) operate over a 13 week season commencing in December through to mid March. The Toora pool operates for a longer season due to the heating and pool shelter.

The utilisation of local level outdoor pools has altered significantly since the initial development of these facilities. Increasing regulation and insurance requirements has resulted in facilities such as diving boards being removed. The removal of fun elements, increasing supervision and enforcement of rules has had a negative impact of attendances particularly from older teenagers (15 – 19).

The climate in South Gippsland means that without protection from the elements and supplementary heating, further extending the season is unviable. During the past two seasons the impact of weather has resulted in many days where the pools did not open or patronage was very low and as a result there has been a decrease in attendances. While not operating the venues on cooler days does result in reduced operational expenditure there is minimal impact on the maintenance and capital expenditure required to maintain the current condition of the assets.

The impact of declining attendances, increasing maintenance and capital expenditure for Council is that it is costing more to provide a service that less people have utilised over previous seasons.

Governance

Responsible governance by Council requires implementation of strategic planning that is sustainably funded within the Long Term Financial Plan. Council must consider the relative cost of maintaining and renewing a specific asset group compared to its total asset base. While acknowledging historic

decisions made, Council needs to recognise the impact of changes in population in its communities and determine to what level it will plan to meet demand for today and into the future.

The Victorian Auditor General's Office report to Council in September 2011 regarding Business Planning for Major Capital Works and Recurrent Services in Local Government recommended the following.

Councils should:

- Consult with and engage their communities on their ability and willingness to pay for desired services and assets when developing their initial Council Plans.
- Better integrate their planning and budgeting practices.
- Develop strategic and supporting divisional business plans for all major services.
- Review their asset management frameworks to assure their asset policies, strategies and plans are up-to-date, cover all major asset classes, and to adequately inform future investment decisions.

Council has addressed these requirements as part of the review of Council's aquatics facilities in the development of the *Strategic Directions for Aquatic Facilities in South Gippsland 2012-2016*.

Asset Management Framework

Council's asset management framework details the goals and objectives of the Council in relation to asset management and the best asset management practices required for responsible management of its asset portfolio. The key objectives are:

- a) Provision for the delivery of agreed levels of service to the community in a sustainable and cost-effective manner;
- b) Defining the types and standards of services to be provided, the target levels of service and the measures used to monitor service delivery performance;
- c) Responsible management of infrastructure assets through efficient use of public funds;
- d) Adopting sustainable asset management practices; and,
- e) Making sure the requirements of the relevant legislations are complied with.

The intent of Council's Building Asset Management Plan framework is to provide a means for the sustainable delivery of Council's services. The extensive consultation with the community indicated that the Community is

satisfied with the level of service this framework currently provides for its swimming pool facilities.

Options

The following options are presented and discussed from a financial, governance and social implications perspective to facilitate a balanced decision making process.

Option 1: Plan for the *Redevelopment* of all five outdoor pools

A planned ***redevelopment***, (demolish all existing infrastructure and construction of new infrastructure) of all facilities with the aim being to replace 2 facilities in the next ten years. Under this option the remaining 3 pools would continue to be maintained and operated including capital replacement until they were redeveloped.

Council's current condition and usage data indicates the highest priorities will be Mirboo North and Korumburra.

Total 10 year cost of this option is \$12.02 million. This equates to \$3.23 million above current LTFP projections.

This figure would be reduced by effective community fund raising, external grants and commercial sponsorship. With no guarantee of the quantum of fundraising, and based on the current Long Term Financial Plan projections, there remains a funding shortfall to achieve this option. This funding shortfall would need to be met through either an additional rate rise above the Long Term Financial Plan projections or Council may review service levels and suggests areas where services could be reduced to fund this additional cost. This funding method is not recommended as it means that services currently delivered to the community will be reduced to increase services of aquatic facilities.

While the local communities response was that they wanted to retain their outdoor pools the proposition of a rate increase to fund this service level was not well received.

Option 1 Advantages	Option 1 Disadvantages
<ul style="list-style-type: none">• Meets the local communities aspiration• All facilities continue in the long term, dependent on trigger points and outcomes of reaching these trigger points• Development of "new" facilities	<ul style="list-style-type: none">• Additional funding required either through a rate increase or corresponding decrease in expenditure on another asset class or service.

Option 2: Replace individual components at all outdoor pools based on condition intervention level

Option 2 is a planned stepped **replacement** program for all 5 pools based on a condition intervention approach. (*Replace existing asset component of each facility with a new product of same service standard when it reaches its condition intervention level*). Under this option all pools would continue to be maintained and operated inclusive of capital **replacement**.

Total 10 year cost of this option is \$8.762 million and is consistent with the current LTFP projections. The allocation of funds to implement the redevelopment of any facility will be subject to Council being satisfied of the long term viability of the centre.

Option 2 Advantages	Option 2 Disadvantages
<ul style="list-style-type: none"> • Meets the local communities aspiration • All facilities continue in the long term, dependent on trigger points and outcomes of reaching these trigger points • Achievable within current allocations 	<ul style="list-style-type: none"> • Replacement of existing facilities only • Only gradual improvement in facilities as replaced with modern equivalent • A reactive approach with no improvement in facility condition

Option 3 (Preferred Option): Renovate all outdoor pools

Option 3 is a planned major **renovation** program for 2 pools over the next 10 years, (*refurbish all the existing infrastructure at once maintaining all usable existing infrastructure*). Council's current condition and usage data indicates the highest priorities will be Mirboo North and Korumburra.

Under this option the remaining 3 pools would continue to be maintained and operated inclusive of **replacement** until they were **renovated**. Master plans will be developed for Mirboo North and Korumburra pools in 2012/13 that will clearly define the current condition of assets, identify components requiring **renovation** and provide clarity on the future level of service to be provided at these sites.

Total 10 year cost of this option is \$9.816 million. This equates to \$1.033 million above current LTFP projections. A planned major **renovation** approach is likely to attract external funding that would reduce this amount.

The allocation of funds to implement the redevelopment of any facility will be subject to Council being satisfied of the long term viability of the facility.

Option 3 Advantages	Option 3 Disadvantages
<ul style="list-style-type: none"> • Meets the local communities aspiration • Proactive planned approach creating an improvement in facility condition • External funding opportunities 	<ul style="list-style-type: none"> • Renovation of existing facilities only • \$1.033 million above current LTFP projections

This option also provides the opportunity for the community to investigate extension projects to be completed at the same time as the renovation project. Any extension to the facility will require community and/or external funding to provide a significant proportion (70%) of the extension project cost.

Option 4: Reduce capital investment and focus investment on two outdoor pools, Toora and Korumburra.

Option 4 is a planned *redevelopment* approach to the Korumburra and Toora facilities in the next 10 years. Under this option the remaining 3 pools would continue to be maintained and operated exclusive of any future *replacement*.

It was proposed that Council would focus its future capital investment and master planning towards the higher attendance venues of Korumburra and Toora. This option is in line with the original Aquatic Strategy direction as presented and consulted with the community.

The cost of this option would have minimal impact on the Long Term Financial Plan.

Option 4 Advantages	Option 4 Disadvantages
<ul style="list-style-type: none"> • Achievable within existing allocations • Provides a strategic focus for investment 	<ul style="list-style-type: none"> • Does not meet local community aspiration. • Potential reduction in the availability of local level facilities in three communities, dependent on trigger points and outcomes.

Option 5: Focus investment on two outdoor pools, Toora and Korumburra, with remaining sites to be decommissioned.

Option 5 has been included for the purpose of completeness, to include all options from an asset management approach. It is well understood that this is a highly emotive option for the local communities who are directly affected. However, it would be remiss of this report not to address this option.

Option 5 proposes a planned **redevelopment** to the Korumburra and Toora facilities in the next 10 years. Under this option the 3 remaining outdoor pools would be closed at the end of the 2011/12 Season.

The cost of this option would result in significant savings of approximately \$3.0 million being made on the existing Long Term Financial Plan allocations.

Maintaining 5 outdoors pools is a substantial investment in a service that only operates on average for 16 weeks a year. This level of aquatic infrastructure provision is a significantly greater level of service provision per person than any of our neighbouring municipalities.

Option 5 Advantages	Option 5 Disadvantages
<ul style="list-style-type: none"> • Significant additional resources available for other pools or other asset classes or services. • Provides a strategic focus for investment. • Responsible governance in the allocation of public funds, based on the level of service provision when benchmarked to neighboring municipalities. 	<ul style="list-style-type: none"> • Does not meet local community aspiration. • Immediate reduction in the availability of local level swimming pool facilities in three communities.

The table below provides the financial impacts of the options over a ten-year period.

	Option 1	Option 2	Option 3	Option 4	Option 5
10 Year Maintenance Forecast	\$1,207,610	\$1,207,610	\$1,207,610	\$1,207,610	\$522,810
10 Year Capital Forecast	\$6,854,765	\$3,621,030	\$4,654,765	\$3,600,000	\$3,600,000
10 Year Optional Forecast	\$3,954,112	\$3,954,112	\$3,954,112	\$3,954,112	\$1,686,753
Total	\$12,016,487	\$8,782,752	\$9,816,487	\$8,761,722	\$5,809,563
LTFP Swimming Pool Expenditure Surplus/(Deficit)	(\$3,233,735)	\$0	(\$1,033,735)	\$21,030	\$2,973,189

These costs have not been indexed over the 10 year period and do not reflect the possibility of any community fundraising or external grant opportunities.

Preferred Option

The community consultation process clearly identified the community expectations that:

- local level facilities remain available within their local communities;
- significant improvements are not required to the facilities, just gradual improvements as facilities are renewed;
- community driven improvements should be supported; and,
- increasing rates above projections was not acceptable.

Of the options discussed in this report, Option 3 (**Renovation** of all outdoor pools) provides the best opportunity to secure external funding, meets the community expectation, presents opportunities to develop funding partnerships with the community and external funding bodies and provides a proactive asset management approach. This option is recommended for adoption by Council.

Risk Implications

The range of options considered present a variety of different risks. These risks primarily relate to infrastructure failure, under utilisation of a heavily subsidised service, loss of social cohesion or unexpected additional expenditure.

The trigger points identified in the strategic directions document are in place to mitigate these risks. They provide a mechanism for early identification of issues and require a report to be presented to Council outlining the intervention options available.

Further Community Engagement

The development of master plans for each facility by 2014 provides an opportunity for Council to actively engage with the Special Section 86 pool committees of management and local community to develop a shared vision of the future for the facility. This engagement will be undertaken in line with Council's Community Engagement Policy and will reflect a commitment to a partnership approach.

This approach will ensure opportunities to upgrade / extend facilities will be fully investigated during the master planning process. The master plans will clearly articulate the necessary renovations to be funded by Council and identify opportunities to upgrade / extend facilities including potential funding sources and any ongoing financial implications.

Changes made to the draft Strategic Document

As a result of community feedback, the following amendments have been made to the draft "Strategic Direction for Aquatic Facilities in South Gippsland".

Strategic Service Levels have been included. The strategic service levels identify SG SPLASH as a municipal level facility. SG SPLASH provides year round aquatic facility provision. The outdoor pools are identified as providing a seasonal service at the local community level and all outdoor pools are considered equal.

Master Planning has been extended to include Asset Management Plans being prepared for each outdoor pool, in consultation with the Special Section 86 Pool Committees of management and community, commencing with Mirboo North and Korumburra in 2012/13, then Toora, Poowong and Foster in 2013/14. These plans will guide and help prioritise the future capital investment in these facilities.

Well developed proposals for capital **extensions / upgrades** at the outdoor pools where community and/or external funding can provide a significant proportion (70%) of the total project cost will be considered by the Council.

FINANCIAL CONSIDERATIONS

Total 10 year cost of the preferred Option 3 is \$9.816 million. This equates to \$1.03 million above current LTFP projections.

The existing allocations contain adequate resources to enable the ongoing renovation of assets at all sites with a average annual funding shortfall of \$103,000. This shortfall would be reduced by effective community fund raising, external grants and commercial sponsorship. Through the adoption of this document the current model of Council subsidising pool attendances will be maintained.

Additional one-off funding of \$20,000 per facility will be required to develop Master Plans (including Asset Management Plans) to guide the future capital investment at all venues. There is currently no budget provision for Master Plans. The delivery of these master plans will be included as a new initiative for consideration in the 2012/13 and 2013/14 budgets.

The allocation of funds towards the implementation of the proposed direction will be made on an annual basis as part of the Council budget process. This provides an opportunity to reaffirm a commitment to this service and the direction adopted by Council

CONCLUSION

The *Strategic Direction for Aquatic Facilities in South Gippsland, February 2012* provides clear direction for the provision of aquatic facilities within the shire during the next five years.

It recognises and reflects the strong local community sentiment to retain and **renovate** all 5 outdoor pools and articulates the financial implications of doing so.

RECOMMENDATION

That Council:

1. adopt the Strategic Direction for Aquatic Facilities in South Gippsland, February 2012 which is consistent with Option 3 – Renovate all outdoor pools;
2. consider the allocation of \$40,000 in the 2012/13 budget and \$60,000 in 2013/14 budget to prepare Master Plans (including Asset Management Plans) in consultation with the local Special Section 86 pool committees and community, for Korumburra and Mirboo North in 2012/13, Poowong, Foster and Toora in 2013/14 to guide the future capital investment in these facilities; and
3. acknowledge that Option 3 – Renovate all outdoor pools requires an average \$103,000 per annum above the Long Term Financial Plan projections and anticipates this to be met through community fundraising, external grants or commercial sponsorship.

MOVED: Cr Davies

SECONDED: Cr Harding

THAT COUNCIL:

- 1. ADOPT THE STRATEGIC DIRECTION FOR AQUATIC FACILITIES IN SOUTH GIPPSLAND, FEBRUARY 2012 WHICH IS CONSISTENT WITH OPTION 3 – RENOVATE ALL OUTDOOR POOLS;**
- 2. CONSIDER THE ALLOCATION OF \$60,000 IN THE 2012/13 BUDGET AND \$40,000 IN 2013/14 BUDGET TO PREPARE MASTER PLANS (INCLUDING ASSET MANAGEMENT PLANS) IN CONSULTATION WITH THE LOCAL SPECIAL SECTION 86 POOL COMMITTEES AND COMMUNITY, FOR KORUMBURRA, MIRBOO NORTH AND TOORA IN 2012/13, POOWONG AND FOSTER IN 2013/14 TO GUIDE THE FUTURE CAPITAL INVESTMENT IN THESE FACILITIES; AND**
- 3. ACKNOWLEDGE THAT OPTION 3 – RENOVATE ALL OUTDOOR POOLS REQUIRES AN AVERAGE \$103,000 PER ANNUM ABOVE THE LONG TERM FINANCIAL PLAN PROJECTIONS AND EXPECTS THIS TO BE MET THROUGH COMMUNITY FUNDRAISING, EXTERNAL GRANTS OR COMMERCIAL SPONSORSHIP.**
- 4. CONTINUE TO SUPPORT THE PROVISION OF AQUATIC FACILITIES IN RECOGNITION OF THE SIGNIFICANT HEALTH, EDUCATION AND SOCIAL BENEFITS THEY PROVIDE TO RESIDENTS AND VISITORS TO THE MUNICIPALITY.**
- 5. RECOGNISE AQUATIC FACILITIES ARE ONE ELEMENT OF A RANGE OF COMMUNITY FACILITIES AND SERVICES. FUTURE PLANNING WITH THE COMMUNITY NEEDS TO CONSIDER AND PRIORITISE ALL SERVICES AND FACILITIES PRIOR TO THE COMMITMENT OF SIGNIFICANT CAPITAL RESOURCES.**
- 6. REVIEW THE CONTINUED OPERATION OF THE FACILITY WHERE ANY OF THE FOLLOWING TRIGGER POINTS OCCUR:**
 - a) THE FACILITY OPERATOR IS NOT ABLE TO ACHIEVE COMPLIANCE WITH PUBLIC SAFETY; WATER QUALITY OR OH&S REQUIREMENTS WITHIN THE PROPOSED MAINTENANCE AND CAPITAL WORKS BUDGET ALLOCATIONS;**
 - b) LEGISLATIVE CHANGES WHICH REQUIRE ADDITIONAL INVESTMENT BEYOND CURRENT PROJECTIONS;**
 - c) BREAKDOWN OF POOL FILTRATION, POOL SHELL OR CRITICAL INFRASTRUCTURE;**
 - d) NON COMPLIANCE WITH THE IDENTIFIED ANNUAL OPERATIONS BUDGET; AND/OR,**

- e) **DROP IN ATTENDANCES BY 20% OVER TWO CONSECUTIVE SEASONS BASED ON AVERAGE ATTENDANCES FROM 2005/06 THROUGH TO 2010/11.**
- 7. **CONTINUE TO PLAN FOR AND INVESTIGATE OPPORTUNITIES TO EXTEND AND IMPROVE THE SERVICES PROVIDED AT SG SPLASH.**
- 8. **MAINTAIN ITS OPERATIONAL, MAINTENANCE AND CAPITAL INVESTMENT IN ALL OUTDOOR POOLS WITH A FOCUS ON RENOVATION.**
- 9. **NOTE FUTURE CAPITAL INVESTMENT IN OUTDOOR POOLS WILL BE INFORMED THROUGH THE DEVELOPMENT OF MASTER PLANS (INCLUDING ASSET MANAGEMENT PLANS) FOR EACH FACILITY.**
- 10. **CONSIDER SUPPORTING WELL DEVELOPED PROPOSALS FOR CAPITAL EXTENSION /UPGRADE AT THE OUTDOOR POOLS WHERE COMMUNITY AND/OR EXTERNAL FUNDING CAN PROVIDE A SIGNIFICANT PROPORTION (70%) OF THE TOTAL PROJECT COST. COUNCIL WILL ASSESS THE IMPACT ON ONGOING OPERATIONAL EXPENSE THAT WILL NEED TO BE BORNE BY COUNCIL WHEN CONSIDERING ANY SUCH PROPOSALS.**
- 11. **PRIOR TO SEEKING EXTERNAL FUNDING FOR CAPITAL EXTENSION/UPGRADE OF ANY FACILITY, A REPORT WILL BE PRESENTED TO COUNCIL FOR CONSIDERATION DETAILING THE PROPOSED DEVELOPMENT, THE LOCAL COMMUNITIES FINANCIAL CONTRIBUTION AND THE LEVEL OF FINANCIAL AND IN KIND SUPPORT REQUIRED FROM COUNCIL INCLUDING THE ONGOING OPERATING COST TO COUNCIL.**
- 12. **WORK WITH COMMITTEES AND THE COMMUNITY TO MAXIMISE ATTENDANCE AND USE OF THE AQUATIC FACILITIES THROUGH PROMOTIONAL INITIATIVES AND THE DEVELOPMENT OF A RANGE OF PROGRAMS AND ACTIVITIES.**
- 13. **DEVELOP MASTER PLANS (INCLUDING ASSET MANAGEMENT PLANS), IN CONSULTATION WITH THE COMMITTEE AND COMMUNITY, FOR MIRBOO NORTH, KORUMBURRA AND TOORA IN 2012/13, POOWONG AND FOSTER IN 2013/14 TO GUIDE THE FUTURE CAPITAL INVESTMENT IN THESE FACILITIES.**
- 14. **CONDUCT A REVIEW OF THE STRATEGIC DIRECTIONS FOR AQUATIC FACILITIES IN SOUTH GIPPSLAND 2012-2016 FEBRUARY 2012 IN 2016/17.**

AMENDMENT

MOVED: Cr Lewis

SECONDED: Cr Kennedy

THAT COUNCIL:

- 1. ADOPT THE STRATEGIC DIRECTION FOR AQUATIC FACILITIES IN SOUTH GIPPSLAND, FEBRUARY 2012 WHICH IS CONSISTENT WITH OPTION 3 – RENOVATE ALL OUTDOOR POOLS;**
- 2. CONSIDER THE ALLOCATION OF \$40,000 IN THE 2012/13 BUDGET AND \$60,000 IN 2013/14 BUDGET TO PREPARE MASTER PLANS (INCLUDING ASSET MANAGEMENT PLANS) IN CONSULTATION WITH THE LOCAL SPECIAL SECTION 86 POOL COMMITTEES AND COMMUNITY, FOR KORUMBURRA AND MIRBOO NORTH IN 2012/13, POOWONG, FOSTER AND TOORA IN 2013/14 TO GUIDE THE FUTURE CAPITAL INVESTMENT IN THESE FACILITIES; AND**
- 3. ACKNOWLEDGE THAT OPTION 3 – RENOVATE ALL OUTDOOR POOLS REQUIRES AN AVERAGE \$103,000 PER ANNUM ABOVE THE LONG TERM FINANCIAL PLAN PROJECTIONS AND EXPECTS THIS TO BE MET THROUGH COMMUNITY FUNDRAISING, EXTERNAL GRANTS OR COMMERCIAL SPONSORSHIP.**
- 4. CONTINUE TO SUPPORT THE PROVISION OF AQUATIC FACILITIES IN RECOGNITION OF THE SIGNIFICANT HEALTH, EDUCATION AND SOCIAL BENEFITS THEY PROVIDE TO RESIDENTS AND VISITORS TO THE MUNICIPALITY.**
- 5. RECOGNISE AQUATIC FACILITIES ARE ONE ELEMENT OF A RANGE OF COMMUNITY FACILITIES AND SERVICES. FUTURE PLANNING WITH THE COMMUNITY NEEDS TO CONSIDER AND PRIORITISE ALL SERVICES AND FACILITIES PRIOR TO THE COMMITMENT OF SIGNIFICANT CAPITAL RESOURCES.**
- 6. REVIEW THE REVIEW THE CONTINUED OPERATION OF THE FACILITY WHERE ANY OF THE FOLLOWING TRIGGER POINTS OCCUR:**
 - a) THE FACILITY OPERATOR IS NOT ABLE TO ACHIEVE COMPLIANCE WITH PUBLIC SAFETY; WATER QUALITY OR OH&S REQUIREMENTS WITHIN THE PROPOSED MAINTENANCE AND CAPITAL WORKS BUDGET ALLOCATIONS;**
 - b) LEGISLATIVE CHANGES WHICH REQUIRE ADDITIONAL INVESTMENT BEYOND CURRENT PROJECTIONS;**
 - c) BREAKDOWN OF POOL FILTRATION, POOL SHELL OR CRITICAL INFRASTRUCTURE;**
 - d) NON COMPLIANCE WITH THE IDENTIFIED ANNUAL OPERATIONS BUDGET; AND/OR,**

- e) **DROP IN ATTENDANCES BY 20% OVER TWO CONSECUTIVE SEASONS BASED ON AVERAGE ATTENDANCES FROM 2005/06 THROUGH TO 2010/11.**
- 7. **CONTINUE TO PLAN FOR AND INVESTIGATE OPPORTUNITIES TO EXTEND AND IMPROVE THE SERVICES PROVIDED AT SG SPLASH.**
- 8. **MAINTAIN ITS OPERATIONAL, MAINTENANCE AND CAPITAL INVESTMENT IN ALL OUTDOOR POOLS WITH A FOCUS ON RENOVATION.**
- 9. **NOTE FUTURE CAPITAL INVESTMENT IN OUTDOOR POOLS WILL BE INFORMED THROUGH THE DEVELOPMENT OF MASTER PLANS (INCLUDING ASSET MANAGEMENT PLANS) FOR EACH FACILITY.**
- 10. **CONSIDER SUPPORTING WELL DEVELOPED PROPOSALS FOR CAPITAL EXTENSION /UPGRADE AT THE OUTDOOR POOLS WHERE COMMUNITY AND/OR EXTERNAL FUNDING CAN PROVIDE A SIGNIFICANT PROPORTION (70%) OF THE TOTAL PROJECT COST. COUNCIL WILL ASSESS THE IMPACT ON ONGOING OPERATIONAL EXPENSE THAT WILL NEED TO BE BORNE BY COUNCIL WHEN CONSIDERING ANY SUCH PROPOSALS.**
- 11. **PRIOR TO SEEKING EXTERNAL FUNDING FOR CAPITAL EXTENSION/UPGRADE OF ANY FACILITY, A REPORT WILL BE PRESENTED TO COUNCIL FOR CONSIDERATION DETAILING THE PROPOSED DEVELOPMENT, THE LOCAL COMMUNITIES FINANCIAL CONTRIBUTION AND THE LEVEL OF FINANCIAL AND IN KIND SUPPORT REQUIRED FROM COUNCIL INCLUDING THE ONGOING OPERATING COST TO COUNCIL.**
- 12. **WORK WITH COMMITTEES AND THE COMMUNITY TO MAXIMISE ATTENDANCE AND USE OF THE AQUATIC FACILITIES THROUGH PROMOTIONAL INITIATIVES AND THE DEVELOPMENT OF A RANGE OF PROGRAMS AND ACTIVITIES.**
- 13. **DEVELOP MASTER PLANS (INCLUDING ASSET MANAGEMENT PLANS), IN CONSULTATION WITH THE COMMITTEE AND COMMUNITY, FOR MIRBOO NORTH AND KORUMBURRA IN 2012/13, POOWONG, FOSTER AND TOORA IN 2013/14 TO GUIDE THE FUTURE CAPITAL INVESTMENT IN THESE FACILITIES.**
- 14. **CONDUCT A REVIEW OF THE STRATEGIC DIRECTIONS FOR AQUATIC FACILITIES IN SOUTH GIPPSLAND 2012-2016 FEBRUARY 2012 IN 2016/17.**

For: Crs Fawcett, Newton, Raabe, Davies, Deane, Jackson, Lewis and Kennedy.

Against: Cr Harding

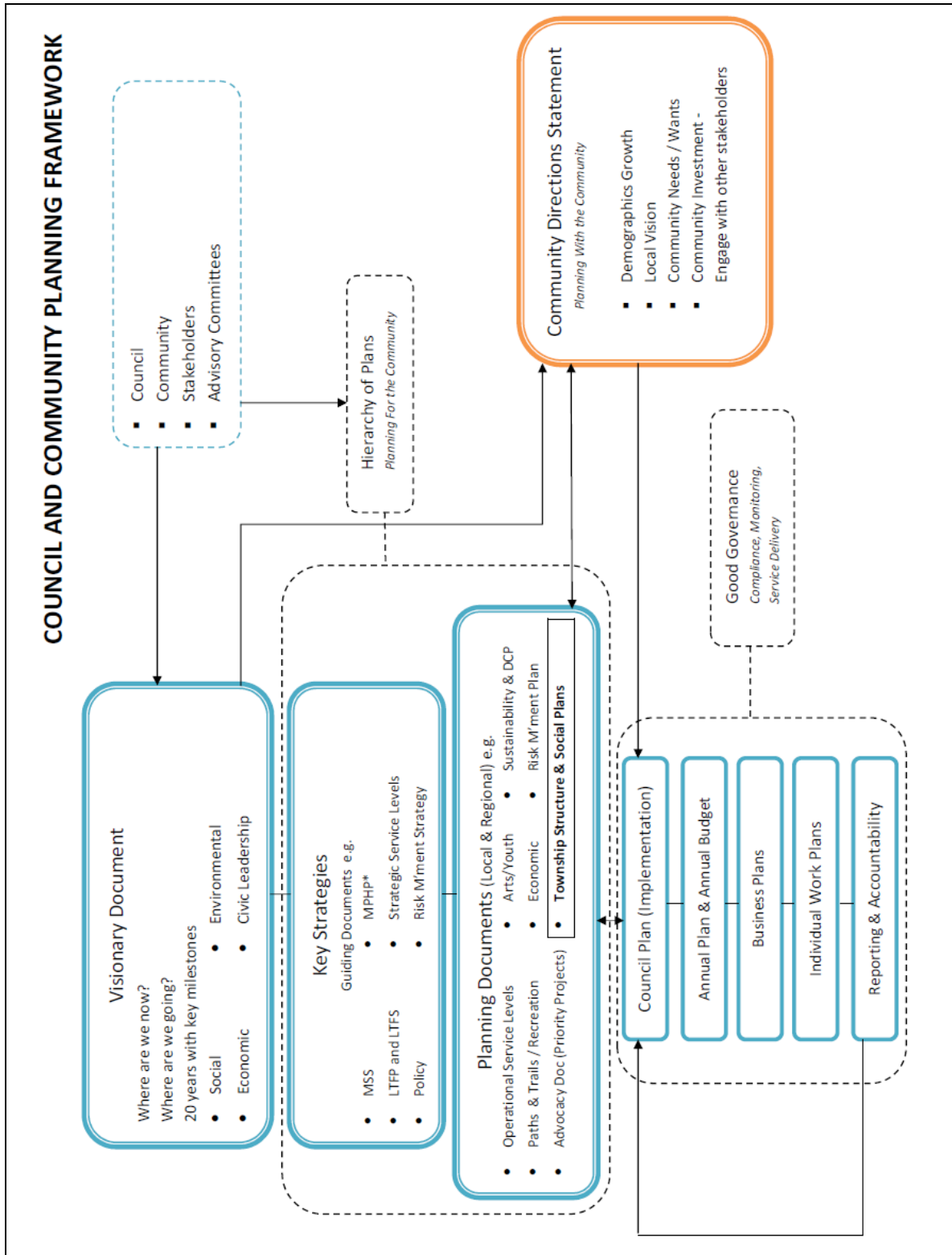
The Amendment was PUT and CARRIED.

The Amendment became the Motion before the Chair and was CARRIED.

For: Crs Fawcett, Newton, Raabe, Davies, Deane, Jackson, Lewis and Kennedy.

Against: Cr Harding

Attachment 1



SUPPORTING INFORMATION

VISIONARY DOCUMENTS:

A Vision provides an organisation with a clear picture of how it sees itself in a future state. Strategies and actions provide the way forward to turn the vision from a dream into reality. Measures monitor progress and trends over time to determine if the strategy implementation is achieving the desired outcomes.

Hierarchy of Plans

KEY STRATEGIES:

These are strategic long term *guiding* documents – be they legislated or not. They guide the business of Council focusing on a combination of related factors that need to work together to achieve one or more Strategic Outcomes over the longer horizon.

A 'Strategy' provides the direction the organisation and its service areas need to take in response to a wide range of internal and external factors with the intent of creating a clearly articulated desired future state.

PLANNING DOCUMENTS

These are *planning* documents that address one significant component of a higher level strategy to set operational level outcomes with shorter term goals and deliverable measurable results.

A Plan must have built in flexibility so that it remains realistic in terms of resource and financial requirements with each year of implementation.

Planning Documents can be local (driven/led by the Shire), regional (not driven/led by the Shire but important/influential to our local and regional area) or area/group specific. They are normally of a four to five year focus.

COMMUNITY DIRECTIONS STATEMENT

Community Direction Statements are planning documents developed to articulate the desires and directions of communities. These plans often require assistance from government, private, not for profit and volunteer organisations to fulfil the identified requests.

Council plays a pivotal role in assisting communities to develop their plans, but only has a limited role in addressing those aspects of the plans Council can realistically achieve.

COUNCIL PLAN:

The Council Plan is a legislative requirement where each local government must submit a four-year strategic plan that draws from the planning documents to create integration between desired outcomes, realistic resources and deliverable actions achievable over the four year term of Council. The Council Plan is a key component in the corporate planning framework. It provide guidance and direction to the organisation by setting organisational goals, outcomes, strategies, actions, resource requirements and performance measures for the next four years. The Council Plan focuses on the strategic goals of providing 1) A vibrant, engaged community 2) A sustainable environment 3) A strong economy 4) Appropriate infrastructure 5) A leading organisation.

E.2 SIMONS LANE, LEONGATHA - TEMPORARY ROAD CLOSURE

Engineering Services Directorate

EXECUTIVE SUMMARY

This report is presented to Council to review the submissions received in relation to the temporary closure of Simons Lane, Leongatha near its intersection with the Bass Highway and recommends approval of the temporary closure.

Three written submissions were received all of which expressed objection to the closure. The main objections given are:

1. Provides a bypass if there is an accident between Leongatha and Simons Lane;
2. Increase in response time for emergency service attendance;
3. Should be upgraded not closed;
4. Longer distance to travel to take children to the school bus stop located at 8405 Bass Highway;
5. Used as a direct thoroughfare between Bass Highway and South Gippsland Highway; and,
6. Additional traffic directed into Leongatha.

Document pertaining to this Council Report

- **Attachment 1:** Correspondence from VicRoads
- **Confidential Appendix 1:** Submissions received

Under Section 223 (three submissions).

Southern Leongatha Outline Development Plan – copy of submissions considered by Council at its Ordinary Meeting on 24 August 2011.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Act 1989, Section 9 of the schedule 11

Local Government Act 1989, Section 207A

Local Government Act 1989, Section 223

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Southern Leongatha Outline Development Plan

COUNCIL PLAN

Strategic Goal:	4.	Appropriate Infrastructure.
Outcome:	4.1.	Roads, Streets, Bridges, Drainage & Other Associated Infrastructure.
Strategy No:	4.1.2.	Infrastructure Implementation.

CONSULTATION

Section 223 – Simons Lane Temporary Road Closure

In accordance with Section 223 of the Local Government Act 1989 public submissions were sought with regard to the proposal. Three written submissions were received, all of which expressed objection to the closure (Confidential Appendix 1).

The main concerns raised are:

- Concern No 1: Provides a bypass if there is an accident between Leongatha and Simons Lane.
- Concern No 2: Increase in response time for emergency service attendance.
- Concern No 3: Should be upgraded not closed.
- Concern No 4: Longer distance to travel to take children to the school bus stop located at 8405 Bass Highway.
- Concern No 5: Used as a direct thoroughfare between Bass Highway and South Gippsland Highway.
- Concern No 6: Additional traffic directed into Leongatha.

From the above three submissions, no person had advised that they wish to be heard.

Mail out

In addition to the requirement of Section 223, Local Government Act 1989, a mail out was sent on 14 December 2011 advising of the proposal for the temporary closure of Simons Lane near the Bass Highway and the future works for the realignment of Simons Lane. This included the creation of a new intersection further north along the Bass Highway as identified in the Southern Leongatha Overall Development Plan.

The mail out included:

- all affected property owners / occupiers (total of 148) along Simons Lane or along roads feeding onto Simons Lane as their sole means of entering / leaving their properties;
- properties within 500 metres of Simons Lane; and,
- the four service providers, namely the Country Fire Authority, Police Victoria, Rural Ambulance Victoria and Australia Post;

In this correspondence service providers and property owners / occupiers who wished to have their concerns heard by Council were advised to book a time at the Public Presentation sessions to be held on 15 February 2012.

No person or service provider responded to the mail out or advised that they wished to be heard.

REPORT

Background

Southern Leongatha Outline Development Plan

The option of the potential closure of Simons Lane at the Bass Highway was included in the public exhibition of the Southern Leongatha Outline Development Plan. Six submissions were received, all of which expressed objection to the closure. A report addressing the six submissions received (refer Confidential Appendix 1) in relation to the Southern Leongatha Outline Development Plan public exhibition was considered by Council at the 24 August 2011 Ordinary Council Meeting. In consideration of its deliberations with respect to this report, Council adopted a recommendation to:

“Commence preparation of the statutory processes necessary to close Simons Lane near the intersection with the Bass Highway on creation of any Low Density Residential Lots on Simons Lane.”

VicRoads is the Coordinating Road Authority for the intersection of the Bass Highway with Simons Lane. VicRoads, in response to Council’s proposed Southern Leongatha Outline Development Plan, in correspondence dated 29 July 2011 (Attachment 1), states that:

“Any development of the land within the (Southern Leongatha) ODP (Outline Development Plan) will trigger the need to upgrade the intersection of Simons Lane and the Bass Highway. However, if Council sees fit to close this intersection, VicRoads would offer no objection.”

Council, at its Ordinary Meeting held on 26th October 2011, considered a report titled "Simons Lane, Leongatha – Road Closure" and resolved:

- "1. Approve the commencement of statutory procedures under Section 223, Local Government Act 1989, for the closure of Simons Lane near its intersection with the Bass Highway on the creation of any low density residential lots on Simons Lane;*
- 2. Give public notice of 28 days for the proposal from 2 November 2011 to the 29 November 2011, being the proposed closure of Simons Lane, under Section 223 of the Local Government Act 1989;*
- 3. Note that if submissions are received, fix the time, date and place for hearing people who wish to be heard in Support of their submission as the public presentation Session 3.30pm on Wednesday 14 December 2011 in the Council Chambers, Leongatha;*
- 4. Advise those persons who wish to be heard in support of their submission of the date, time and place of the hearing of submissions as soon as possible; and,*
- 5. Determine that the committee to hear these submissions is:*
 - a. Councillors in attendance;*
 - b. Director Engineering Services; and,*
 - c. Manager Assets."*

Consultation was carried out in accordance with the Council adopted recommendations as detailed previously in this report.

Intersection Safety / Accident History

The intersection of Bass Highway and Simons Lane was investigated as part of the "Transport and Traffic Impact Assessment Report, 11 January 2011" prepared for Council by SMEC Australia Pty Ltd as part of the Southern Leongatha Outline Development Plan. The SMEC report made two recommendations regarding the Bass Highway / Simons Lane intersection, namely:

- 1.** The traffic report supports the retention of Simons Lane if upgraded to include an auxiliary left turn and channelised right turn lane treatment. It is also strongly recommended that the new intersection arrangement be redesigned to improve the safe intersection sight distance to achieve compliance with Australian Standards; and,

2. If the current intersection configuration at Bass Highway / Simons Lane cannot be modified, then it is recommended that Simons Lane be truncated at Bass Highway as it poses a safety risk due to restricted sight distances.

The safety issue at this intersection is the lack of adequate stopping sight distance for northbound vehicles when another vehicle is stopped at the intersection in an attempt to execute a right hand turn into Simons Lane.

In December 2011, an accident of this very nature occurred – the vehicle undertaking the right turn into Simons Lane was severely damaged; fortunately only minor injuries occurred.

No previous casualty accidents have been reported at this site.

Discussion

The following responses are offered addressing each of the concerns raised by the submitters.

- Concern No 1: Provides a bypass if there is an accident between Leongatha and Simons Lane.

Response: There are alternative nearby bypass routes if such a requirement arises such as Soldiers Rd and Gwyther Siding Road which connect the Bass Highway with the South Gippsland Highway.

- Concern No 2: Increased response time for emergency service attendance.

Response: The travel distance from the Leongatha CFA in Anderson Street to the location of the closure will increase by approximately 1.6 kilometres – as an indication under emergency response, this represents a maximum increase in travel time at 60km/h of 1.6 minutes or at 100km/h a travel time of 57.6 seconds. Additional CFA travel time to properties in Simons Lane only applies to those properties between the closure at 30 metres east of the Bass Highway (maximum increase) and Simons Road (approximately 800 metres east of the Bass Highway) where the travel time increase expires.

- Concern No 3: Should be upgraded not closed.

Response: The proposal is for the temporary closure of Simons Lane near the Bass Highway. Council is undertaking preliminary investigations to establish the feasibility and future cost of upgrading the existing intersection or the realignment of Simons Lane and creation of a new intersection north of the existing intersection as identified in the Southern Leongatha Outline Development Plan.

- Concern No 4: Longer distance to travel to take children to the school bus stop located at 8405 Bass Highway.

Response: Yes. However, there is an alternative school bus stop located on the South Gippsland Highway near Simons Lane approximately 1.7 kilometres from the submitters property which is a similar distance as the existing bus stop on the Bass Highway.

- Concern No 5: Used as a direct thoroughfare between Bass Highway and South Gippsland Highway.

Response: There are a number of alternative connections between the Bass Highway and South Gippsland Highway south of Leongatha, namely:

Koonwarra Inverloch Road;

Whitelaws Track & Koonwarra Inverloch Road;

Soldiers Rd & Gwyther Siding Road; and,

Leongatha Township via Young Street or McCartin Street / Bair Street.

- Concern No 6: Additional traffic directed into Leongatha.

Response: Currently, the traffic volume using Simons Lane in the vicinity of the Bass Highway is 112 vehicles per day including 9 single unit heavy vehicles and one articulated semitrailer. Bearing in mind that the Bass Highway currently carries 3221 vehicles per day inclusive of 322 heavy vehicles, the redistribution of the Simons Lane traffic in the short term is considered insignificant.

Proposal

It is proposed to close Simons Lane, Leongatha, at a point approximately 30 metres east of the Bass Highway, on a temporary basis until Simons Lane is realigned and a new intersection created at a suitable location to the north of the existing Bass Highway / Simons Lane intersection.

FINANCIAL CONSIDERATIONS

The cost to install a temporary closure is estimated to be \$9,000 which can be funded using Council's 2011/12 Minor Works budget. Works are able to commence immediately following Council adoption to close Simons Lane as recommended.

The realignment of Simons Lane and construction of a new intersection at the Bass Highway is estimated to cost in the order of \$1,500,000 and will be considered for inclusion in a future Capital Works program and maybe subject to third party funding contributions yet to be established.

RECOMMENDATION

That Council having received and considered submissions under Section 223 of the Local Government Act 1989 now:

1. Approve the closure of Simons Lane, Leongatha, approximately 30 metres east of the Bass Highway on a temporary basis until Simons Lane is realigned and a new Simons Lane / Bass Highway intersection is constructed at a suitable location north of the existing intersection.
2. Approves closure of Simons Lane on issuing a planning permit for any development in the Southern Leongatha Outline Development Plan area.
3. Advise submitters of the reasons for this decision as outlined in the officers report, affected property owners and service providers accordingly.

MOVED: Cr Jackson

SECONDED: Cr Fawcett

THAT COUNCIL HAVING RECEIVED AND CONSIDERED SUBMISSIONS UNDER SECTION 223 OF THE LOCAL GOVERNMENT ACT, 1989 NOW:

1. **APPROVE THE FUTURE CLOSURE OF SIMONS LANE, LEONGATHA, APPROXIMATELY 30 METRES EAST OF THE BASS HIGHWAY ON A TEMPORARY BASIS UNTIL SIMONS LANE IS REALIGNED AND A NEW SIMONS LANE/BASS HIGHWAY INTERSECTION IS CONSTRUCTED AT A SUITABLE LOCATION NORTH OF THE EXISTING INTERSECTION.**
2. **AUTHORISE THE CHIEF EXECUTIVE OFFICER TO CLOSE SIMONS LANE AFTER ISSUING A PLANNING PERMIT FOR ANY DEVELOPMENT IN THE SOUTHERN LEONGATHA OUTLINE DEVELOPMENT PLAN AREA, ONCE CONSTRUCTION OF THE SUBDIVISION HAS COMMENCED.**
3. **ADVISE SUBMITTERS OF THE REASONS FOR THIS DECISION AS OUTLINED IN THE REPORT, AFFECTED PROPERTY OWNERS AND SERVICE PROVIDERS ACCORDINGLY.**

The Mayor adjourned the Meeting for 5 minutes.

The Meeting resumed at 3.25pm.

CARRIED

For: Crs Fawcett, Jackson, Newton, Harding, Raabe, Deane, Davies and Kennedy.


Against: Cr Lewis

**Attachment 1
Correspondence from VicRoads 29 July 2011**

EF/09/316

SOUTH
LEONGATHA
K Griffiths

Mr Ken Griffiths
Strategic Planner
South Gippsland Shire Council
**DX 94026
LEONGATHA VIC 3953**



Eastern Victoria Headquarters
PO Box 158 Traralgon Victoria 3844
Telephone (03) 5172 2666
Fax (03) 5176 1016
vicroads.vic.gov.au

Date: 29 July 2011
Contact: Stuart Fenech
Telephone: 5172 2693
Our Ref: 903369
Your Ref:

Dear Mr Griffiths

SOUTHERN LEONGATHA OUTLINE DEVELOPMENT PLAN

I refer to the above South Gippsland Planning Scheme proposed Outline Development Plan which includes the closure options for Simons Lane at the Bass Highway.

VicRoads has no objection to the overall plan and provides the following comments.

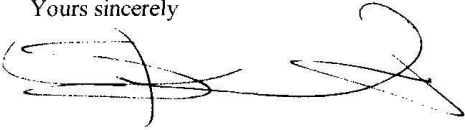
Any development of the land contained within the OPD will trigger the need to upgrade the intersection of Simons Lane and the Bass Highway. However, if Council sees fit to close this intersection, VicRoads would have no objection.

The construction of the intersections on the Bass Highway and the South Gippsland Highway must be to VicRoads requirements.


The Construction of the rounabouts shown within the Traffic reports may require land acquisition. The mechanism for this must be agreed with by the South Gippsland Council and VicRoads.

Should you require any further information please contact Stuart Fenech of this office on telephone 5172 2693, who would be pleased to assist.

Yours sincerely



**STUART FENECH
STATUTORY PLANNING OFFICER**



VicRoads ABN 61 760 960 480
13 44

E.3 PETITION - CORNER INLET MOTORCYCLE CLUB

Engineering Services Directorate

EXECUTIVE SUMMARY

The purpose of this report is for Council to note the petition received at its Ordinary Meeting held on 22 December 2011 requesting that Council:

- Demonstrate support for the Corner Inlet Motor Cycle Club Inc. (CIMCC) and the ongoing use and protection of the motor cross track at Yanakie.
- Recognise the benefits of having a controlled, supervised motorcycling environment for our local youth and families and importance to the community.

Document pertaining to this Council Report

- **Attachment 1:** Petition Cover Letter and Prayer.
- **Confidential Appendix 1:** Petition with signatories.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Act 1989, Sections 111 & 190

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Nil

COUNCIL PLAN

Strategic Goal:	1.0	A Vibrant, Engaged Community
Outcome:	1.2	Health and Wellbeing
Strategy No:	1.2.1	Active Lifestyles

CONSULTATION

N/A

REPORT

Background

At its Ordinary Meeting held on the 22 December 2011, a petition was tabled requesting that Council:

- Demonstrate support for the CIMCC and the ongoing use and protection of the motor cross track at Yanakie.

- Recognise the benefits of having a controlled, supervised motorcycling environment for our local youth and families and importance to the community.

Refer to **Attachment 1** for a copy of the petition cover letter and petition prayer. For a full copy of the petition signatories, refer to **Confidential Appendix 1**.

The current lease to the Corner Inlet Motor Cycle Club commenced on 3 December 2004 and will expire on 31 August 2014.

Proposal

It is proposed that Council:

1. Note the petition; and
2. Inform the Corner Inlet Motor Cycle Club (CIMCC) that appropriate community consultation will occur when the lease is due for renewal in 2014.

RECOMMENDATION

That Council:

1. Note receipt of the petition; and
2. Inform the Corner Inlet Motor Cycle Club (CIMCC) that appropriate community consultation will occur when the lease is due for renewal in 2014.

MOVED: Cr Kennedy

SECONDED: Cr Newton

THAT THE ORDER OF BUSINESS BE MOVED TO ALLOW CONSIDERATION OF ITEMS E.3, E.5, E.6, E.7 AND E.12 AND THE RECOMMENDATIONS BE ADOPTED.

CARRIED UNANIMOUSLY

**Attachment 1
Petition Cover Letter and Prayer**

**Corner Inlet
Motor Cycle Club**

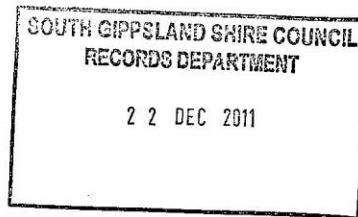
PO Box 13
Foster Vic 3960



President:	Paul Sagasser	Ph 5682 2321
V.President:	Norm Hetherington	Ph 5686 2656
Secretary:	Peter Bohn	Ph 5682 2829

28th November, 2011

The Councillors
South Gippsland Shire Council
Leongatha 3953



Dear Councillors

Corner Inlet MotorcCle Club provides a controlled and supervised motorcycling environment for our local youth and families.

We strive to meet requirements as set out in our Lease with the Shire – our small and dedicated group of volunteers do our best to control noise and dust at the site and to maintain the track as per Lease and Motorcycling Victoria safety requirements. We have recently submitted a Management Plan to the Shire and would welcome discussions with you regarding this. We are “good neighbours”, addressing issues as they arise to the best of our ability.

We have strong opposition from a handful of people, but we have a lot of support from hundreds in the local community and beyond.

Over the past couple of months we have collected names and signatures from those in support of the Motocross track at Yanakie and we urge you to support and help us to continue to provide a sporting service to our local community.

Please find attached copies of signatures in support of our Club.

Yours sincerely

Peter Bohn
Secretary

**Attachment 1
Petition Cover Letter and Prayer**

We the undersigned, hereby petition you, as the elected representatives of the South Gippsland community, to demonstrate support for the Corner Inlet Motor Cycle Club (CIMCC), and its ongoing use of the sanctioned motocross track at Yanakie.

We urge you to recognise the benefits of having a controlled, supervised motorcycling environment for our local youth and families. We also request that you provide adequate protection of the track in recognition of its importance to the community.

Attachment 1 Public Notice of Proposed Sale of Land

PUBLIC NOTICE

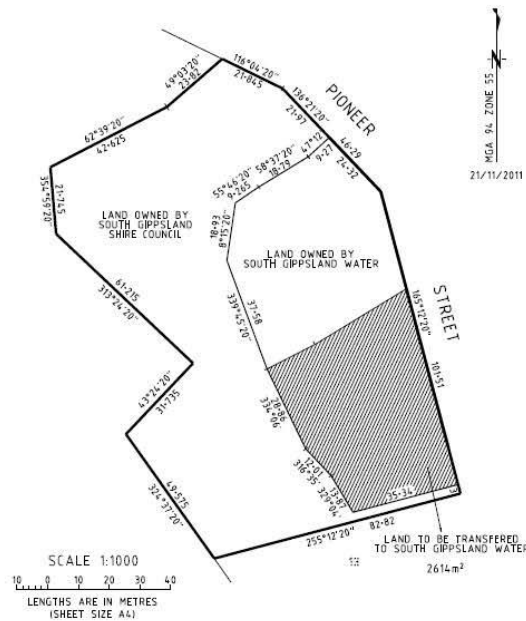
SOUTH GIPPSLAND SHIRE COUNCIL

NOTICE OF INTENTION TO SELL LAND

South Gippsland Shire Council (**Council**) gives notice under section 189 of the *Local Government Act 1989 (Act)* that it intends to sell its land described below (**proposal**).

The land is a 2,614 square metre parcel of the land known as 20-22 Pioneer Street, Foster, shown cross-hatched on the plan below (**Land**), and comprising that part of the land contained in certificates of title volume 7482 folio 191 and volume 10252 folio 732 shown as lot 2 on plan of subdivision PS648040Y (**Plan**).

A copy of the Plan is available for inspection at Council's offices by contacting Chris Van Der Ark, Property Development Co-Ordinator, on 5662 9391.



The proposal is that the Land be sold by private treaty to the owner of the adjoining land, South Gippsland Water Corporation.

The principal terms of the Contract of Sale will be:-

1. Payment of a deposit of 10% of the price payable on the day of sale.
2. Settlement will take place the later of:
 - i. 14 days after Council gives notice to the purchaser of the registration of the Plan at the Land Registry;

[5858346: 8942100_1]

Attachment 1 Public Notice of Proposed Sale of Land

- ii. Council obtaining an access licence from the Department of Sustainability and Environment over part of the adjoining Crown land; and
- iii. 14 days after the purchaser lodges an application with Council to rezone the Land from a Public Use Zone 7 to a Public Use Zone 3.

A person may make a submission on the proposal.

Any person proposing to make a submission under section 223 of the Act must do so on or before 5:00pm Monday 23 January 2012.

All submissions will be considered in accordance with section 223 of the Act.

Submissions should be addressed to the Chief Executive Officer, and can be hand delivered to Council's Office at 9 Smith Street, Leongatha or posted to the following address:

The Chief Executive Officer
South Gippsland Shire Council
Private Bag 4
Leongatha VIC 3953

Any person requesting to be heard in support of his or her submission is entitled to be heard before Council (or a Committee established by Council for this purpose) or be represented by a person acting on his or her behalf, and will be notified of the time and date of the hearing.

Tim Tamlin
Chief Executive Officer

E.5 WALKERVILLE RETARDING BASIN - CFA SATELLITE FIRE STATION

Engineering Services Directorate

EXECUTIVE SUMMARY

The purpose of the report is to approve a lease to the Country Fire Authority (CFA) for an area of approximately 620m² at 20 Panoramic Drive, Walkerville being part of the Walkerville Retarding Basin (**Attachment 1** - Aerial Plan).

At its Ordinary Council Meeting held on 26 October 2011, Council resolved to commence statutory procedures and to give public notice for the preparation of a lease to the CFA for an area of approximately 620 m² of the Walkerville Retarding Basin.

There were no submissions received under Section 223 of the Local Government Act, 1989.

Document pertaining to this Council Report

- **Attachment 1:** Aerial Plan identifying 20 Panoramic Drive, Walkerville.
- **Attachment 2:** CFA Satellite Fire Station Concept Leased Plan - detailing station location, floor plan and site features.
- **Attachment 3:** Copy of "Public Notice", Notice of Intention to Lease Land.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Act 1989, Sections 190 & 223

CFA Act 1989, Sections 21 (1)

COUNCIL PLAN

Strategic Goal:	4.0	Appropriate Infrastructure
Outcome:	4.2	Council Buildings / Facilities

CONSULTATION

Council Meeting date

Report Title

5 July 2005

Walkerville Retarding Basin - CFA Satellite Fire Station

1 July 2009

Walkerville Retarding Basin - CFA Satellite Fire Station

26 October 2011

Walkerville Retarding Basin - CFA Satellite Fire Station

REPORT

Background

The CFA approached Council to lease Council owned land or managed land within the Prom View Estate Walkerville to establish a Satellite Fire Station in 2005 (**Attachment 2** - Concept Plan).

The CFA's preference was land within the Walkerville Retarding Basin as it:

- was considered a secure site;
- provided the CFA with a local presence due to the proximity to Walkerville Road; and,
- provided easy access and is closer to the volunteer's homes, increasing the response times of the unit.

On 26 October 2011, Council resolved to commence statutory procedures and to give public notice to lease the land to the CFA.

Discussion

Under Section 190 and 223 of the Local Government Act 1989, Council issued a Public Notice, 'Notice of Intention to Lease Land' to the CFA.

The notice was published in The Star and The Mirror newspapers (**Attachment 3**).

No submissions were received under Section 223 in accordance with the statutory period of 28 days.

Proposal

It is proposed that Council approve the lease to the CFA, for a term of 10 years, with a further option of 10 years.

FINANCIAL CONSIDERATIONS

Council will not be disadvantaged by approving the lease, as the CFA will be fully responsible for the construction and ongoing maintenance of the fire station.

The proposed rental of \$104 per annum plus GST, indexed annually by Consumer Price Index is in line with Department of Sustainability and Environmental Crown Land leasing policy for minimum rental.

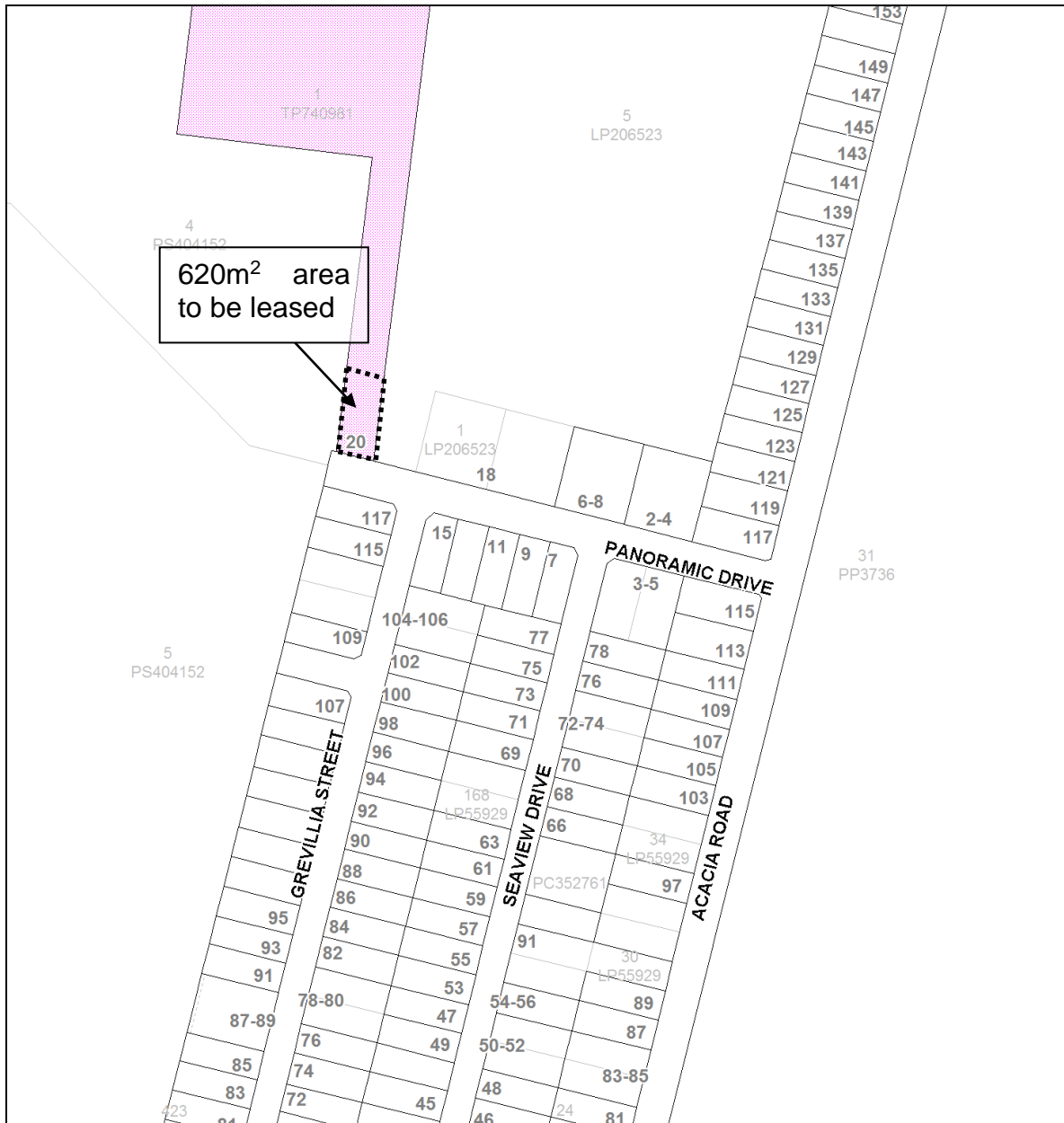
RECOMMENDATION

That Council:

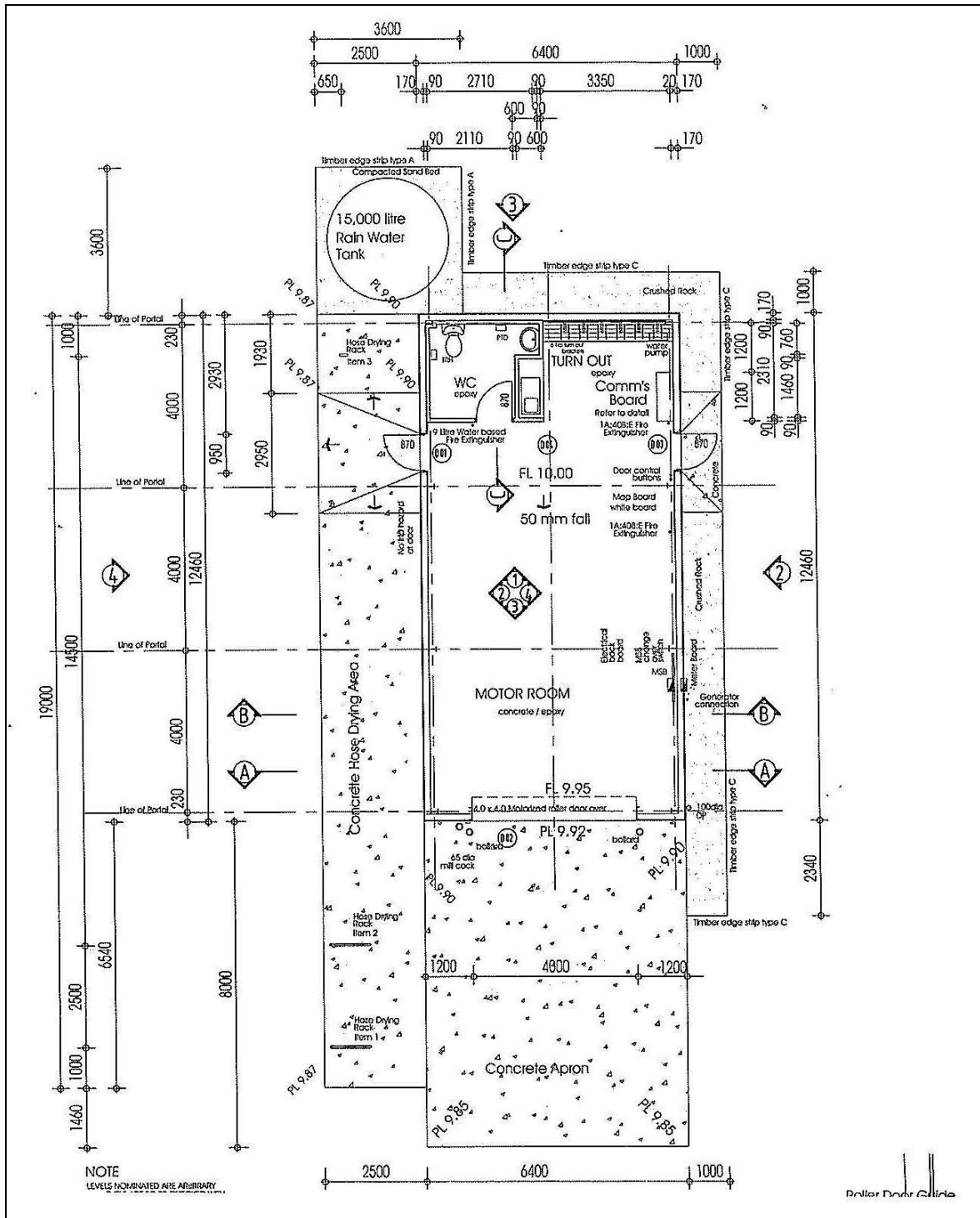
- 1. Enter into a 10 year lease with the CFA with an option of a further 10 years, for an area of 620m² at 20 Panoramic Drive, Walkerville to establish a satellite fire station;**
- 2. Set the rental fee at \$104 per annum + GST, indexed annually by the Consumer Price index; and**
- 3. Authorise the Chief Executive Officer to sign the lease and affix the common seal of the Council to the lease.**

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 58.

Attachment 1
Aerial Plan identifying 20 Panoramic Drive, Walkerville



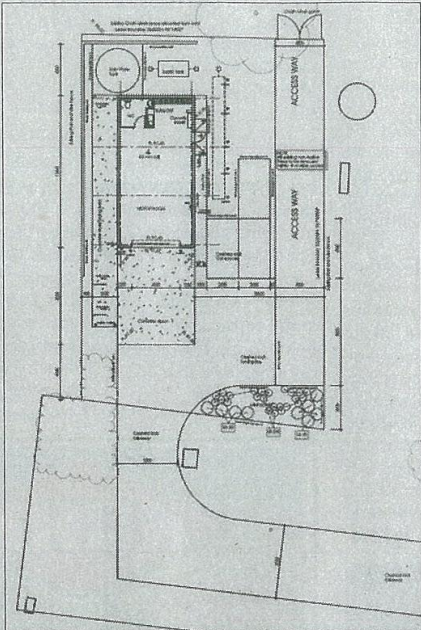
Attachment 2 CFA Satellite Fire Station Concept Plan



Attachment 3
Copy of "Public Notice", Notice of Intention to Lease Land.

Public Notice
South Gippsland Shire Council
Notice of Intention to Lease Land

South Gippsland Shire Council (Council) gives notice under section 190 of the Local Government Act 1989 (Act) of its intention to enter into a lease with the Country Fire Authority (CFA) in respect of the premises, being part of Walkerville Retarding Basin, 20 Panoramic Drive, Walkerville (the proposal).
A plan of the premises is shown below.



The purpose of the lease will be for the installation, operation and maintenance of a CFA Satellite Fire Station.
The principal terms of the lease will be:

1. A term of 10 years with an option of a further 10 years.
2. A commencement rent of \$104 plus GST, indexed annually to CPI.
3. Outgoings and other charges are payable by the tenant.

Please contact Ms Helen Heley on 5662 9309 for any further information on the proposed lease.

A person may make a submission on the proposal. Any person proposing to make a submission under section 223 of the Act must do by the close of business on Wednesday 30 November 2011.

All submissions should be addressed to the Chief Executive Officer, and can be hand delivered to Council's Office at 9 Smith Street, Leongatha or posted to the following address:

The Chief Executive Officer
South Gippsland Shire Council
Private Bag 4
LEONGATHA 3953

A person making the submission is entitled to request in the submission that the person wishes to appear in person, or be represented by a person specified in the submission, at a meeting of the Council (or a committee determined by Council) to be heard in support of the submission.

Tim Tamlin
Chief Executive Officer

"THE STAR", Tuesday, November 1, 2011

The Mirror, Wednesday, November 2, 2011.

E.6 EXPRESSION OF INTEREST FOR LEASE AND OPERATION OF KORUMBURRA TOURIST PARK

Engineering Services Directorate

EXECUTIVE SUMMARY

To provide Council with:

- a summary of the history of Council's involvement with Crown Land Caravan Parks focusing on Korumburra Tourist Park;
- a discussion on the current lease, stakeholders and ongoing management options for Korumburra Tourist Park; and,
- a proposal to proceed with a public process for the long term lease, redevelopment and operation of the Korumburra Tourist Park.

Document pertaining to this Council Report

- **Attachment 1:** Plan showing Leased area
- **Attachment 2:** Layout Plan of the Korumburra Tourist Park
- **Confidential Appendix 1:** Lease Details for the Korumburra Tourist Park

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Act 1989, Sections 3E and 3F, 136, 190 and 223

Residential Tenancies Act 1997, Sections 143, 145 & 206D

Residential Tenancies (Regulations) 1997

Crown Land (Reserves) Act 1978, Sections 14 and 17D

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Asset Management Policy

Tourism Strategy

COUNCIL PLAN

Strategic Goal:	1.0	A Vibrant Engaged Community
Outcome:	1.1	Active, Resilient Community
Strategy No:	1.1.6	Image and Identity
Strategic Goal:	3.	A Strong Economy
Outcomes:	3.1	Economic Development
	3.2	Tourism, Employment
	3.3	Infrastructure
Strategy:	3.1.3	Economic Investment
	3.1.4	Tourism
	3.2.1	Employment Creation
	3.3.3	Utilities
Strategic Goal:	4	Appropriate Infrastructure
Outcomes:	4.2	Council Buildings/Facilities
Strategy:	4.2.2 & 4.2.3	Funding and Review

CONSULTATION

Both internal and external consultation has occurred to capture information / perception on the preferred vision, use, economic benefits, asset improvement costs and management options for the Korumburra Tourist Park (the Park).

The last external consultation occurred on 12 October 2011 when Council released a survey and project information sheet on its 20 Year Caravan Park Masterplan Project (Project) and sought feedback relating to the conceptual development plans and improvement works. This communication material was placed on Council's website for a period of 4 weeks, hard copies were provided to each Caravan Park and Council's libraries.

Regular briefings have been held with Council to provide updates on this Project.

Discussions were held with neighbouring coastal shires - Wellington Shire, East Gippsland Shire and Bass Coast Shire to share information on what approach they took when reviewing management options for crown land caravan parks in their respective Shires. All remain Committees of Management. East Gippsland developed a Business Unit and contract out the management of their caravan parks, whilst Wellington and Bass Coast continue to lease to a third party.

REPORT

Council has a history of involvement with four Crown land caravan parks in the Shire being Korumburra Tourist Park, Yanakie Caravan Park, Long Jetty Caravan Park and Waratah Bay Caravan Park (the caravan parks). Much discussion has been held in recent times on the role of Council with these caravan parks. This included discussion on future investment in the Park to address the diminishing condition of capital assets, increased maintenance costs and terms of existing leases.

It is necessary for Council to understand and determine its future role with the caravan parks so that the ongoing management of the caravan parks can be progressed. This determination is paramount for the Korumburra Tourist Park as the expiry date for its lease is 24 November 2012.

Accordingly, this report aims to provide Council with sufficient information on the Korumburra Tourist Park to proceed to a public process using an Expression of Interest (EOI) as the method to test market interest.

An EOI is considered to be the preferred method as it is a flexible process that enables the market to respond to a proposal with a wide range of submissions (which may deliver a more effective outcome for Council than those initially considered by the Project). In other words, the EOI is not specific in requirements as a Tender would be.

Background

On 21 October 1958, an Order in Council pursuant to Section 22 of the Land Act, 1958 granted Council a Committee of Management status for the Park.

On becoming a Committee of Management, Council administered the Park directly through contracted managers. However, this practice was discontinued during the period when Commissioners were appointed to administer Shire affairs (1994-1996). A report prepared by Alljames Consulting Pty Ltd in 2004, makes mention that the Commissioners concluded that the Caravan Parks were not 'core business' of Council and that the businesses should be sold and leases entered into.

Over the years, the business operating from the Park has been sold and leases transferred. The sales have been private transactions and the Council has played no part nor collected any additional revenue as a result. When the lease was transferred, the terms and durations of the original lease remained in place. This is primarily due to the limitations of the Crown Land Reserves Act 1978 and ability to offer a term greater than 21 years. Therefore Council's role in the operations of the Park is as a lessor.

The Review

In 2004, Council undertook a review of the caravan parks. The review was undertaken by Alljames Consulting Pty Ltd and culminated in a two part report. Part one reviewed the costs and benefits of the four caravan parks.

Part two reviewed the current and future role of South Gippsland Shire Council as Lessor of Caravan Parks. It is also worth noting that two other reports have discussed the Park. Table 1 below lists the reports:

Table 1: Caravan Park Reports

Title and Author	Aim	Outcomes/recommendations
Korumburra Public Park Management Plan (Prepared by Australian Landscape Management in 2004)	Developed to provide a solid base and clear direction for the management and development of the Korumburra Public Park (includes Caravan Park and Botanical Gardens).	A landscape design and management plan for the Botanical Park.
The Economic Impact of Tourism in Prom Country (Prepared by Urban Enterprise Pty Ltd in May 2004)	Aim of the study included establishing baseline information on size and nature of tourism and providing quantitative information to facilitate investment in tourism infrastructure.	The substantial amount of tourism generated by camping, suggest(s) that this will continue to be an important market segment. Accommodation businesses in the South Gippsland Shire have over 1 million guest nights per year. Camping sites make up two thirds of all guest nights. A further 157,000 nights occur in cabin accommodation.
Towards a Sustainable Future for South Gippsland's Coastal Caravan Parks (Prepared by Alljames Consulting Pty Ltd in August 2004)	A review of the current situation of the caravan parks. Explore the current and future viability and preferred directions for the shire's caravan park/camping areas to ensure maximising their contribution to the local economy whilst ensuring that other shire objectives, including environmental balance and community and social expectations are fully taken into consideration.	Recommendation One: That Council take note of the limited number of powered sites available for tourists in the coastal caravan parks Recommendation Two: That an independent valuer review the current rental for each of the coastal Caravan Parks. Recommendation Three: That Council considers the regional implications of the long term closure of the Long Jetty. Recommendation Four: That Council consider a range of possible improvements to lease management and administrative dealings with the four caravans parks.

During the period 2005-2008, Council proceeded to address the outcomes and recommendations from the review which included Council successfully securing a \$1:\$1 grant from the State Government to engage a consultant to commence the works comprised in the Project. The consultant was engaged in December 2009.

The works undertaken to date for Korumburra Tourist Park includes preparation of the following documents:

- Business case including management options.
- Development Strategy Plan.
- Criticality table (costings for improvement works to existing and proposed assets and priority).

The Project will continue to finalise outstanding work for the remaining caravan parks during this financial year.

Discussion

From the work undertaken to date, financial projections indicate that the future capital spend required over the next 20 years is greater than projected income.

With the option of Council remaining as Committee of Management, Council is able to minimise its financial risk by passing the obligation for capital works on to the Lessee. Obviously, Council would receive minimal rental (benchmark rental) whilst the Lessee is attending to and paying the cost of the capital works that are agreed to. However, the Lease will provide for rental to be reviewed at negotiated intervals as business turnover improves.

Also, a dialogue will commence with State Government on funding opportunities towards the cost of the capital works.

Council is reminded of the history of failed attempts to the former Minister for Environment and Climate Change to resign as Committee of Management of the caravan parks and also to its statutory obligations under Section 136 of the Local Government Act, 1989 which provides that Council is required to demonstrate sound financial management by investing in assets that solely provide a service to their community. It is believed that the caravan parks are providing a service to our community given their history, recreational amenity, tourism and flow on economic benefits to the Shire.

The Lease

Given the confidential nature of the terms of the Lease, information is provided in **Confidential Appendix 1. Attachment 1** shows the leased area for the Korumburra Caravan Park.

Park Accommodation

From information provided by the Lessee, there are approximately 72 sites at the Park made up of powered and unpowered sites. There are 14 sites with cabins / caravans as shown in Table 2 below. The rest are vacant powered sites and unpowered sites. A copy of a layout plan for the Park is provided at **Attachment 2**.

Table 2: Park Accommodation

Lessee's assets		
Site No.	Type	Description
3	Cabin	Ensuite, 1 DB, 3 bunks, Gas HWS, A/C, sink
14	Caravan	Caravan with solid annex
20	Cabin	Ensuite, 1 Qbed, 2 bunks, gas hws, splits system a/c, tiled floors and carpet, sink
25	Cabin	Standard, 1DB, 2 bunks, a/c, sink
26	Cabin	Ensuite, gas hws, 1 Qbed, 4 bunks, full gas stove, sink
33	Cabin	Standard, 1DB, 2 bunks, a/c, sink
34	Cabin	Standard, 1DB, 2 bunks, a/c, sink

Permanent tenants		
4	Cabin	
5	Cabin	
6	Cabin	Privately owned and leased to a lessee who leases to a permanent tenant
7	Cabin	
10	Van	
24	Cabin	

Annual Sites		
12	Caravan	

The Stakeholders

The stakeholders directly related to the Park and the associated responsibilities to Council as Committee of Management are noted in Table 3 below:

Table 3: The Stakeholders and Responsibilities

Stakeholder	Committee of Management responsibility
The Lessee	<ul style="list-style-type: none"> • Comply with its Landlord's obligations under the Lease. • Ensure State Government Policy and Guidelines relating to caravan parks is complied with. • Ensure State Government Policy for leasing of crown land is complied with.
Permanent residents	Compliance with Residential Tenancies Act 1997. Provision of adequate facilities. Note: These are people who live at the Park. Whereas it is not illegal for people to permanently reside at a Crown Land caravan park, it is against the Department of Sustainability and Environment's policy - Improving Equity of Access to Crown Land Caravan and Camping Parks (version 13 July 2011).
Temporary occupants	Ensure understanding by temporary occupants that land component/annual site permit is not to be seen as a value factor when selling the physical asset (caravan/cabin). Note: These are people who own their own caravan / cabin (kept at the Park) and use the Park for seasonable / holiday purposes.
Department of Sustainability and Environment	Support and compliance with State Government Policy direction for Crown Land Caravan Parks. Implementation of the Policy and Guidelines as required.
Korumburra Netball Association	Access and maintenance.
Korumburra Botanical Park	Access and amenity between the Parks.
Business Community of Korumburra	Encouraging business development that provides economic flow on benefits to the town.
Council as Lessor	Identifying suitably qualified operators to manage the Park.

Options

Table 4 below lists the ongoing management options, advantages and disadvantages for the Park. These were recognised during the Project and discussed with Council at Briefing sessions.

Table 4: Ongoing Management Options

	Option	Advantage	Disadvantage
1	Do nothing. Remain Committee of Management.		<ul style="list-style-type: none"> • Assets renewal would continue to run-down and increase maintenance costs. • Does not support Tourism improvements. • Does not support economic development.
2	Resign as Committee of Management. Hand back to DSE	Council avoids financial risk.	<ul style="list-style-type: none"> • Unlikely to receive support of Minister. • Unlikely to receive support of Community. • Need to demonstrate poor response to EOI/Tender.
3	Remain as Committee of Management. Lease. Minor Capital Expenditure – Public Sector Funded through Council Reserves /negotiate with Lessor – maintain minimal service level requirements.	<ul style="list-style-type: none"> • Supports tourism Improvements. • Supports economic growth. • Demonstrates business attitude and responsibility. 	<ul style="list-style-type: none"> • Need to understand service levels and costs involved. • New lease drafted to minimise capital and maintenance cost risks to Council.
4	Remain as Committee of Management and directly manage the Parks. Significant Capital Expenditure – Public Sector Funded through	<ul style="list-style-type: none"> • Supports Tourism improvements. • Supports economic growth. • Demonstrates business attitude and responsibility. 	<ul style="list-style-type: none"> • Council not equipped (resources) to be managers of Caravan Parks. • Council cannot transfer statutory obligations (eg. OH&S, Residential Tenancies Act) to a third party. • Need expert advice on

	bank debt – Council manage and fund development of Park.		corporate matters to be addressed when managing caravan parks in-house (ie. business structure).
5	<p>Remain as Committee of Management and enter into a public private partnership.</p> <p>Significant Capital Expenditure – Public Private Partnership (PPP) or Community Investment Trust Funded. Long term focus on park development with management and funding of park jointly by Council and Operator</p>	<ul style="list-style-type: none"> • Supports tourism Improvements. • Supports economic growth. • Demonstrates business attitude and responsibility 	<ul style="list-style-type: none"> • Not supported by State Government. • Reservation status of the caravan parks limits ability to capitalise on improvement works. • Political process to remove reservation status/profit on crown land.

Proposal

It is proposed to proceed with Option 3 and an EOI process for a 21 year lease and operation/management of the Park for the following reasons:

- The pending Lease expiry date of 24 November 2012.
- Reluctance of State Government to accept Council's resignation as Committee of Management.
- Council's responsibilities as Committee of Management and to its community.
- Provides ability to transfer costs associated with complying with statutory requirements to a third party.

With the Project works completed to date, particularly the development strategy and criticality table, Council has sufficient information to be in a position to commence an EOI process.

If the EOI process fails to identify a preferred operator, then Council will need to consider the following:

- Appointment of a Manager to continue operating the caravan park whilst discussions unfold with State Government;

- Purchasing the cabins owned by the existing Lessee; or
- Closure of the park.

This will form the basis of a further report to Council at the completion of the EOI process.

FINANCIAL CONSIDERATIONS

The budget for the Park in 2011/12 is \$18,875.00 of which \$1,500 has been spent to date. As mentioned earlier in this report, the Lessee is to provide Council with an annual works program. This has not been received.

Other financial considerations to note include:

- In addition to the above Budget, Council's Bridge Repair Program has allocated \$16,800 towards repairs to the footbridge connecting the Park to the Botanical Park in the 12/13 financial year.
- Council has allocated minimal expenditure to the Park in the past. This model has contributed to asset degradation.
- A new lease will be pursued to provide minimal financial risk to Council but at the same time ensuring asset improvements occur with a Schedule of Works.

CONCLUSION

Deciding on the right management model has been complex given the ownership status and policies impacting on the Park (crown land reservation, committee of management, equity of access policy). Accompanying this is the limitation of Section 17D the Crown Land Reserves Act 1978 regarding lease terms. The maximum 21 year lease term impacts on investment opportunities at the Park as business operators are necessarily looking for longer terms to secure a profitable return on their investment. The competition for public funding also contributes to asset degradation as Council alone cannot keep up with the increased costs to maintain assets at the Park and cannot rely on successfully securing State Government grants.

By recognising the above limitations and to secure the future of the Park whilst minimising risk to Council, an expression of interest for a long term lease is the preferred management model to follow.

RECOMMENDATION

That Council:

- 1. Commence an Expression of Interest process to identify preferred operators to enter into negotiations for a long term lease of the Korumburra Tourist Park.**
- 2. Receive a further report on the outcome of the Expression of Interest process for the Korumburra Tourist Park.**

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 58.

E.7 FORMALISE THE NAMING FOR THE UNNAMED ROAD OFF ROUGHEAD STREET, LEONGATHA AS BENNETT LANE

Engineering Services Directorate

EXECUTIVE SUMMARY

This report is presented to Council to formalise the name of the unnamed road off Roughead Street, Leongatha as Bennett Lane.

At its Ordinary Council Meeting held on the 22 September 2010, Council resolved to commence the process for the naming of the unnamed road.

Documents pertaining to this Council Report

- **Attachment 1:** Map of Road Location
- **Confidential Appendix 1:** Letters received from the Mirboo North & District Historical Society and Leongatha Historical Society

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Geographic Place Names Act 1998

Emergency Services Telecommunications Authority

Local Government Act 1989

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Road Naming Policy 2009

COUNCIL PLAN

Strategic Goal:	4.0	Appropriate Infrastructure
Outcome:	4.1	Roads, streets, bridges, drainage & other associated infrastructure

CONSULTATION

<u>Date</u>	<u>Report Title</u>
22 September 2010	Council Report: Proposed New Road Name for Unnamed Road off Roughead Street in the Township of Leongatha.
28 September 2010	Letters sent to abutting landowners.
12 October 2010	Public Consultation Session.

On conclusion of the public consultation period resulting from the 22 September 2010 Council Meeting, no submissions were received.

REPORT

Background

At its Ordinary Council Meeting held on the 22 September 2010, Council resolved unanimously the following resolution:

"That Council commence the process in accordance with Council Road Naming Policy 2009 to consider the naming of the unnamed road running between Roughead Street and Long Street in the township and parish of Leongatha as Bennett Lane."

Council proposed the name 'Bennett Lane' in recognition of Doctor George Bennett's son, Doctor Alec Bennett, who practised in Leongatha from the late 1940's to 1990's, refer **Attachment 1** for road location.

Discussion

Letters have been received from Mirboo North & District Historical Society and Leongatha Historical Society in relation to the proposed recommendation; refer to **Confidential Appendix 1**.

The Mirboo North & District Historical Society was requested to submit a name for the laneway off Balook Street, Mirboo North, in March 2010. Bennett Lane was proposed as Doctor George Franklin Bennett purchased the Mirboo North practice in 1930 and established the first 'Bush Nursing Hospital' in this town. They believe the name 'Bennett' is more fitting for the Mirboo North Township.

Leongatha Historical Society supports the name 'Bennett' as proposed by the Mirboo North Historical Society, for Mirboo North Township as Doctor George Bennett (Dr Bennett Senior) practised in Mirboo North. Although Leongatha Historical Society does believe the name 'Bennett', after Doctor Alec Bennett (Dr Bennett Junior), could be utilised in Leongatha.

While Dr George Bennett practised in Mirboo North, the naming of the unused road off Roughead Street, Leongatha, as Bennett Lane recognises the medical practice in Leongatha, over 5 decades from the 1940's, of Dr Alec Bennett.

The naming of roads and streets is a local government responsibility under the Local Government Act 1989. As part of Council's Roads Maintenance Program, a number of roads within the South Gippsland Shire have been identified as being unnamed within the Township of Leongatha.

A Vicnames 15km duplicate name search has been carried out for the name 'Bennett' with no conflicts. This name is considered as an unbiased selection and is in keeping with community expectation and accords with Geographic Place Name Guidelines 2010. 'Bennet Lane' could exist in both Leongatha and Mirboo North, however on advice from Geographic Place Names, should these names be used in both towns there may be increased risk to the public

in emergency situations and possible confusion with delivery of mail and goods.

Proposal

It is proposed that Council name the unnamed road off Roughead Street, Leongatha adjacent to the railway station as 'Bennett Lane'.

CONCLUSION

In acknowledgement of the contribution to the Leongatha community by Dr Alec Bennett it is proposed to name the unnamed road off Roughead Street, Leongatha, as Bennett Lane. In future considerations, Council may wish to propose naming a "feature" in Mirboo North after Dr George Bennett.

FINANCIAL CONSIDERATIONS

The cost to Council will be for the supply and installation of a new sign for the road. The estimated cost to install the sign is \$250 and can be accommodated in Council's approved signage budget.

RECOMMENDATION

That Council:

- 1. Formalise the naming of the unnamed road off Roughead Street, Leongatha as 'Bennett Lane';**
- 2. Forward the proposed road names to the Registrar of Geographic Place Names for final consideration and approval; and**
- 3. Subject to Geographic Place Names approval of the proposed road name, place a notice in local newspapers and advise Emergency Service Providers, Australia Post, and the Electoral Office, of the new road name.**

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 58.

Attachment 1
Map of Road Location



E.12 FEDERAL CARBON PACKAGE IMPLICATIONS TO COUNCIL POLICY

Community Service Directorate

EXECUTIVE SUMMARY

Council resolved at its meeting on 27 July 2011 to receive a report two months after the carbon tax legislation is passed by the Federal Government, providing:

- An overview of the Federal Carbon Package as it relates to Local Government and local community programs and projects;
- A review of the Council's Sustainability Strategy, identifying any modifications required in light of the package;
- Funding opportunities in the package of specific relevance to South Gippsland Shire Council and local communities;
- Information on when the grants may become available and the potential opportunities this presents for Council and the community; and,
- A preliminary overview of the potential cost impacts on Council and means by which Council can minimise those impacts, such as reducing fuel and power usage.

This report provides an overview of implications of the Federal carbon package for Council and the community. Further information will be provided closer to the introduction of the scheme as it is released.

Document pertaining to this Council Report

Nil

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Clean Energy Act 2011

Local Government Fact Sheet, Clean Energy Future, Australian Government

Strong Growth, Low Pollution. Modelling a Carbon Price, The Treasury, Australian Government

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

South Gippsland Sustainability Strategy

COUNCIL PLAN

Strategic Goal:	2.0	A sustainable environment
Outcome:	2.1	Planning for a sustainable future
Strategy No:	2.1.1	Sustainable environmental planning
Strategy No:	2.1.5	Funding

CONSULTATION

Gippsland Climate Change Network

Sustainability Victoria, Manager Finance

Sustainability Team Darebin City Council

REPORT

Background

In July 2011, the Australian Government released its Clean Energy Future Plan (CEFP). The key elements of the CEFP are:

- A carbon price applied to Australia's 500 largest polluters covering 60% of national emissions sources, effective from 1 July 2012. The price will start at \$23 per tonne of carbon dioxide equivalent (CO₂e) on 1 July 2012. The carbon price will be fixed for three years until 1 July 2015, at which time it will switch to a cap-and-trade emission trading scheme; where the price will be determined by the market;
- A commitment to reducing Australia's gross emissions by 80 per cent by 2050 and between 5-25 percent by 2020;
- Significant financial support for clean energy investment and specific support for renewable energy;
- An increased focus on household and small business energy efficiency;
- Expanded support for carbon farming that recognises the synergies between soil improvement, biodiversity protection and carbon farming; and,
- A new independent Climate Change Authority to provide expert advice and conduct regular public reviews, plus a Clean Energy regulator to administer the carbon pricing scheme.

Discussion

The carbon price is proposed to begin as a carbon tax (a set price that allows emissions to vary), then transition after three years to a 'cap and trade' system or emissions trading scheme (set emissions levels with a variable price). The carbon price will apply to pollution from electricity generation, stationary energy¹, some business transport, waste, industrial processes, and fugitive emissions².

Businesses paying the carbon prices will pass on costs to consumers. The CEFP proposes to minimise the impact on households by providing a combination of tax cuts and direct benefits. Personal fuel consumption is exempt from the carbon price or other penalties. Heavy road vehicles over 4.5 tonnes (including waste collection vehicles) may be impacted from July 2014.

Treasury predicts in its modelling that CPI will increase by 0.7% in the first year of the CEFP. Cost increases for the general community are expected to be most evident in household energy bills.

Household implications

Treasury modelling indicates that households will face an average price rise of close to \$10/week, including price rises of \$3.30/week for electricity and \$1.50/week for gas. Food is expected to rise by around 80c/week.

To help alleviate the impact, the Government's modelling predicts that nine in ten households nationally will receive compensation under the CEFP, either through tax cuts or extra payments. The assistance will either be equal to or greater than, the impact modelled for their household type. Compensation includes means tested assistance and changes to the taxation system. A proposed increase to the tax threshold will also mean that 1 million Australian households, previously required to lodge a tax return, will no longer have to do so.

All households will be able to reduce their impacts by reducing the amount of energy they use. The Sustainability Team will assist by providing education and information and by linking residents with organisations that provide products and services that reduce energy use or provide renewable energy alternatives such as wind and solar. Federal and State Government sustainability programs also focus on household energy efficiency.

¹ Stationary energy includes emissions from electricity generation and from fuels consumed in the manufacturing, construction and commercial sectors, and emissions from other sources like domestic heating.

² Fugitive emissions are emissions of gases released to the air other than those from stacks or vents; typically small releases from leaks in plant equipment such as valves, pump seals, flanges, sampling connections, etc).

Business implications

The rising cost of energy is likely to act as a key motivator for local businesses to invest in becoming more energy efficient. Through the CEF, small businesses will benefit from being able to claim tax deductions for assets costing up to \$6,500 under changes to the taxation system. This will help business invest in more energy efficient equipment and help small businesses respond to the carbon price.

The proposed CEF Clean Technology Investment program will support manufacturers by providing \$800 million in grants to upgrade to less polluting equipment and cleaner technologies. Funding will be provided on a co-contribution basis, with industry providing three dollars for every dollar provided by the Government.

The Government will also provide grants of up to \$200 million through the Clean Technology Innovation Program over five years to support business investment in renewable energy, low emissions technology and energy efficiency. This could support manufacturers to develop new clean technology products.

It is possible that there will be a growth in local green business operators and service providers resulting from the market impetus introduced by the CEF.

Council implications

Even though energy cost, street lighting and waste disposal will be the main areas of local government that will be affected by the CEF, the rising CPI is also expected to affect the majority of Council services. Landfills exceeding 25,000 tonnes of emissions per annum will be captured by the scheme. Smaller landfills will also be caught under the scheme if they fall within a prescribed distance of a larger landfill. This distance is yet to be determined however the Municipal Association of Victoria (MAV) understands the considered distance to be around 40km. Legacy waste (waste deposited prior to the scheme starting) emissions will be counted toward reaching the threshold; however the emissions from this waste will not have a carbon price applied.

As the legislation currently stands Council's landfill facility at Koonwarra will be exempt from the scheme as it emits less than the prescribed emissions and would be outside of the proposed 40km radius to another larger landfill. This is not to say however that we won't see any increase in costs from other drivers. The Government is proposing to review the landfill industry no later than 2015-16 to determine if changes to emission trigger levels or the proximity to larger landfill site limits need to be altered. Any increased costs of landfill waste disposal will be borne by Council and, in line with current policy of a full cost recovery service, should be passed on to the community through increased garbage rates and waste disposal fees.

A number of grant and program opportunities are being proposed as part of the CEF (see below) that Council will be able to utilise to provide information

and reduce Council and community emissions. At this point the details have not yet been finalised. Additionally it is expected that support, interest and participation in Council's sustainability programs will increase with the introduction of the CEFP.

Grant funding

The existing Low Carbon Communities program provides grants to local Councils for street lighting, energy efficiency upgrades in Council buildings and cogeneration and also to community organisations to retrofit or upgrade community-use facilities. Through the CEFP, funding for the program will be increased. Complementary funding programs relevant to Local Government include:

- \$200 million will be provided over six years for street lighting, energy efficiency upgrades in Council buildings and cogeneration. This has increased from \$80 million under the Australian Government's Low Carbon Communities program. A discussion paper for consultation on the scheme is due to be released shortly.
- \$100 million will be available for consortiums of local and state governments to assist low-income households to reduce energy costs and future impacts from the carbon price.
- \$44 million will be provided over five years for natural resource management regions to plan for climate change impacts.
- A household and local government advice line and website will be funded until 2014-15.

Policy implications

The CEFP compensation packages and taxation reform aim to minimise impacts on low income households, however rising energy and fuel costs (from industry and economic pressures apart from carbon pricing) are expected to decrease fuel affordability in our community. Council's Sustainability Strategy responds to this issue with specific programs targeted to vulnerable low income households.

Sustainability Strategy

Council's Sustainability Strategy will not be adversely impacted by the introduction of the CEFP. If anything the CEFP will encourage involvement as the community look to Council for guidance in reducing their energy usage and ultimately their costs.

The CEFP package is complex and judging by the questions being asked, the information needs of our community and Council are not currently being met by the broad campaign and media commentary. Council's Sustainability team are responding to 'ad hoc' requests for information. As further clarification of the tax becomes available and the date of introduction gets closer, Council's

Sustainability team in conjunction with the South Gippsland Sustainability Network will endeavour to provide community education on the program.

Additionally, as a regional project the Gippsland Climate Change Network has been approached to undertake an investigation into how the CEFP will affect the Gippsland Councils.

Community Organisations and Groups

The majority of the actions detailed in the Sustainability Strategy aim to bring about change that will reduce our impact on the environment, a by-product of this being a reduction in energy consumption.

The facilitation of public education on renewable energy sources such as solar power and solar hot water in conjunction with the Energy Innovation Cooperative is giving the community knowledge of the options available for reducing power costs. Three sessions have already been held throughout the shire in Leongatha, Venus Bay and Mirboo North and they have been well supported. Supporting local transition towns groups is another activity that can help communities to become more self-sufficient.

The Home and Community Care resource efficiency audits for clients was a program that was implemented as part of the Sustainability Strategy. The outcomes of the program are reduced ongoing energy consumption costs for those involved. Client's houses were audited and simple actions such as door seals, light globe and shower heads swaps were made. Insulation information was also provided.

Council Operations

A number of the actions in the Strategy provide information on how to reduce energy consumption or provide community organisations and groups the tools to reduce their emissions. The Strategy also has actions that look at reducing Council's costs associated with its electricity use from buildings and street lighting - specifically the establishment of a baseline for councils overall greenhouse gas emissions (measured in tonnes of Carbon Dioxide equivalent) and processes for ongoing reporting and the development of an energy reduction action plan. These actions, once implemented, will all help to reduce the impact of the CEFP.

The introduction of the Sustainable Living Guide on Council's website will be an integral portal in providing information from Council to the community.

Another key project currently underway is eCommunity, which is a joint grant funded project involving all other Gippsland Councils, Monash University, GippsTafe and the Gippsland Climate Change Network. The project involves the establishment of an online resource enabling access to sustainability information relating to the Gippsland area, reducing the need for travel to gather information. The site will be hosted by an external partner.

Funding Opportunities

Details of the funding programs that are to be delivered by the CEFPP are yet to be finalised, with little information available at present. The Sustainability Team will continue to monitor the progress of these grants and as information on them is released, will liaise with Council's Grants Officer to ensure every effort is made to obtain funding where applicable. Having a Sustainability Strategy in place with clear actions identified, places us in an ideal position when applying for grant funding.

FINANCIAL CONSIDERATIONS FOR COUNCIL

The projected CPI rise of 0.7% in the first year of the CEFPP's introduction is expected to affect the majority of Council services, with the most significant rises anticipated in energy bills and waste disposal through increased contract costs (due to fuel price increases).

Energy and fuel increases are expected to increase greater than CPI due to other drivers such as network upgrades. With energy cost increasing, the payback period of energy efficiency measures such as replacing public lighting with energy efficient alternatives will be shortened, making such proposals more attractive and financially beneficial.

Operational contracts such as waste management services will experience cost increases due to rise and fall clauses in the contracts. The possibility of fuel increases for vehicles over 4.5 tonnes (introduced after 2014) may also affect Council's service costs if introduced.

Council has recognised the financial implications of the CEFPP and has adjusted its Long Term Financial Strategy (Page 3, Strategy 9) to include:

"Services impacted by the carbon price must identify cost impacts and incorporate cost implications (both expenditure and revenue streams) into the Long Term Financial Plan."

Opportunities for grant income to support Council climate change and energy efficiency programs will be pursued when grant application details are finalised.

RISK FACTORS

With budget preparations currently underway and the full costs of the CEFPP still undetermined due to details not completely finalised, there is a risk of under or over calculating the funds required to cover the costs of the CEFPP.

CONCLUSION

The CEFPP supports key aspects of Council's Sustainability Strategy. The increased focus on household and business energy efficiency may increase engagement and interest in Council energy efficiency and sustainability programs. Implications for Council and the community include an expected

0.7% increase in CPI with rises to energy costs being most evident. Current Sustainability Team activities are working to reduce our energy costs. Closer monitoring and analysis of our electricity accounts and street lighting has already lead to cost savings.

Municipal Association of Victoria (MAV) current position around the CEFPP

- The MAV is currently in the process of surveying all Victorian councils to better understand the cost implications of the carbon price. Together with other local government associations they will be surveying councils and determining impacts based on these surveys. The survey has been designed to obtain baseline data on the current quantities and costs associated with automotive fuel, stationary energy and waste associated with Council operations. This will then be used to estimate, at various levels of the costs of CO2 equivalents, the implications for individual councils and the sector as a whole.
- The MAV will be providing training early in 2012 for local government officers, and seminars for Councillors and Executive on carbon management and opportunities for councils to reduce their exposure to the carbon price.

Further information regarding the CEFPP can be found at the following website: www.cleanenergyfuture.gov.au

RECOMMENDATION

That Council note this report.

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 58.

E.4 SUBDIVISION AND SALE OF COUNCIL LAND - PART OF 20-22 PIONEER STREET, FOSTER

Engineering Services Directorate

EXECUTIVE SUMMARY

This report:

1. Considers a submission received to Council's public notice pursuant to Section 189 and 223 of the Local Government Act 1989 for the sale of part of Council's Land at 20-22 Pioneer Street, Foster (the Land).
2. Recommends that Council proceed to finalise the sale of the Land by private treaty to South Gippsland Water Corporation (SGW).

Documents pertaining to this Council Report

- **Attachment 1:** Public Notice of Proposed Sale of Land.
- **Confidential Appendix 1:** Submission from Foster Community Association Inc.
- **Confidential Appendix 2:** Extract of Valuation from the Valuation Report.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Act 1989, Sections 189 and 223

Subdivision Act 1988, Section 35

Planning and Environment Act 1986

Victoria Government Land Monitor Policy for the sale and purchase of land

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Land Ownership Policy 2011

South Gippsland Planning Scheme

Foster Local Level Structure Plan (June 2008)

Australia and New Zealand Standard 2890.1:2004

COUNCIL PLAN

Strategic Goal:	1.0	A Vibrant, Engaged Community
Outcome:	1.1	Active, Resilient Community
Strategy No:	1.1.1	Community Partnerships
Strategic Goal:	3.	A Strong Economy
Outcome:	3.1, 3.2 & 3.3	Economic development, employment & infrastructure
Strategy No:	3.1.3	Economic investment
	3.2.1	Employment creation
	3.3.4	Land use planning

CONSULTATION

The following consultation has occurred to date:

1. Three confidential reports to Council as listed in the table below.

Table 1: Previous Council Reports

Report Date	Title
22 June 2011	Subdivision and Sale of Council Land - Part of 20 Pioneer Street, Foster
23 November 2011 (confidential)	Subdivision and Sale of Council Land - Part of 20 Pioneer Street, Foster.
21 December 2011 (confidential)	Subdivision and Sale of Council Land - Part of 20 Pioneer Street, Foster

2. A public notice of intention to sell land pursuant to Section 189 of the Local Government Act, 1989 (the Notice). This Notice was sent to the local newspapers and published as follows:

Table 2: Publication Dates

Date	Local Newspaper
27 December 2011	The Star Newspaper
28 December 2011	The Sentinel Times
28 December 2011	The Mirror

The Notice invited submissions pursuant to Section 223 of the Local Government Act, 1989.

One written submission was received from the Foster Community Association Inc (with no request to be heard). A copy of this submission is attached at **Confidential Appendix 1**. The main concerns are:

- Concern 1: A 3m access width is not adequate for visibility and child safety. Recommend a strip of 6m be allowed for clear visibility.
- Concern 2: A new building would obscure the Skate Park from public view and compromise child safety and increased risk of vandalism.
- Concern 3: Consideration of using Shire land to the South for access.
- Concern 4: Issues relating to use of a Depot on a prime site. It could be better used for development of the Foster business district.
- Concern 5: Allocation of some of the proceeds of sale towards resolving issues relating to the site.

Responses to the above concerns are provided under 'Discussion' of this report.

REPORT

Council adopted the following resolution at its meeting on 21 December 2011:

"1. Approve the commencement of the statutory procedures under Section 189 and 223 of the Local Government Act 1989 for the sale of the Land to SGW by private treaty."

Subsequently, public consultation proceeded with the preparation and publication of the Notice.

This report discusses the submission received to the Notice and provides a recommendation to progress this matter.

Background

A review of the sale of the Land to SGW did not reveal any adverse affects to Council and its community. To the contrary, a sale of the Land is considered to be important for the town of Foster as it will secure the tenure of an important employer to the region providing economic flow on benefits.

With regards to the balance of the land (depot and skate park area), Council adopted the following recommendation in the report of 22 June 2011:

"2. Commence the statutory procedures for the subdivision of the Land for sale to SGW and consider future subdivision design options for the balance of the Land."

Consideration to subdivision design options for the balance of the land will form part of a future project.

Discussion

As mentioned above, Council received one submission to its proposal to sell the Land to SGW from the Foster Community Association Inc (the Submitter).

The following responses are offered to Council in addressing each of the concerns raised by the Submitter.

- **Concern 1: A 3m access width is not adequate for visibility and child safety. Recommend a strip of 6m be allowed for clear visibility.**

Council is maintaining a 3m wide strip on the southern boundary of Councils land and licensing a 5m wide strip from Department of Sustainability and Environment. This is deemed adequate for visibility and child safety.

It should be noted that there is currently a child safety issue in the area due to pedestrian and vehicle conflict. This area is meant for pedestrian use only. Parents should not be driving into this area to drop their children off and should be using the parallel on-street parking. The construction of fencing and new signage will contribute to child safety by preventing this conflict whilst not impacting on visibility. The increased use of this area by SGW employees will contribute to casual surveillance and sense of safety.

- **Concern 2: A new building would obscure the Skate Park from public view and compromise child safety and increased risk of vandalism.**

In discussions with SGW the area is be used for carparking.

- **Concern 3: Consideration of using Shire land to the South for access.**

Access to the Council land is by the access to the north any future developments will consider options to the south.

- **Concern 4: Issues relating to use of a Depot on a prime site. It could be better used for development of the Foster business district.**

Council as part of its resolution on 22 June 2011 resolved it would "*consider future subdivision design options for the balance of the Land*".

This project has yet to commence.

- **Concern 5: Allocation of some of the proceeds of sale towards resolving issues relating to the site.**

Council's Land Ownership Policy deals with the investment of proceeds from the sale of land. The Land does not fall within the definition of Public Open Space. Accordingly, the following section of the Policy applies:

"5.1 Where the Land is not within the definition of Public Open Space, the proceeds of sale will be placed into a strategic reserve for reinvestment into Land purchases and development for enhanced community facilities and infrastructure generally."

This is also supported by Strategy 12 in the Long Term Financial Strategy 2011/2012 – "Capital Income to fund Capital Expenses".

Proposal

It is proposed to proceed with the private treaty sale to South Gippsland Water Corporation.

FINANCIAL CONSIDERATIONS

Council has received a valuation report for the Land. An extract from this valuation report is provided in Confidential Appendix 2. The sale price will be not less than provided in this valuation report. The costs of sale (expenditure) will be offset against the income (sale proceeds). This is in accordance with Council's Land Ownership Policy of reinvesting sale funds into strategic land purchases.

CONCLUSION

The concerns raised by the Submitter have been considered during the life of this project.

RECOMMENDATION

That Council having received and considered a submission under Section 223 of the Local Government Act 1989 now:

1. Agree to proceed to finalise negotiations for the sale of a 2,614m² parcel of its land at 20-22 Pioneer Street, Foster being part of certificates of title volume 7482 folio 191 and volume 10252 folio 732 as shown hatched in Attachment 1 by private treaty to South Gippsland Water Corporation.
2. Informs submitters of the reasons for this decision as outlined in the officers report.
3. Authorise the Chief Executive Officer or his delegate to negotiate the terms of the contract of sale of the Property.
4. Authorise the Chief Executive Officer to sign all documentation in relation to the sale of the Property.
5. Authorise the Chief Executive Officer to affix Council's common seal to the transfer of land in respect of the sale and to any other documents in connection with the sale that must be executed under the common seal of Council.

Councillor James Fawcett declared an indirect interest because of a conflicting duty in the Section E - Item E.4 - Subdivision and sale of Council Land - Part Of 20-22 Pioneer Street, Foster given that he is a Director at South Gippsland Water.

MOVED: Cr Davies

SECONDED: Cr Kennedy

THAT COUNCIL:

- 1. AGREE TO NEGOTIATE FOR THE SUBDIVISION AND SALE OF A PARCEL OF COUNCIL LAND AT 20-22 PIONEER STREET, FOSTER BEING PART OF CERTIFICATE OF TITLE VOLUME 10252 FOLIO 732 BY PRIVATE TREATY TO SOUTH GIPPSLAND WATER CORPORATION.**
- 2. AGREE TO NEGOTIATE A LEASE OF COUNCIL'S LAND AT 24-26 PIONEER STREET, FOSTER COMPRISED IN CERTIFICATE OF TITLE VOLUME 7482 FOLIO 191 TO SOUTH GIPPSLAND WATER CORPORATION FOR THE PURPOSES OF CAR PARKING AND EXIT ONTO PIONEER STREET, FOSTER.**
- 3. AGREE TO PROCEED TO WORK WITH SOUTH GIPPSLAND WATER CORPORATION TO IDENTIFY AN ALTERNATIVE AREA OF LAND FOR ITS CAR PARKING PURPOSES (OTHER THAN THE LAND DESCRIBED IN 2 ABOVE).**
- 4. INCLUDE AS PART OF COUNCIL'S 2012/2013 COUNCIL PLAN, AN INVESTIGATION TO DETERMINE THE BEST USE OF THE BALANCE OF THE COUNCIL LAND AT PIONEER STREET FOSTER (EXISTING FOSTER DEPOT, SKATE PARK) TAKING INTO ACCOUNT:**
 - a. EXISTING SKATE PARK AND VISUAL SIGHTLINES;**
 - b. THE NEED FOR EXPANDED CAR PARKING AREA BY SOUTH GIPPSLAND WATER CORPORATION; AND**
 - c. THE ADJOINING CROWN LAND OWNED BY DEPARTMENT OF SUSTAINABILITY AND ENVIRONMENT AND LICENSED TO SCOUTS ASSOCIATION OF AUSTRALIA AND PARTLY LICENSED TO COUNCIL FOR ACCESS PURPOSES.**
- 5. AUTHORISE THE CHIEF EXECUTIVE OFFICER OR HIS DELEGATE TO NEGOTIATE THE TERMS OF THE CONTRACT OF SALE AND LEASE OF THE PARCELS OF LAND DESCRIBED IN 1 AND 2 ABOVE.**
- 6. BRING THE PROPOSED TERMS OF SALE TO COUNCIL FOR ENDORSEMENT INCLUDING DETAILS OF VALUATION.**
- 7. INFORM SUBMITTERS OF ITS DECISION.**

Cr Newton left the Meeting at 4.04pm.

Cr Newton returned to the Meeting at 4.04pm.

CARRIED UNANIMOUSLY

E.8 2012 RACV GREAT VICTORIAN BIKE RIDE

Development Services Directorate

EXECUTIVE SUMMARY

The 2012 RACV Great Victorian Bike Ride (GVBR) is a 9 day fully supported camping and cycling holiday. The GVBR will be held in Gippsland from 24 November to 2 December 2012. Mirboo North has been selected as a suitable location for an overnight stay, similar to Foster during the 2007 ride.

As the event will bring considerable benefit to the region it is proposed that Council support holding an overnight stay in Mirboo North. Council staff have communicated in principle support of the event and are required to allocate funding of \$10,000 (plus GST) in the 2012/2013 budget to guarantee an overnight stay, refer **Attachment 2**.

Document pertaining to this Council Report

- **Attachment 1:** 2007 Great Victorian Bike Ride Post Ride Report for Councils
- **Attachment 2:** Funding Agreement
- **Appendix 1:** 2010 RACV Great Victorian Bike Ride Council Post Event Report

Appendix 1 can be accessed on Council's website <http://www.southgippsland.vic.gov.au/> or by contacting Council on 5662 9200.

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

South Gippsland Economic Development Plan

South Gippsland Tourism Development Plan

South Gippsland Shire Municipal Public Health and Wellbeing Plan

COUNCIL PLAN

Strategic Goal:	3.0	A Strong Economy
Outcome:	3.1	Economic Development
Strategy No:	3.1.4	Tourism

CONSULTATION

External Consultation

Planning of the event will include consultation with the following committees that are supportive of the event:

- Mirboo North Recreation Reserve Committee
- Mirboo North Community Development Incorporated
- Mirboo North Cricket and Golf Club representatives

Initial consultation will include:

- Brief overview of the 2012 ride
- Event timelines provided by GVBR
- Developing a GVBR working group
- Developing a broad timeline regarding the event

Internal Consultation

It is anticipated that planning for the ride will be involve Council Officers representing Tourism, Community Strengthening, Waste Management, Local Laws, Assets, Health and Recreation.

REPORT

Background

The Great Victorian Bike Ride was established in 1984. It is a 9 day fully supported, camping and cycling holiday. In 2007 South Gippsland participated by hosting the ride, with Foster selected for an overnight and rest day stop, refer **Attachment 1**. Foster was rated 'favourite town' and 'most welcoming town' during the 2007 Bike Ride.

Discussion

In mid 2011 Bicycle Network Victoria (BNV) proposed at a Gippsland Local Government Events Network meeting that the 2012 GVBR be hosted in Gippsland.

Subsequent discussion and correspondence with Council has taken place to confirm in principle support for the GVBR to come through Gippsland and in particular South Gippsland.

Potential touring routes and overnight rest stop locations were provided to BNV in late 2011. Since the GVBR came through Foster and Wilsons Promontory on the previous ride in 2007, BNV sought locations in the north

western part of the Shire. Leongatha, Korumburra and Mirboo North were potential locations that were investigated by BNV's event coordinators.

It was announced at the conclusion of the 2011 GVBR, that Mirboo North Recreation Reserve was selected as the preferred overnight stop.

Benefits to South Gippsland Shire if we participate include (refer to **Appendix 1**):

- Increased awareness and exposure of the region;
- Repeat visitation with 76.4% participants saying they will returning to towns they have visited I the next 12 months;
- Average daily spend of \$35 per rider;
- Average number of participants from the last three years is 4283 this includes volunteers and support staff
- Council departments working with and supporting the local community;
- Uniting the community by working together with the GVBR and leaving a favourable impression on the Riders;
- Promotion of the shire through 'The Ride Prep' DVD which will be prepared in consultation with Council
- South Gippsland Shire and in particular Mirboo North will feature in all marketing collateral produced. This includes a brochure, posters, preparation DVD, ride guide and GVBR website;
- Media campaign; media releases and editorial are utilised to promote the ride; and
- ABC coverage and blog updates of the ride and of the regions.

Proposal

It is proposed that South Gippsland Shire Council supports an overnight stop in Mirboo North due to the benefits the 2012 RACV Great Victorian Bike ride will bring to the Council, community and region and allocate \$10,000 (plus GST) in sponsorship for the event.

FINANCIAL CONSIDERATIONS

The proposal will require \$10,000 (plus GST) to 'sponsor' the GVBR overnight stay to Mirboo North which will be allocated in the 2012/2013 budget.

RISK FACTORS

If we do not support an overnight stay the economic and promotional benefits will be significantly restricted.

In relation to the ride itself risks are born by Bicycle Network Victoria who will:

- obtain all necessary permits and permission from relevant authorities prior to conducting the event;
- exercise reasonable diligence, expedience and comply with all necessary laws and regulations;
- agree to ensure appropriate occupational health and safety and traffic management policies and procedures are implemented, and that risk management plans are undertaken for the event; and,
- provide evidence of public liability insurance for a minimum sum of \$20 million.

CONCLUSION

The GVBR is a well established Victorian event. Hosting the GVBR in South Gippsland will provide major event based and ongoing benefit to the Shire and Mirboo North in particular.

RECOMMENDATION

That Council support the 2012 RACV Great Victorian Bike Ride and sponsors the event, with an allocation of \$10,000 (plus GST) in the 2012/2013 budget.

MOVED: Cr Lewis

SECONDED: Cr Kennedy

THAT COUNCIL SUPPORT THE 2012 RACV GREAT VICTORIAN BIKE RIDE AND SPONSORS THE EVENT, WITH AN ALLOCATION OF \$10,000 (PLUS GST) IN THE 2012/2013 BUDGET.

Cr Fawcett returned to the Meeting at 4.10pm.

CARRIED UNANIMOUSLY

Attachment 1

2007 Great Victorian Bike Ride®

Post Ride Report: Summary for Councils

Snapshot

The 2007 Great Victorian Bike Ride® travelled throughout Eastern Victoria, Gippsland from Saturday 24 November to Sunday 2 December 2007. The Ride tag lines used were "Waves to Caves", "Explore Gippsland" and recently the tag line for the Ride has become "A week in another world." The 2007 Ride included the following features:

- Pre Ride camping in Phillip Island run by Bass Coast Shire
- Reversed Route – for the first time ever the Ride went away from Melbourne and finished out into regional Victoria. This also meant that there was no riding on the final day to allow people time to get home from Buchan.
- A final night concert at Buchan Caves featuring Kate Ceberano and band. Participants could attend for \$25.
- A shorter Ride option was introduced named "Coastal Explorer." The Ride gave people the chance to attend for the first 3 days and included trips into Wilsons Promontory.
- Day trips and overnight trips were offered into Wilsons Promontory on the rest day with over 1,000 people taking up a day trip option.
- New towns explored for the first time included Yinnar and Rawson.

Rider Numbers

General Riders (full ride)	2,380
School riders (full ride)	1,092
Coastal Explorer Riders	275

Total	3,747
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Volunteers	326
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Bicycle Victoria and local councils

From as early as July 2006, a relationship was formed with local councils and organisers of the 2007 Great Victorian Bike Ride®. At this time Bicycle Victoria presented the Ride to prospective councils to garner support for the Ride. After route and campsite investigation, a final route was decided upon and announced to the public on the final night of the 2006 Ride. The route was:

Pre Ride: Thursday 22 and Friday 23 November – Cowes, Phillip Island
Day 1: Saturday 24 November – Phillip Island to Wonthaggi
Day 2: Sunday 25 November – Wonthaggi to Foster
Day 3: Monday 26 November – Foster Rest day
Day 4: Tuesday 27 November – Foster to Yinnar
Day 5: Wednesday 28 November – Yinnar to Rawson
Day 6: Thursday 29 November – Rawson to Maffra
Day 7: Friday 30 November – Maffra to Paynesville
Day 8: Saturday 1 December – Paynesville to Buchan
Day 9: Sunday 2 December – Buchan – travel home day

Representatives from each council became the primary contact for liaison with Bicycle Victoria and the support from these individuals and the councils was fantastic. The importance of having this relationship and support cannot be underestimated as the contact for each council helped facilitate community meetings, campsite meetings, police and route reconnaissance and many other communication, marketing and logistical processes.

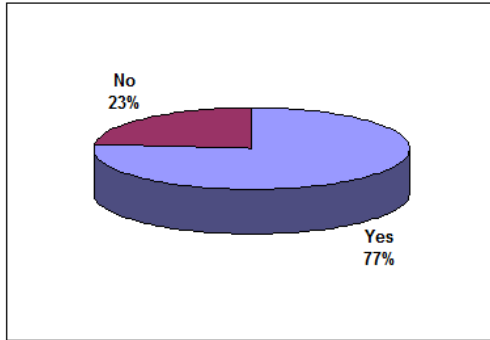
The two way cooperation and support between Bicycle Victoria and the local councils is an integral aspect of running the Great Victorian Bike Ride and paves the way for an enjoyable and successful Ride for both parties.

Feedback from Rider Survey

An online survey was available to all riders after the event for a period of 2 weeks. The survey received 1074 responses which represents a significant portion of the participants (28%). This survey aimed to capture what activities riders were undertaking on the Ride and also what areas could be improved for future years. A series of tourism and return visitation questions were asked and the results are summarised below for the interest of the local councils and communities.

<p>Favourite cycling day</p> <table border="1"> <caption>Favourite riding day</caption> <thead> <tr> <th>Day</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Day 1: Phillip Island to Wonthaggi</td> <td>6.3%</td> </tr> <tr> <td>Day 2: Wonthaggi to Foster</td> <td>23.9%</td> </tr> <tr> <td>Day 4: Foster to Yinnar</td> <td>15.2%</td> </tr> <tr> <td>Day 5: Yinnar to Rawson</td> <td>17.0%</td> </tr> <tr> <td>Day 6: Rawson to Maffra</td> <td>11.7%</td> </tr> <tr> <td>Day 7: Maffra to Paynesville</td> <td>11.2%</td> </tr> <tr> <td>Day 8: Paynesville to Buchan</td> <td>14.7%</td> </tr> </tbody> </table>	Day	Percentage	Day 1: Phillip Island to Wonthaggi	6.3%	Day 2: Wonthaggi to Foster	23.9%	Day 4: Foster to Yinnar	15.2%	Day 5: Yinnar to Rawson	17.0%	Day 6: Rawson to Maffra	11.7%	Day 7: Maffra to Paynesville	11.2%	Day 8: Paynesville to Buchan	14.7%	<p>Day 1: Phillip Island to Wonthaggi – 6.3% Day 2: Wonthaggi to Foster – 23.9% Day 4: Foster to Yinnar – 15.2% Day 5: Yinnar to Rawson – 17% Day 6: Rawson to Maffra – 11.7% Day 7: Maffra to Paynesville – 11.2% Day 8: Paynesville to Buchan 14.7%</p> <p>The main reasons Day 2 was their favourite day was:</p> <ul style="list-style-type: none"> - Scenery - Quiet roads 		
Day	Percentage																		
Day 1: Phillip Island to Wonthaggi	6.3%																		
Day 2: Wonthaggi to Foster	23.9%																		
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Day 8: Paynesville to Buchan	14.7%																		
<p>What was your favourite town that we stayed at during the Ride?</p> <table border="1"> <caption>Favourite town</caption> <thead> <tr> <th>Town</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Foster</td> <td>33%</td> </tr> <tr> <td>Paynesville</td> <td>18%</td> </tr> <tr> <td>Buchan</td> <td>13%</td> </tr> <tr> <td>Rawson</td> <td>14%</td> </tr> <tr> <td>Maffra</td> <td>10%</td> </tr> <tr> <td>Yinnar</td> <td>5%</td> </tr> <tr> <td>Wonthaggi</td> <td>5%</td> </tr> <tr> <td>Cowes, Phillip Island</td> <td>2%</td> </tr> </tbody> </table>	Town	Percentage	Foster	33%	Paynesville	18%	Buchan	13%	Rawson	14%	Maffra	10%	Yinnar	5%	Wonthaggi	5%	Cowes, Phillip Island	2%	<p>The rest day town has always rated highly in both favourite town and most welcoming town (next graph). The reasons people listed as why they rated a town as their favourite was:</p> <ul style="list-style-type: none"> - Friendly and welcoming - Picturesque/great scenery - Because it was rest day - Close to shops - Things to do on offer
Town	Percentage																		
Foster	33%																		
Paynesville	18%																		
Buchan	13%																		
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Cowes, Phillip Island	2%																		
<p>Which town do you feel welcomed riders the best?</p> <table border="1"> <caption>Most welcoming town</caption> <thead> <tr> <th>Town</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Foster</td> <td>56%</td> </tr> <tr> <td>Yinnar</td> <td>13%</td> </tr> <tr> <td>Paynesville</td> <td>8%</td> </tr> <tr> <td>Maffra</td> <td>9%</td> </tr> <tr> <td>Rawson</td> <td>7%</td> </tr> <tr> <td>Buchan</td> <td>4%</td> </tr> <tr> <td>Wonthaggi</td> <td>2%</td> </tr> <tr> <td>Cowes, Phillip Island</td> <td>1%</td> </tr> </tbody> </table>	Town	Percentage	Foster	56%	Yinnar	13%	Paynesville	8%	Maffra	9%	Rawson	7%	Buchan	4%	Wonthaggi	2%	Cowes, Phillip Island	1%	<p>It is interesting to note the difference between this question and the previous question. Yinnar was the equal lowest favourite town, but when asked which town they felt welcomed riders the best, Yinnar rates as second highest. Therefore the community atmosphere can mean a lot when it comes to participants enjoying themselves. Some of the main reasons for how participants felt towns welcomed them were:</p> <ul style="list-style-type: none"> - All towns were great (this appeared in the comments box a lot, people did not choose one town alone) - Closing the main street/street party - Providing activities - Cheering on arrival/putting out signs - Friendly, happy locals - Special offers and passes - Shuttle buses
Town	Percentage																		
Foster	56%																		
Yinnar	13%																		
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<p>When did you arrive in Phillip Island for the Ride?</p> <table border="1"> <caption>Arrival day</caption> <thead> <tr> <th>Day</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Saturday</td> <td>39%</td> </tr> <tr> <td>Friday</td> <td>56%</td> </tr> <tr> <td>Thursday</td> <td>4%</td> </tr> <tr> <td>Wednesday</td> <td>1%</td> </tr> </tbody> </table>	Day	Percentage	Saturday	39%	Friday	56%	Thursday	4%	Wednesday	1%	<p>61% of participants arrived in Phillip Island prior to the official start of the Ride. Bass Coast Shire offered free camping and activities for riders. The free pre ride camping has been successful in motivating riders to arrive early over the past 4 years.</p> <p>The accommodation options riders took up were:</p> <ul style="list-style-type: none"> 63.2% - Free pre ride camping 12.6% - Paid accommodation (hotel, etc) 16% - Private – friends and family 8.7% - Other <p>The main reasons riders arrived at that time were:</p> <ul style="list-style-type: none"> To be there early to prepare – 60.5% To see Phillip Island – 14.3% To visit family and friends – 4.9% 								
Day	Percentage																		
Saturday	39%																		
Friday	56%																		
Thursday	4%																		
Wednesday	1%																		

In the next 12 months are you likely to revisit an area we travelled through?



77% of participants intend to visit an area from the Ride. This is a very high percentage and an increase on previous years. If the region can capture these people back to the area, there is a great ongoing economic benefit.

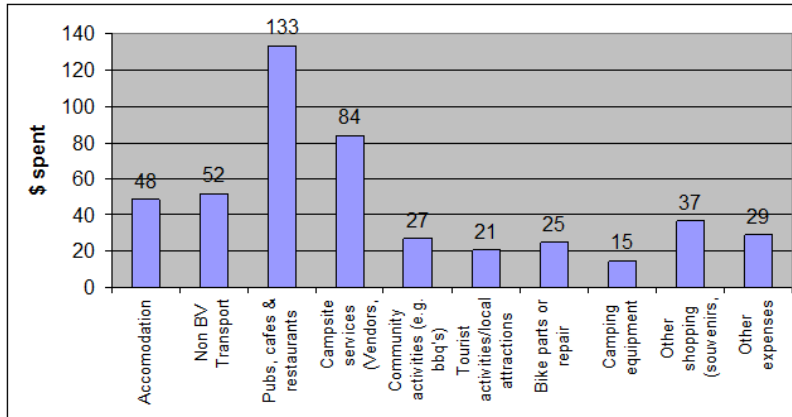
Of those that have said they are likely to revisit an area, they intend to bring others with them.

When you return to the area, how many people are you likely to bring with you?

Number of people	Percentage
0	7.9%
1	32.8%
2	22.2%
3	13.5%
4+	23.6%

Economic Spend

Apart from the entry fee and any pre-paid options (concert, Wilsons Prom) approximately how much did you spend in the towns we visited?



This graph shows the average money spent for each rider during the Ride. The highest was by far at pubs, café and restaurants, followed by money spent at the campsite, transport (not provided by Bicycle Victoria) and accommodation. We have found each year that overwhelmingly food and drink has the highest spend. In some cases, the average spend for the week of \$471 covered more than one person. Based on that average and the amount of people that expenditure covered [if we average this out for each day (9 days) the average spent by each person was **\$32 per day**. This is outside of entry fees and pre-paid options like Wilsons Promontory trips, transport and Concerts.

Conclusion

Bicycle Victoria enjoyed a cooperative relationship with all the councils in the region and appreciates the support and enthusiasm shown by the towns and communities. The ongoing benefit of the Ride is hard to measure, however above results indicate that many participants will revisit the area and bring people with them. The effort from the towns ensured participants had a positive experience and this alone is a key factor in encouraging them to come back. Bicycle Victoria would again like to thank the people involved and look forward to returning to Eastern Victoria in the near future.

Attachment 2

1

13 December 2011

Tim Tamlin
Chief Executive Officer
South Gippsland Shire
Private Bag 4
Leongatha Vic 3953

Dear Tim,

Funding Agreement between South Gippsland Shire and Bicycle Network Victoria for the 2012 RACV Great Victorian Bike Ride

Bicycle Network Victoria is delighted to work with South Gippsland Shire on the 2012 RACV Great Victorian Bike Ride.

This agreement is between Bicycle Network Victoria Incorporated (ABN 41 026 835 903) (Event Organiser) and South Gippsland Shire (ABN 67 816 770 786) (Supporter).

1. Supporter benefits

- a) Bicycle Network Victoria appoints South Gippsland Shire as a supporter of the 2012 RACV Great Victorian Bike Ride which runs from 24 November to 2 December 2012.
- b) Bicycle Network Victoria will work with South Gippsland Shire to develop key marketing strategies to bring people to the region.
- c) Bicycle Network Victoria will ensure that the South Gippsland Shire logo is on:
 - a) the 2012 RACV Great Victorian Bike Ride brochure
 - b) the 2012 RACV Great Victorian Bike Ride – Ride Guide
 - c) the Great Victorian Bike Ride website
 - d) the 2012 RACV Great Victorian Bike Ride poster
 - e) Any other print material as agreed between the two parties.
- d) Bicycle Network Victoria will fund a film crew to the region and provide South Gippsland Shire with the opportunity to provide feedback on towns features to film for the Ride Preparation DVD.

2. Benefits to Bicycle Network Victoria

- a) South Gippsland Shire will pay Bicycle Network Victoria \$10,000 (plus GST) in hosting rights for an overnight stay in Mirboo North by 31 August 2012.
- b) South Gippsland Shire will provide a key contact person to facilitate community and campsite meetings.

2

- c) South Gippsland Shire will promote the ride through new and existing marketing avenues.

3. Event Conduct

- a) Bicycle Network Victoria shall provide and deliver the event in a thorough, competent and professional manner.
- b) Bicycle Network Victoria will exercise reasonable diligence, expedience and comply with all necessary laws and regulations.
- c) South Gippsland Shire will not be responsible for any expenses or losses incurred as a result of staging the event, except where such expenses or losses are a result of its own negligence or those expenses are associated with areas designated as South Gippsland Shire responsibility.
- d) Bicycle Network Victoria will obtain all necessary permits and permission from relevant authorities prior to conducting the event. If required, South Gippsland Shire staff will provide assistance in ascertaining what permits are required, and the procedures/time lines involved. Fees and charges will be waived as part of the in-kind contribution.
- e) Bicycle Network Victoria agrees to ensure appropriate occupational health and safety and traffic management policies and procedures are implemented, and that risk management plans are undertaken for the event.
- f) Bicycle Network Victoria will provide sufficient information for emergency services and other relevant organisations, and attend an event logistics meeting (consisting of emergency services and other authorities), if requested to do so by South Gippsland Shire.
- g) Bicycle Network Victoria is responsible for notifying South Gippsland Shire of any services, that are additional to those necessary for South Gippsland Shire to fulfill its designated responsibilities or required for the event, at least four weeks in advance. Any costs incurred as a result of these additional services will be the responsibility of Bicycle Network Victoria.
- h) If the event does not proceed, the funding provided as a part of this agreement will be returned in full within three weeks of the event being cancelled. If the event is postponed or the dates are changed, South Gippsland Shire must be notified immediately.
- i) Bicycle Network Victoria will provide evidence of public liability insurance for a minimum sum of \$20 million.

4. South Gippsland Shire Responsibilities

- a) South Gippsland Shire will make available a place to camp up to 6,000 people including the closure of local roads to support the site free of all site fees for the overnight stop in Mirboo North.
- b) Provide 140 wheelie bins at each campsite on site by 8am on the morning of arrival
- c) South Gippsland Shire acknowledges that the Event and all associated intellectual property, including this terms of this agreement is the property of Bicycle Network Victoria.

3

5. Bicycle Network Victoria Responsibilities

- a) Bicycle Network Victoria will take responsibility for returning the campsite in similar condition to which it was given allowing for reasonable wear and tear.
- b) Bicycle Network Victoria will pay for any repair work that is required to make good any damage that may be caused outside of reasonable wear and tear.
- c) Bicycle Network Victoria will endeavor to run the event as a Waste Wise event and will manage the event accordingly.

6. Length of Agreement

- a) This agreement starts on the signing date of this contract and ends on 30 December 2012.

If these terms are acceptable to you could you please sign both copies of this letter, keep one for your records and return the other.

I look forward to working with you toward the success of council and the 2012 RACV Great Victorian Bike Ride.

Kind regards,

Darren Allen
Bicycle Network Victoria
Event Manager



Signed for and on behalf of Bicycle
Network Victoria

Darren Allen

Please print name

13-12-2011

Date

Signed for and on behalf of South
Gippsland Shire

Please print name

Date

4

Event Timelines

Month	Action Item
November 2011	Confirm Ride location and MOU with councils
December 2011	Public announcement of event on Thursday 3 December
December 2011	Marketing Plan developed and begin implementation
January 2012	South Gippsland Shire Meeting
February 2012	Route trip #2
February 2012	Campsite trip #1
May 2012	BV TMP draft #1
May 2012	Community trip #1
June 2012	Campsite trip #2
July 2012	Police, VicRoads and Bicycle Network Victoria route trip #3
August 2012	BV TMP draft #2
November 2012	Campsite trip #3
November 2012	Community trip #2
November 2012	Route trip #4
November 2012	Pre event signage trip
November 2012	Event Plan delivered with final TMP
December 2012	Post Event surveys
January 2012	Debrief with councils and communities

E.9 PLANNING SCHEME AMENDMENT C62 SIMONS LANE - LOW DENSITY RESIDENTIAL REZONING – PANEL REPORT & AMENDMENT ADOPTION

Development Services Directorate

EXECUTIVE SUMMARY

Planning Scheme Amendment C62 proposes to rezone land on the northern side of Simons Lane Leongatha (situated between the South Gippsland Highway and the Rail Trail) from the Farming Zone to the Low Density Residential Zone (LDRZ). Within this area, a Development Plan Overlay (DPO) is to be applied to the vacant land at 185 Simons Lane to facilitate the subdivision of the land into 16 lots.

The amendment was exhibited in September 2011 and seven submissions were received. Three of the submissions were objections. The submissions were considered by an Independent Planning Panel (the Panel) at a Panel Hearing on 13 December 2011.

The Panel Report discussing the amendment was received on 21 December 2011. The report recommends that Council adopt the amendment as exhibited, subject to minor changes to the provisions of the DPO schedule. This report recommends Council receive the Panel Report and, pursuant to the *Planning and Environment Act 1987* (the Act), adopt Amendment C62 in accordance with the amendment provisions in **Attachment 1**.

Document pertaining to this Council Report

- **Attachment 1:** Amendment C62 provisions to be adopted by Council
- **Appendix 1:** Amendment C62 Panel Report - 20 December 2011

Appendix 1 can be accessed on Council's website <http://www.southgippsland.vic.gov.au/> or by contacting Council on 5662 9200.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Planning and Environment Act 1987

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Nil

COUNCIL PLAN

Strategic Goal:	3.0	A Strong Economy
Outcome:	3.3	Infrastructure
Strategy No:	3.3.4	Land-use planning

CONSULTATION

Amendment C62 was exhibited in accordance with the procedural requirements of the Act. Exhibition involved:

- Postal notification to all adjoining landowners and those in the broader surrounding area considered likely to have an interest in the proposal.
- 'Notice of Amendment' display signs placed on the subject land for a one month period.
- Notice in local newspapers and the Government Gazette.
- Display on Council's and the Department of Planning and Community Development's web page.
- Hard copy display at Council's Leongatha Office.

REPORT

Background

The rezoning of the subject land from the Farming Zone to the LDRZ is identified and supported by the Leongatha Structure Plan (implemented into the Planning Scheme in July 2010) and by the Southern Leongatha Outline Development Plan, adopted by Council in August 2011. The amendment is considered to have robust strategic planning justification.

The matters raised in the submissions to the amendment were discussed in detail in the 26 October 2011 Council Report which recommended the submissions be referred to a Panel. The October Council Report can be viewed on Council's web page – see Council Agendas.

Because the amendment provisions and the issues raised in the submissions have been previously considered by Council, this Council Report makes no further comment on these matters, except where relevant to changes to the amendment provisions, as discussed below. The submissions are also addressed in detail in the Panel Report – see **Appendix 1**.

In the initial authorisation to prepare the amendment, the Minister for Planning has allowed Council to approve the amendment. Approval occurs after Council has adopted the amendment and following certification of the amendment (a technical review of amendment documents) by the Secretary of the Department of Planning and Community Development. Officer delegations allow the Strategic Planning Manager to approve the amendment following its certification. In order to avoid time delays on a matter of no policy implications, approval of the amendment will occur under manager delegation.

Discussion

The Independent Planning Panel has recommended that the amendment be adopted by Council in its exhibited form subject to some minor changes. The following is a brief discussion of the changes made to the DPO schedule provisions following the 26 October 2011 Council Report. The Panel and amendment proponent support the changes, except where clarifying comments are provided. A 'track changes' version of the DPO schedule can be viewed in the Panel Report in **Appendix 1** (see Appendix C of the Panel Report).

Deletion of 'Requirement before a permit is granted' DPO provision

The provision allowing for the approval of permits on the DPO affected land prior to the approval of a development plan has been removed. This will ensure that the vacant land at 185 Simons Lane is only used for the purpose of a Low Density Residential subdivision. The original provision provided insufficient control over the future use and development of the land.

Road and pathway construction requirements

The amendment proponent has previously agreed to seal Simons Lane between the end of the current seal (near Ditchley Court) and the Rail Trail. The updated provision clarifies that sealing is to be provided to the immediate western side of the Rail Trail crossing. This is supported by Council's Asset's Management Unit.

The requirement for the nominally 2.5m wide crushed rock footpath on the northern side of the Simons Lane remains in the DPO schedule. This provision was not supported by the amendment proponent at the Panel Hearing however the Panel Report makes no recommendation to remove it. The use of the word 'nominally' is important because constructing a path in front of the existing dwellings near the Rail Trail will provide challenges. Narrower path sections are likely to be required.

Building and stormwater envelopes

The ability of the DPO land to contain a dwelling, its domestic waste water (septic) and stormwater was a point comprehensively addressed in an objection to the amendment and at the Panel Hearing. While the LDRZ has an existing provision requiring envelopes to be created, the DPO schedule has been amended to include a requirement for building and stormwater retention envelopes to be registered on the newly subdivided titles via a section 173 Agreement. The 'Requirements for development plan' section has also been amended to include a new provision requiring the provision of a stormwater management plan to demonstrate how stormwater will be managed within and around the subject land. This plan must be approved prior to the assessment of the planning permit and will inform the preparation of the section 173 Agreement.

In accordance with the recommendation of Council's Waste Water Officer, waste water envelopes will not be specifically identified on the lots. Treatment of waste water will occur (by default) anywhere outside of the identified building and stormwater envelopes. This approach provides greater flexibility in the layout of development on a lot.

It is noted that the Panel Report expresses no concern with the use of on-site domestic waste water retention, as opposed to requiring connection to the reticulated sewage network.

It is also important to note that in a worst case scenario where very large waste water dispersal fields are required, along with large stormwater retention areas, it may not be possible to subdivide the land into the currently proposed 16 lots. This could require fewer, but larger lots.

Requirements of the Country Fire Authority

The operation of the subdivision referral provisions under the LDRZ do not guarantee that a subdivision planning permit application will be referred to the CFA for comment. This has previously resulted (in other municipalities) in a situation where a subdivision is approved without consideration to the location and number of fire hydrants required to service an area.

In recognition of this potentiality, a provision has been included in the DPO schedule requiring Council to consider the requirements and conditions of the CFA before a permit is issued. This provision makes the CFA a mandatory (section 55 of the Act) referral authority.

Closing Simons Lane

The amendment provisions do not consider the closure of Simons Lane. The Panel's consideration of the amendment was limited to the exhibited amendment provisions and not separate statutory matters.

While the amendment provisions remain silent on this matter, the DPO schedule contains a provision requiring referral of subdivision applications to VicRoads for consideration. Any conditions and requirements of VicRoads must be considered by Council before a subdivision permit is issued.

Change to the DPO Schedule not considered by the Panel

The DPO schedule presented at the Panel Hearing contained an anomaly that has recently become evident. The section 'Requirements for development plan' commences by stating "The development plan should:", and then lists the information that is required to be provided in the development plan. The following development plan requirements include two provisions that state where two new road access points must be located.

The use of the term 'must' is confusing when the introductory statement states 'should'. The DPO schedule recommended for adoption has been amended to only use the word 'should'. Retaining a level of flexibility in the

development plan is beneficial because a planning scheme amendment is required to change any provision where a 'must' requirement cannot be entirely met. This change is procedural and has no impact on the merits or outcomes of the amendment.

Next Steps - subdivision

Following adoption of the amendment and its inclusion in the Planning Scheme, the amendment proponent must submit a Development Plan to Council in accordance with the requirements of the DPO schedule. Council can then approve the development plan before a planning permit is issued for the subdivision of the land. The planning permit must be consistent with the approved development plan. No further public consultation is undertaken in the assessment of the development plan or the planning permit.

FINANCIAL CONSIDERATIONS

The amendment proponent is required to pay the Panel costs.

RISK FACTORS

The amendment proponent is a private development interest. The risk factors associated with the amendment are borne by the developer.

CONCLUSION

Planning Scheme Amendment C62 has strong strategic planning justification and has been recommended for adoption by an Independent Planning Panel. It is recommended that Council receive the Panel Report and adopt Amendment C62 in accordance with the amendment provisions detailed in **Attachment 1**.

RECOMMENDATION

That Council:

1. Receive the Panel Report 'South Gippsland Planning Scheme Amendment C62 - 20 December 2011'; and
2. Adopt Planning Scheme Amendment C62 in accordance with the documents provided in Attachment 1.

MOVED: Cr Davies

SECONDED: Cr Jackson

THAT THE RECOMMENDATIONS IN ITEMS E.9 AND E.10 BE ADOPTED.

Cr Jackson withdrew her Seconding.

The Motion lapsed.

MOVED: Cr Lewis

SECONDED: Cr Fawcett

THAT COUNCIL:

- 1. RECEIVE THE PANEL REPORT 'SOUTH GIPPSLAND PLANNING SCHEME AMENDMENT C62 - 20 DECEMBER 2011'; AND**
- 2. ADOPT PLANNING SCHEME AMENDMENT C62 IN ACCORDANCE WITH THE DOCUMENTS PROVIDED IN ATTACHMENT 1.**

CARRIED UNANIMOUSLY

Attachment 1

Amendment C62 provisions to be adopted by Council

South Gippsland Planning Scheme Planning and Environment Act 1987

The planning authority for this amendment is the South Gippsland Shire Council.
The South Gippsland Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 3 attached maps.

Zoning Maps

1. Planning Scheme Map No16 is amended in the manner shown on the attached map marked South Gippsland Planning Scheme, Amendment C62.

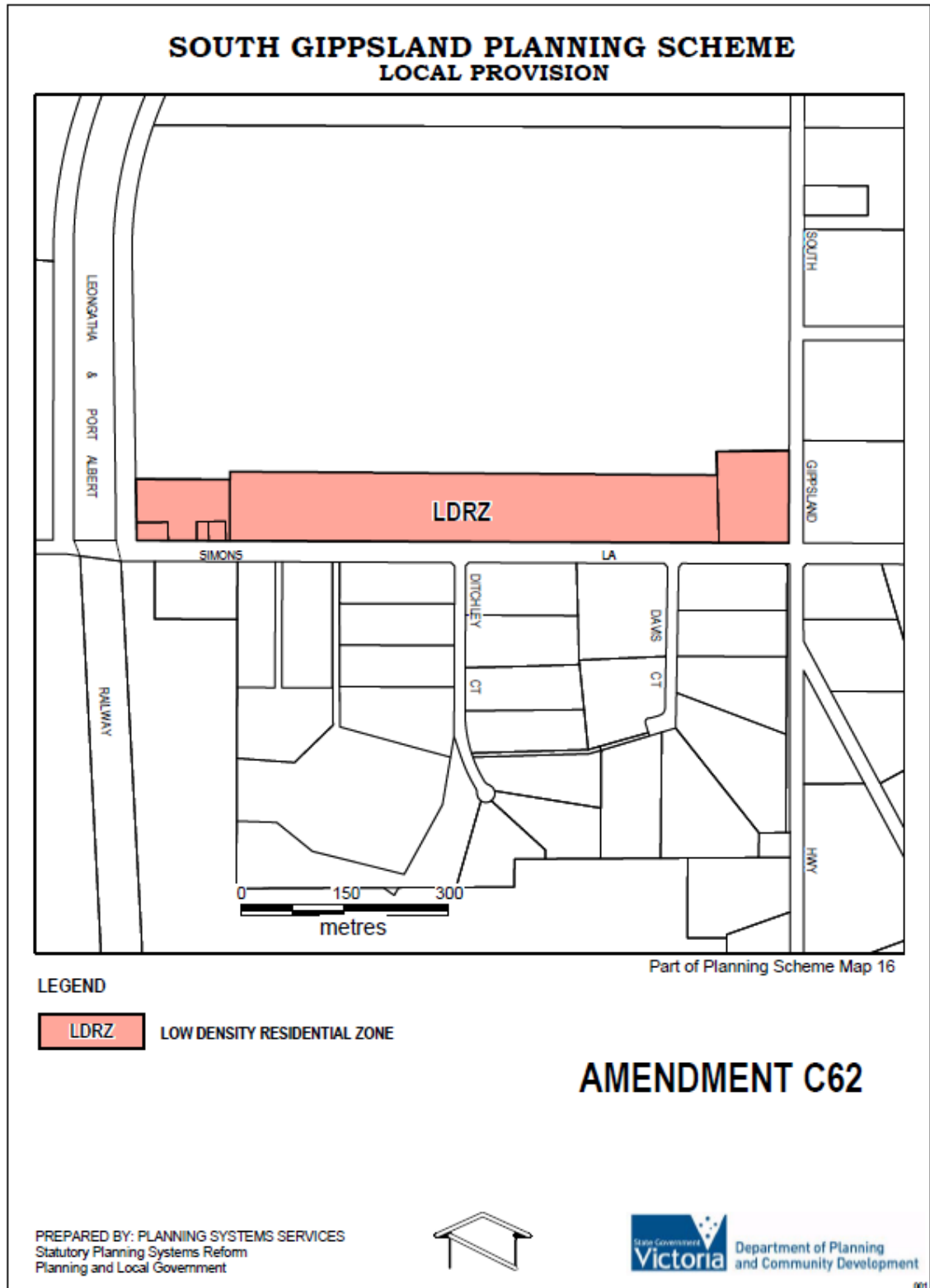
Overlay Maps

2. Planning Scheme Map No 16DPO and 16ESO5 are amended in the manner shown on the attached maps marked South Gippsland Planning Scheme, Amendment C62.

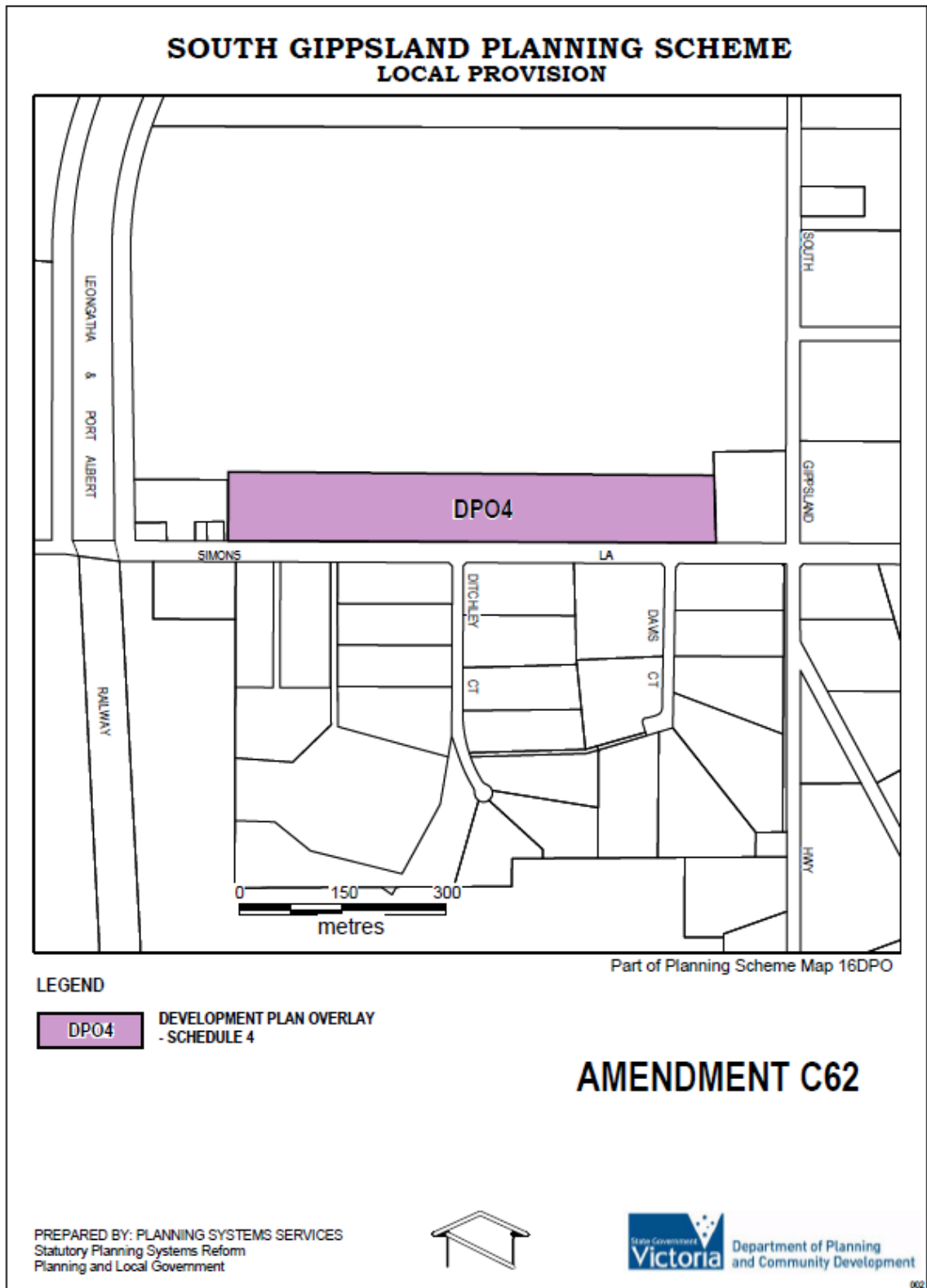
Planning Scheme Ordinance

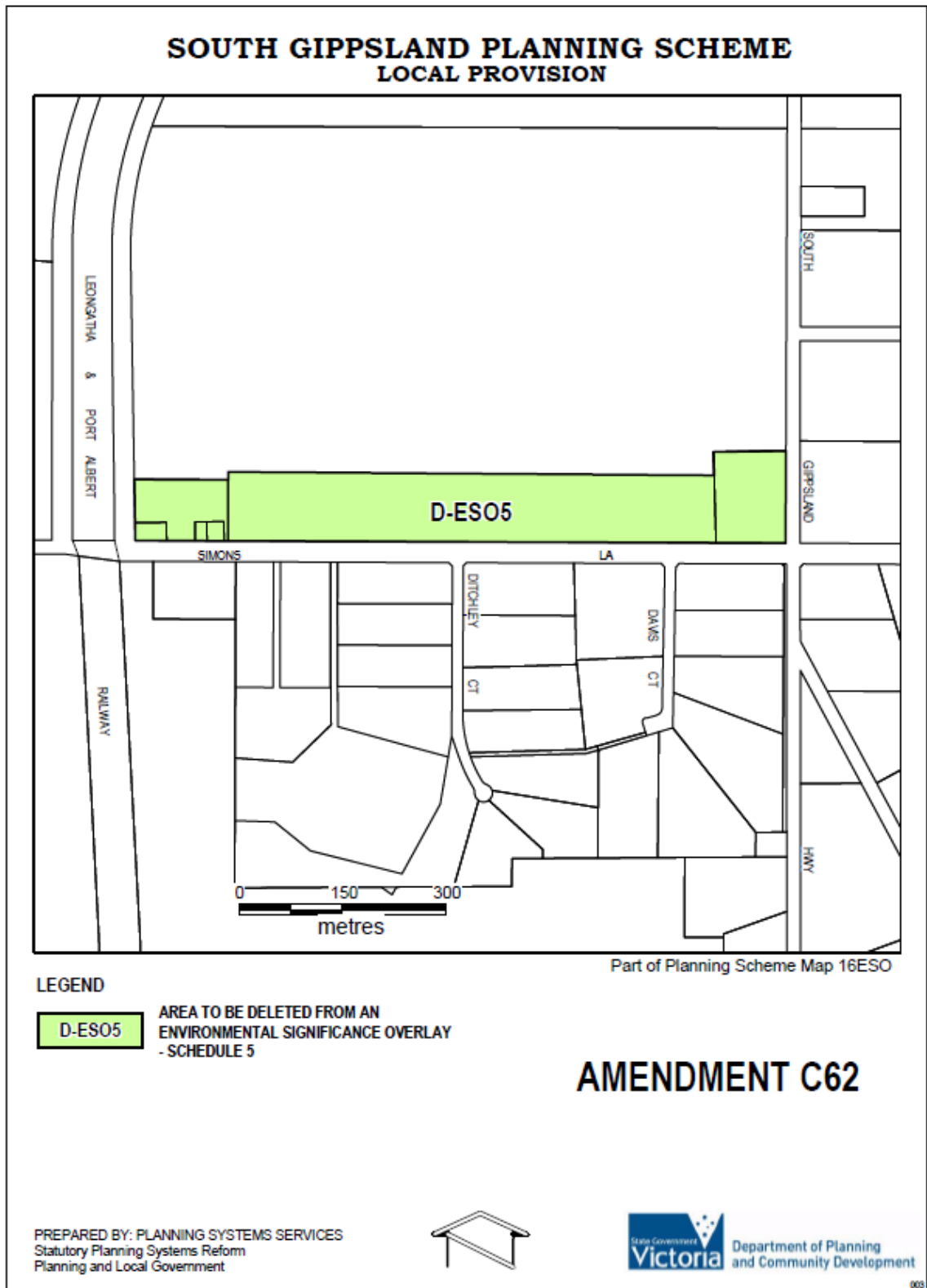
The Planning Scheme Ordinance is amended as follows:

3. In Overlays – following Clause 43.04 insert a new Schedule [DPO Schedule 4] in the form of the attached document.



Attachment 1





Attachment 1

/ /20

SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO4**

LOW DENSITY RESIDENTIAL ZONE DEVELOPMENT PLAN – SIMONS LANE

1.0

Conditions and requirements for permits

/ /20

A permit granted must include the following conditions or requirements:

- All residential development should be serviced with reticulated water and sewerage.
- If sewerage infrastructure cannot be provided, a Land Capability Assessment report must be submitted demonstrating:
 - Compliance with State and local policies on effluent and stormwater disposal.
 - That soil type and environmental conditions can treat the number of proposed effluent disposal systems from the site.
- A permit for residential subdivision must include the following conditions
 - The sealing of the unsealed road surface of Simons Lane between Ditchley Court and the immediate western side of the Rail Trail crossing to the satisfaction of the responsible authority.
 - The provision of a nominally 2.5m wide crushed rock footpath with associated infrastructure along the northern side of Simons Lane between the Rail Trail and the South Gippsland Highway to the satisfaction of the responsible authority.
 - A section 173 Agreement to be registered on each title to be created which identifies a building envelope and stormwater retention areas and measures.
- A planning permit for residential subdivision must consider the requirements and conditions of the Roads Corporation (VicRoads).
- A planning permit for residential subdivision must consider the requirements and conditions of the Country Fire Authority.

2.0

Requirements for development plan

/ /20

The development plan should:

- Provide a subdivision layout plan that allows for the creation of two road access points onto Simons Lane to service the future residential development of the land to the north of the Low Density Residential Zone avoiding, where possible, creation of cross type intersections with existing roads south off Simons Lane.
 - The western road access point should be located more than 150m west of the intersection of Ditchley Court.
 - The eastern access point should be located at least 80m east of the ridge line (road crest) east of Ditchley Court

- Describe the relationship of developments proposed on the land to existing and proposed developments on adjoining land.
- Identify any sites of conservation, heritage or archaeological significance and the means by which they will be managed.
- Provide appropriate arrangements for the provision of necessary physical infrastructure.
- Provide a Stormwater Management Plan detailing how stormwater will be managed within each lot to be created and between the subject land and declared waterways, including off site physical infrastructure where required.
- Identify the staging (if proposed) and anticipated timing of development.
- Provide a subdivision layout that does not compromise the future provision of a shared pedestrian / cycle path on the northern side of Simons Lane in front of the land to be subdivided.

E.10 EASTERN DISTRICT URBAN DESIGN FRAMEWORKS - ADOPTION

Development Services Directorate

EXECUTIVE SUMMARY

- The Eastern District Urban Design Frameworks (ED UDFs) January 2012 (**Appendix 1**) provide 'framework' plans and recommendations for land use (including rezonings and town boundaries) and urban design to support and enhance seven settlements in the eastern district of the Shire; namely: Port Franklin, Toora, Welshpool and Port Welshpool, Mt Best, Agnes and Hedley. The ED UDFs build on aspirations contained in community plans.
- Draft versions of the ED UDFs were publicly exhibited in March/April and November/December 2011. A total of 74 submissions were received; these resulted in amendments to the earlier versions, refer **Confidential Appendix 1**.
- It is recommended the ED UDFs January 2012 be adopted and implemented into the planning scheme.

Documents pertaining to this Council Report

- **Attachment 1:** Submissions Summary
- **Confidential Appendix 1:** Eastern District Urban Design Frameworks Submissions
- **Appendix 1:** Eastern District Urban Design Frameworks January 2012

Appendix 1 can be accessed on Council's website
<http://www.southgippsland.vic.gov.au/> or by contacting Council on
5662 9200.

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

South Gippsland Planning Scheme

Adopted South Gippsland Rural Land Use Strategy August 2011

South Gippsland Shire Council Paths and Trails Strategy 2010

South Gippsland Heritage Study 2004

COUNCIL PLAN

Strategic Goal:	3.0	A Strong Economy
Outcome:	3.3	Infrastructure
Strategy No:	3.34	Land Use Planning

REPORT

Background

The Eastern District Urban Design Frameworks (ED UDFs) project considers the future development of the small towns of (west to east) Port Franklin, Toora, Welshpool and Port Welshpool, plus the rural localities of Mt Best, Agnes and Hedley. These communities were selected because a mix of factors – such as closure of local industries/businesses - had resulted in declining and proportionally aged populations. The communities also had relatively high indicators of social disadvantage compared to other parts of the Shire, the region and the State.

The ED UDFs form part of a community strengthening initiative undertaken by Council. They focus on proposals to support and enhance the physical aspects of the towns and their localities, their images and identities. The ED UDFs recommend land use planning actions, application of urban design principles and specific projects to build on existing strengths and opportunities for each settlement.

The public benefits of adopting the ED UDFs are improved liveability, connection and attractiveness for residents, visitors and businesses.

The project has been jointly funded by Regional Development Victoria and Council. The work has been undertaken by planning consultants Planisphere in consultation with the communities involved and staff from both Council and the Department of Planning and Community Development.

CONSULTATION

External

Extensive consultation has been undertaken through the process of developing the Eastern District Urban Design Frameworks (ED UDFs). Since Council approved re-exhibition of a revised version (September 2011) at its 26 October 2011 meeting, there has been a further formal public exhibition from 1 November to 7 December 2011.

The November/December 2011 exhibition included:

- letters posted to 1,420 landowners, government agencies, and others likely to be affected;
- articles and advertisements in local newspapers;
- posters and document hard copies available for viewing in multiple locations in Foster, Toora, Welshpool and Port Welshpool, including venues with some weekend access;

- an electronic copy of the document and a feedback form on Council's web site;
- hard copies to view and take away from Council's reception;
- hard copies and electronic copies posted/emailed to those who requested them; and,
- a talk/question session about the ED UDFs and their exhibition at the launch of Welshpool Community Plan and at a Toora, Welshpool and District Community Network dinner.

This consultation builds on a similar effort undertaken in March/April 2011, which additionally featured a well-attended public meeting at Toora with Planisphere and Council representatives speaking and answering questions.

Internal

Internally, Council's Strategic Planning Team has consulted throughout the ED UDFs development process with representatives from Council's Community Strengthening, Engineering, Tourism, Economic Development, Recreation, Property and Wastewater Teams. Along with Coastal Promontory Ward Councillors and Cr David Lewis, Council department representatives have been invited to attend Project Control Group meetings (the most recent being 20 December 2011) and were emailed progressive versions of the document.

Discussion

Submissions

As a result of the November/December public exhibition, 38 submitters have sent responses. Of these, 25 did not make submissions to the March/April 2011 public exhibition, making a total of 74 different submitters who formally responded since the April exhibition. However of these, 13 indicated interest in updates but did not provide their views and one was a government agency that did not have responsibility for the area. Some extra views were received informally through telephone, email and reception counter conversations with people who did not send a submission but made inquiries or requested a hard copy. Some submitters made more than one submission to each exhibition and many made comment on multiple aspects of the document. In summary, Council has received the views of some 70 people, organisations and agencies about one or more aspects of the ED UDFs.

The submission numbers and content clearly show people's passion and commitment for their communities, coupled with a desire to contribute to how the future of those communities occurs. The written submissions are summarised by location and topic in **Attachment 1**.

All of the submissions were individually considered and modifications to the document were made. Submissions were not supported where they failed the test of net community benefit, were not based on evidence or contradicted the aims of the UDFs and the planning scheme.

Heritage Submissions

Thirteen objections were received from Toora residents to the Urban Design Strategic Action requiring investigation of a Heritage Overlay. (The same text about heritage values was exhibited in March/April 2011 without opposition.) Of these, five were a form letter with a box ticked but no grounds of objection supplied. Council has also received a total of four submissions asking for heritage values to be protected.

From the content of objections to a possible heritage overlay and comments made in telephone calls to clarify submissions, it is considered that a number of the objections are based on incorrect assumptions and information. Council is legally obligated under the Planning and Environment Act 1987 and the South Gippsland Planning Scheme to protect heritage values. It would also be acting against the vision of Toora Community Plan which includes the statement that Toora is a "...sustainable community which values and promotes its natural and cultural heritage..." The issue of heritage is an action requiring investigation and will be comprehensively addressed should Council agree to fund the project to review the Heritage Study in Toora.

Changes

The following changes have been made to the ED UDFs in response to community engagement following the last exhibition period:

- All locations – heritage. Recommendations were clarified and consistently applied in response to submissions. Pages 12, 20, 28-29, 35 & 42.
 - A recommendation has been included that heritage information support be investigated for future provision. (Advice on grants, colour schemes, insurance, access to expertise etc. is envisaged).
 - The process for protecting significant features was clarified, in terms of both timing and consultation. Namely, "When the Heritage Study 2004 is reviewed, it is recommended that "Council consider the appropriateness of including features of significant value in the Heritage Overlay" of the planning scheme "in consultation with property owners." (Italics provided for emphasis). Note: The current study is eight years old and was a review of a 1998 study.
- Toora - heritage. Deletion of examples for Heritage Overlay investigation (for example Toora's industrial brick chimney) and extension of the area (Grip Road between highway and Victoria St) recognised as Toora's

Avenue of Honour to include the section of plantation along the South Gippsland Highway. Page 20.

- Port Franklin and Port Welshpool - overlays. Proposed review of the 'blanket generic' Environmental Significance Overlay 3 (Coastal Settlements). Consider replacement with a town-specific Environmental Significance Overlay and/or a Design and Development Overlay. Pages 10 & 32.
- All locations – overlays. Noting removal/addition of Significant Landscape and Environmental Significance Overlays accidentally omitted from the exhibited version. (To occur with proposed rezonings to ensure consistency across Shire.) Pages 25, 33 & 40-41.
- Port Welshpool - Long Jetty. Modified so references to potential rejuvenation for pedestrian/tourism use only. Pages 31 & 35.
- Port Welshpool – port area. Review of current zonings at port (Public Park and Recreation plus Public Conservation and Resource Zones) proposed given current circumstances and future changes. (Public Use Zone likely). . Page 32.
- Port Welshpool – beach. Included beach as a space to be considered for enhancements. Pages 36.
- Toora and Welshpool - streetscapes. Amended wording to avoid expectations of commitment beyond budget capacity. Pages 19-20 & 29.
- Hedley – rezoning. Six Crown lots currently Public Use Zone proposed rezone to Public Conservation and Resource Zone. Accidentally exhibited as rezone to Farming Zone. Pages 43.
- Implementation. A concluding chapter added to outline how the ED UDFs actions will be implemented (Consistent with Council's Western District Urban Design Frameworks for Loch, Poowong and Nyora.) Pages 48-50
- Minor corrections to text and maps for consistency, clarity and accuracy.

FINANCIAL CONSIDERATIONS

The project uses funding contributed on a \$2:1 basis by the Department of Planning and Community Development (Regional Development Victoria) and has a total budget of \$50,000. The consultant's final task is the preparation of planning scheme amendment documentation, which is dependent on Council's resolution and the Planning Minister's authorisation. The project budget is on track.

CONCLUSION

Implementation of the key strategic recommendations of the Eastern District Urban Design Frameworks January 2012 will bring multiple benefits to seven communities in the Shire. The recommendations have been made following extensive consultation with communities and relevant government agencies, and support the aims of, and Council's obligations under, the South Gippsland Planning Scheme as well as the Council Plan and community plans.

RECOMMENDATION

That Council:

1. adopt the Eastern District Urban Design Frameworks January 2012;
2. request authorisation from the Minister for Planning to prepare a planning scheme amendment to implement the Eastern District Urban Design Frameworks January 2012 into the relevant sections of South Gippsland Planning Scheme;
3. refer relevant Land Use Strategic Actions and Urban Design Strategic Actions to appropriate departments within Council and external agencies for inclusion in future years' business planning; and
4. inform the Eastern District communities and submitters of Council's decision.

MOVED: Cr Davies

SECONDED: Cr Harding

THAT COUNCIL:

- 1. ADOPT THE EASTERN DISTRICT URBAN DESIGN FRAMEWORKS JANUARY 2012;**
- 2. NOTES THAT CONSIDERATION OF HERITAGE PLANNING CONTROLS FOR PORT FRANKLIN, TOORA, WELSHPOOL, PORT WELSHPOOL, MT BEST, AGNES AND HEDLEY ARE TO BE ADDRESSED AS A SEPARATE ACTION IN THE FUTURE REQUIRING DETAILED FURTHER INVESTIGATION AND PUBLIC CONSULTATION.**
- 3. REQUEST AUTHORISATION FROM THE MINISTER FOR PLANNING TO PREPARE A PLANNING SCHEME AMENDMENT TO IMPLEMENT THE EASTERN DISTRICT URBAN DESIGN FRAMEWORKS JANUARY 2012 INTO THE RELEVANT SECTIONS OF SOUTH GIPPSLAND PLANNING SCHEME;**
- 4. REFER RELEVANT LAND USE STRATEGIC ACTIONS AND URBAN DESIGN STRATEGIC ACTIONS TO APPROPRIATE DEPARTMENTS WITHIN COUNCIL AND EXTERNAL AGENCIES FOR INCLUSION IN FUTURE YEARS' BUSINESS PLANNING; AND,**
- 5. INFORM THE EASTERN DISTRICT COMMUNITIES AND SUBMITTERS OF COUNCIL'S DECISION.**

An Amendment was proposed by Cr Lewis and seconded by Cr Newton. The Amendment was not accepted by the Chair on the basis that it substantially changed the original Motion.

CARRIED

For: Crs Fawcett, Jackson, Raabe, Davies, Deane and Kennedy.

Against: Crs Newton, Lewis and Harding.

Attachment 1

Submission Summary

Part 1 – Submissions from September 2011 exhibition

Topic	Details	Reason Stated	No. of Submissions	Officer Observation
PORT FRANKLIN				
Expand UDF area	Want land at included in UDF area.	None	1	Given that project parameters were negotiated between State Government & Council, it is too late to expand the study but Bennison could be included when UDFs are reviewed. Bennison is a similar size to Agnes.
Public boat ramp	Want one built at Port Franklin	Part of development of amenities for recreation & tourism; A number of people want to launch canoes/small craft via a ramp.	3	Advice from Council Engineers & Coastal Boating Action Plan [2002] that there is no spare room. Also significant difficulties & cost with maintenance due to environmental reasons. No change recommended
TOORA				
Support for Toora UDF	Supports re-exhibited September 2011 version	None specifically stated	1	Supports UDF
Rezone from Farming Zone to Low Density Residential Zone	Buckley St estate Want rezoned from Farming Zone to a residential zone	Want to be able to build	1	Supports UDF
Rezone from Farming Zone to Rural Activity Zone	Wants proposed RAZ expanded by > 50% to include a title further east & north	None given in submission but over phone advised wants to subdivide for rural lifestyle lots with views.	1	Exceeds purpose of rezoning to expand the caravan park to support Toora's tourism. The land is relatively steep and extends too far away from the caravan park facilities. RAZ prohibits subdivision creating new lots. No change recommended.
	Supports UDF proposal to rezone caravan park & some neighbouring land from FZ to RAZ	Wants future ability to expand caravan park, especially for tent camping	2	Supports UDF
Rezone part of Industrial 1 Zone	Area south of railway reserve & west of Toora Jetty Rd proposed Future Investigation to rezone mix of PPRZ, LDRZ & FZ.	More appropriate use for the land & more compatible with Railway Park; Disagree any rezoned to LDRZ due to flooding. Recommend only PPRZ & FZ.	6 (1 petition format)	Supports UDF Possible LDRZ to recognise existing circumstances of private land not suitable for FZ.

Topic	Details	Reason Stated	No. of Submissions	Officer Observation
Review Heritage Study 2004 with view to Heritage Overlay (HO) application	Do not want a Heritage Study review and do not want a HO in Toora.	Reduces land values & increase rates; makes properties unsaleable; insurance difficulties; unnecessary bureaucracy; permit delays; businesses & employment will decline; owners know best; Shire already has a Heritage Study; Do not impose HO on anyone not wanting it; HO has been resisted before; HO could be imposed across the Shire.	13 (Toora only) Includes 5 form letters with ticked box opposing HO	<p>An issue of strong community interest & emotion. A number of comments based on incorrect information/assumptions. The <i>Heritage Study 2004</i> is 8 years old & updated a 1998 study.</p> <p>Council is required by Planning & Environment Act& its Planning Scheme to ensure heritage places are conserved & managed to protect heritage values. Heritage Study to guide the process. Toora Community Plan vision includes valuing and promoting cultural heritage. Toora's heritage features identified as a point of difference and attraction. Town also has a heritage trail & Heritage Pear Orchard.</p> <p>Other towns have proved heritage can become the town's main economic attractor. (Loch & Clunes are comparable examples.)</p> <p>Heritage buildings in poor condition in Toora are detrimental to town's appeal. State heritage controls were developed in Victoria due to heritage losses through disregard for values & lack of expertise. Controls require independent expert advice & apply to the land, so protection exists regardless of ownership. HO gives special opportunity to increase the range of permitted land uses. UDFs text modified.</p>
Industrial brick chimney (former milk factory structure)	Do not consider has heritage value	Chimney is an eyesore & was rebuilt after lightning damage.	2	Current owner did not object to heritage investigation when specifically asked. Mention of example for future investigation of heritage value removed from UDF
Tourism	Dredge Toora boat ramp channel for all tide use. Improve tourist & directional signage. Enhance streetscapes, along highway & at 'gateways'; other road improvements	Certainty of operability so can use in tourism advertising Economic driver for Toora & district. Roadsides unappealing, signage is confusing, understated & can result in unsafe behavior.	1	<p>Council agreed to Corner Inlet Tourism Development Project funding bid at its 23 December 2011 meeting. Project includes Toora boat ramp channel dredging. No recommendations for the boat ramp in the UDF because it is located well outside the town boundary so is beyond project. Supports UDF urban design strategic actions. Submission forwarded to VicRoads.</p>
Grip Rd estate	Allow houses to be built on the estate/small rural lots	Owners have right to build; dispute flood or climate change risk. Design to withstand risks.	1	Grip Rd estate is not within the town boundary so is not part of the UDF consideration/project. Grip Rd estate now covered by RLU provisions.

Topic	Details	Reason Stated	No. of Submissions	Officer Observation
WELSHPOOL				
Rezone from Farming Zone to Township Zone	Wants area bound by walking trail, Pedersen St & Port Welshpool Rd rezoned from FZ to TZ.	Use of the land for farming is unrealistic with future of the town & would conflict with residential amenity. Land would be surrounded by residences. Site is suitable for residential use.	1	UDF recognizes future potential suitability of part of area for residential use by proposing a Future Investigation Area for one title, but given current urban land over-supply, it is premature to rezone the whole precinct. Land is not surrounded by Township Zone. No change recommended.
Rezone from Farming Zone to Low Density Residential Zone	Area does not have sewer or water access.	Observation only, not objection	1	Proposed rezoning reflects existing circumstances & development. Lots capable of on-site treatment & water supply. No change required.
PORT WELSHPOOL				
Long Jetty (LJ)	Objection to comments LJ could be used for commercial berthing.	State commitment is to open LJ for pedestrian use only.	2	UDF text modified
	UDF should take account of Deputy Premier Peter Ryan's recent announcement about funding for LJ.	LJ rejuvenation is a key to the town's future development		LJ rejuvenation currently lacks Federal Government funding/commitment. Future UDF reviews can take account of changed circumstances. No change recommended.
Port/jetty facilities	Identify potential marina sites & plan port strategically	Important potential development that Council is known to be pursuing. Consider area strategically.	2	UDF modified to include marina investigation. Council consulting with other agencies about strategic planning via Corner Inlet project/marina discussions.
Rezone PPRZ to PUZ	Marginal wharf, roll on/roll off facility & coastguard facility.	Not appropriate for the existing uses & facilities that will continue into the future	2	Given late stage of proposal & lack of input opportunity by others affected, UDF modified to recommend a review of these zonings.
Environmental Significance Overlay 3	Consider removal of ESO3	Queries ESO3 is achieving a useful purpose.	2	ESO3 is a blanket 'close to coast' overlay. Following the UDF/Structure Plan process, other coastal towns got DDOs & town-specific ESOs [landscape, vegetation, character & erosion issues]. UDF modified to review ESO 3.
Rezoning In1Z to TZ, TZ to PPRZ	Welcomes the rezonings proposed in re-	Will stimulate development & are more appropriate	1	Supports UDF

Topic	Details	Reason Stated	No. of Submissions	Officer Observation
	exhibited UDF.			
Beach	Wants beach improvements	Beach is critical to town attraction	1	The beach is man-made and managed by external agencies. UDF modified to include beach in 'spaces' consideration
Heritage features	More emphasis on heritage aspects; add directional & interpretive signage	Unique features exist; Linking/highlighting beneficial	1	Supports UDF
Ross St access	Support revised UDF re: alternative access investigation for Ross St (east of Turnbull St) Want prompt implementation as well as investigation.	None given but vacant property has no current practical vehicle access	1	Supports UDF. Alternative options possible but need formal request/development application & construction at beneficiary's expense.
Urban design strategic actions	Signs, walking paths, landscaping enhancements, caravan parks & Fisherman's wharf car park	Detailed suggestions for works Wants more detail & improvements in UDF.	1	UDF recommends proposals but most implementation requires Council budget commitments & consultation/action involving external bodies; Caravan park & marina already subject of separate Council studies. No change recommended.
Heritage	Wants greater emphasis on towns historic features & signage/markers installed	Improve town attraction & emphasise unique features	1	UDF text modified
Climate change	Challenges significance of climate change impacts on the town [storm surge/inundation]	Wants positive development approach – allow development/use but design to combat risk	1	State to provide policy direction via Future Coasts Program. WGCMA mapping indicates significant /widespread inundation of Lewis St properties & to the north & on several roads. Additional research may be undertaken by regional or State bodies. Issue reconsidered when UDFs reviewed. Text modified slightly.

MT BEST

Ability to build on small rural lots	Want certainty of being able to build on small rural lots, especially near Mt Best Hall.	Have owned titles for decades with expectation of retiring to Mt Best. Also have superannuation investment/income expectations from sale of titles.	1	This issue is related to the RLUS not the Mt Best UDF.
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Topic	Details	Reason Stated	No. of Submissions	Officer Observation
AGNES				
Nil				
HEDLEY				
Rezone from Public Use Zone	Public Conservation & Resource Zone is appropriate, not Farming Zone.	Crown land	1	Inclusion in proposed FZ rezoning was a mapping error - PRCZ intended. Relatively narrow strip of dense bush, not parkland. UDF corrected
GENERAL				
UDFs	Planning frameworks a strongly supported initiative; Urban Design Strategic Actions generally supported	Provides a basis for better planned environments & informed planning decisions but would prefer greater depth/evidence behind conclusions.	1	Generally supports UDFs
	Important strategic project	Appreciate chance to comment on revised version; No further comments	1	No changes required.
Rezoning	WGCMMA wants chance to assess details of rezoning conditions & subsequent developments	To ensure balance between satisfactory local & regional outcomes	1	Amendments to zonings & overlays require public exhibition so further public comment possible. CMA invited to comment during work on 'Future Investigation Areas' Planning application referrals made to CMA via standard procedures & legal requirement.
Bushfire Management Overlay	Supports UDFs	DPCD will review BMO	1	DPCD process will review BMO application. No change required.

Part 2 – Submissions from March 2011 exhibition

Topic	Details	Reason Stated	No. of Submissions	Officer Observation
PORT FRANKLIN				
Reticulated sewerage	Wants town connected to reticulated sewerage	Polluting environment, poor drainage & stifling development.	1	South Gippsland Water will consider providing the service if community lobbies strongly. Could pump to an existing treatment plant. Port Franklin listed as 4 th priority in Council's Domestic Wastewater Management Plan but now 2 priorities above it have or are in line for sewer. Would reduce water logging & pollution from old, poorly functioning septic systems. Beneficial for residents' health & Corner Inlet. Existing reticulated town water.
		Concerned development discouraged while unsewered.	1	Can currently develop to extent of ability to treat wastewater onsite.
Old crown subdivision	Want feedback on future of old subdivision	Want to keep farming	1	Rural Land Use Strategy (RLUS) directs to restructure as part of Housing & Settlement Strategy. No impact on ability to farm if retain in tenement.
Climate change	Disagrees that town significantly impacted by future climate change effects	Site-specific advice from WGCMA	1	Recent advice from WGCMA indicates most of the Township Zone & access to Foster estimated to be above future 1:100 inundation level
TOORA				
Rezone from Farming Zone to Township Zone	Toora Tourist Park & immediate east & west neighbours	To enable caravan park expansion	3	Would assist caravan park expansion but would also provide opportunity for a range of higher intensity developments into the rural area north of highway.
Rezone from Farming Zone to Rural Activity Zone	As above	On reflection, believes Rural Activity Zone would be more suitable.	Verbal - 1	Would assist caravan park expansion but would prevent small lot subdivision & other higher intensity developments spreading north of highway.
		Disagrees with RAZ. Wants to subdivide land if caravan park doesn't expand; steep land with views suited to residences.	Verbal – 1	Would assist caravan park expansion but would also provide opportunity for a range of higher intensity developments into the rural area north of highway.

Topic	Details	Reason Stated	No. of Submissions	Officer Observation
Rezone from Farming Zone to Township Zone	SW corner South Gippsland Hwy & Bucklands Rd	Development interest; Good for town; Suitable land.	1	Would leapfrog existing unsubdivided Township Zone land as well as Farming Zone land; would create land oversupply & disperse higher density development on easterly strip away from town core.
	North of highway between Downings Hill & Creamery Valley Roads	Unsuitable for viable farming; close to town facilities; has had house on former residential size lot.	1	Would intensify strip development & increase precedent for higher density development north of the highway.
	All residential type lots already developed north of highway	Recognise existing town circumstances	1	Low Density Residential Zone provides similar benefits to the Township Zone but does not encourage a higher density where containment/lower density is recommended.
Rezone from PUZ 3 (health & community) to 'more appropriate zone'	Prom View Lodge (nursing home)	Impending sale expected	2	The owner's stated preference is for an alternative health use, so rezoning now would be premature. Can always apply for a site amendment if required prior to next UDF review.
Commercial development	Where existing in various locations	Encourage it along entire length of Stanley Street & highway.	1	The majority of existing commercial land use is in the block between Grey & Victoria Streets, and consolidation has benefits for synergy & customer access.
Recognise significance of heritage pear orchard	18a Mill St Toora	Valuable community asset for locals & tourists being managed by active community group.	1	Included in text & plans, & highlighted for investigation for potential inclusion in Heritage Overlay.
Streetscape	Painting light poles	Conflicts with under-grounding plan	1	No conflict as it is described as a short term enhancement while undergrounding is long term goal.
	Plant vegies/flowers in planter boxes	Avoid trees that lift up pavements.	1	UDF recommends vegie planting in new landscape planter boxes.

WELSHPOOL

Rezone from Farming Zone to Township Zone	2 lots south of Pederson St, total 5.47ha.	Inappropriate for farming, adjacent to Township Zone close to facilities.	2	Rezoning both lots would create urban land oversupply, but given site qualities & interest in development compared to other unsubdivided township land, it is worth investigating the potential for rezoning the northern-most lot.
	All land between shared trail & Port Welshpool Rd south of Pederson St. approx 6.3ha.	Close to facilities	1	Would result in oversupply of land in Township Zone.
Link Rail Trail to the primary school	Use education department land running through from school to the rail trail for a path for	Takes advantage of existing land ownership & abutting access	1	. Would keep students completely separate from traffic. Paths & trails strategy had recommended upgrading path along highway as priority 35, costing approx. \$10,000 + priority 45 cycle lanes on road approx \$4,800.

Topic	Details	Reason Stated	No. of Submissions	Officer Observation
	pedestrians & bicycles.			
Former railway station	Remove cinema & youth activities as potential uses for railway station precinct	No reason stated	1	Premature to list specifics as concept is to stimulate development of a master plan with involvement of the community & land manager.
PORT WELSHPOOL				
Port/jetty facilities Incl. Long Jetty. Need combined strategic approach by land & water agencies	Emphasise importance, use levels & potential growth. NB different goals for Long Jetty uses.	Document underestimates current & future situation.	3	Text modified though not all of the anticipated potential expressed by submitters may be realized. Waiting on State Government to make statement about Long Jetty.
Industrial 1 zone to Township Zone	Precinct of Townsend St, Port Welshpool Rd & Lewis St.	Developer interest in Township Zone but not for industrial; demand for residential land. No need for industrial zone – available land north on Port Welshpool Rd. More attractive gateway to town desired.	3	Re-exhibited version supports Township Zone for entire precinct as it is the gateway location for the town entry & Long Jetty. Future residential & tourism amenity conflicts avoided if industrial uses locate in existing spot 2km out of town. No evidence of interest in industrial development of entire precinct since Council amalgamations 1994 except for 25% area used by now defunct sea pack.
Do not impose road closure overlay	Port Welshpool Ross St east of Turnbull St	What is basis? How will people access their land?	2	Proposed road closure overlay deleted but statement inserted proposing investigation of access options.
Rezone from Township Zone to Farming Zone	Ross St east of Turnbull Objection	Removal of use rights. No basis.	3	Was mistakenly included on one but not both figures for Port Welshpool. Although the lots have environmental issues, a better outcome may be achieved via planning permit conditions.
Environmental Significance Overlay 3 Coastal Towns	Overlay should be removed or refined	Has limited use, where is evidence of benefit?	1	ESO3 applies to all coastal towns in Shire; consideration of its applicability preferred via comprehensive review rather than via individual UDFs.
Wildfire Management Overlay	No need to review its application	Only recently applied after CFA consultation	1	State Government revisiting & emphasising bushfire mitigation planning controls following bushfire Royal Commission recommendations, especially in settlements with single access route.
Integrate town facilities	Links or concentrate 'hub' at east end with Long Jetty /west end.	Emphasise links or move to Long Jetty end.	1	Visual links & paths/signage proposed; more detail in future UDF review when Long Jetty future decided. Council priority to re-investigate a Port Welshpool Master Plan.

Topic	Details	Reason Stated	No. of Submissions	Officer Observation
	Develop strategic plan for town/port facilities/foreshore/water	Council/Gippsland ports/DSE/Gippsland Coastal Board/community	2	Combined strategic plan recommendation added in UDF.
Boat launching facilities incl. Car park	Replace/expand	Current facility insufficient	1	Staged improvements in SGSC budgets
Bowling club	Improve facilities	Already planned via business study & not included in UDF	1	Included
Signs & walking paths & landscaping enhancement, including town gateways	More wanted; upgrades	Lacking/bleak; good for tourism	2	Already in UDF
	What is inadequate about existing?	Need to consult with land managers	1	Text altered to include discussion with land managers & investigation recommended.
Tourism	Need to promote	Not supported or practical	3	UDF proposes variety of tourism supports
	Do not suggest certain listed activities koalas/whales etc	Not supported or practical	1	Listing revised
Climate change	Future impacts unsubstantiated	Better to take a positive, constructive approach	1	Planning scheme requires it to be considered; Council required to take risk management approach to protect its community; abiding by existing expert advice though there may be future refinement of estimates with additional research into future.

MT BEST

Amenity/character	Retain quiet rural atmosphere & closely connected community. Let people build on their lots.	Area's attraction	1	Farming Zone is retained & UDF protects amenity & character. Passed on to RLUS submissions.
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AGNES

Development density	Not site specific. Neutral to rezoning.	Need to know impact of stormwater & wastewater if increasing density.	2	Rezoning to LDRZ instead of TZ still achieves settlement delineation & reduction of Farming Zone permit triggers but retains low density development & possibility for wider range of land uses.
Public transport	Want a V/Line hail & ride coach stop	Want a local stop	1	Dept of Transport insists to individuals requesting must contact them & not Council.
Rail Trail	Supports link to picnic ground	Prefer use existing asset	1 Verbal	Fits with UDF. No comment sought about Agnes Falls link.

Topic	Details	Reason Stated	No. of Submissions	Officer Observation
HEDLEY				
Old crown subdivision	Want to retain development rights for small lots	Have owned farm for 16 years & have expectations of multiple titles.	1	Developable number/configuration of lots will be dealt with by housing & settlement strategy but restructure of Hedley old subdivision has been flagged for 10 years.
GENERAL				
Broad support for UDFs	Overall happy with the concepts & reason for the UDFs being done	A good idea; required	4	Evidence of support for the project
Inaccuracies & corrections required	Exhibited document has many inaccuracies; mapping especially.	Reduces trust in overall quality & challenges depth of knowledge of localities	6	Factual corrections made, many descriptive statements altered. ABS data currently only available from 2006 as 2011 results not yet available.
Improvements to facilities on crown land	All localities – signs, paths, infrastructure (picnic tables, toilets etc)	What is wrong with existing situation? Need to consult with land manager.	1	Modified text to emphasise consultation.
		Want some/more/better	3	Priority/budget issues; consider in policy & grants applications contexts.
Heritage	Toora, Welshpool & Port Welshpool	Want more heritage protection as a priority. Do not let heritage buildings deteriorate or become unsightly.	3	Heritage review is proposed as 2005 study is outdated, ownerships have changed & some buildings deteriorating.
Consolidate settlement growth near towns	All areas	Dispersal of homes across rural area is difficult & burdensome for emergency service volunteers.	1	UDFs emphasise consolidation; submission also referred to RLUS submissions.
Rural lifestyle & tourism		Want document expanded to deal with development of land for lifestyle & tourism in Farming Zone across district, especially in areas surrounding towns and in the steep hill country, on small lots & land not suitable for agriculture.	5	Referred on to RLUS exhibition submissions as involves area & policy beyond the principally 'urban' towns/localities focus of eastern district project.
Water quality	All areas where more intensive development proposed	Undertake hydrological studies to take account of increased run-off & pollution; protect watercourse	1	Detailed studies would be required by developers proposing rezoning/developments for more intensive uses; Some proposed rezoning to more intensive zones is to recognize existing

Topic	Details	Reason Stated	No. of Submissions	Officer Observation
		environments		circumstances/development
Great Southern Rail Trail	All	Keep alignment clear of buildings to facilitate future return of railway	1	GSRT Committee of Management advises alignment kept clear & adjacent land only used for minimal/removable structures

E.11 PRIORITY PROJECTS FOR ADVOCACY, FUNDING AND FOCUS 2012

Executive Office

EXECUTIVE SUMMARY

A Priority Project is one that is key to the immediate or longer term betterment of our community and for which Council is not always the only responsible authority nor has the financial resources to address.

Throughout 2011, Council committed to advocate to other levels of government for the progression of its identified Priority Projects. This included the dedication of Council staff and funds to ensure an internal focus on preparing the projects for potential investment.

Through collaborative work with State and Federal Government departments and local community groups, exceptional progress was made on many of these identified projects.

It is extremely important that Council make clear the projects they have identified as priority for the Shire (and wider region) for the year ahead and continue to strategically progress and prepare them in readiness to request funding from other levels of government. With development made on many of Council's 2011 priorities, it is time to reassess focus to progress key short, medium and long term projects of Council.

While our dreams may be big, it is important to remain realistic on what is necessary and needed by the community and those projects that are achievable and will gain suitable interest from funding bodies. It is proposed that Council continue with a focused approach in 2012 to strategically align Council's priorities with those of the state and federal governments specifically through the Gippsland Regional Plan (GRP) and community desires. It is also key to work toward greater regional cooperation through the Gippsland Local Government Network and ensure a coordinated approach is taken when planning for the identified projects.

Document pertaining to this Council Report

Nil

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Gippsland Regional Plan

Destination Gippsland Strategic Plan 2009-12

VicRoads Arrive Alive Program.

South East Australian Transport Strategy Priority Project

Gippsland Local Government Network State Budget Submission 2011-12

COAG (Council of Australian Government) Road Reform Plan - To Help Shape A More Productive Road Network For Heavy Vehicles."

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

South Gippsland Shire Council Economic Development Plan

South Gippsland Shire Council Tourism Marketing and Development Strategy

Aquatic Strategic Directions

South Gippsland Paths and Trails Strategy

Corner Inlet Tourism Development Project Economic Impact Study

COUNCIL PLAN

Strategic Goal:	5.0	A Leading Organisation
Outcome:	5.1	Good Governance
Strategy No:	5.1.4	Advocacy – Ensure the best interests of the Council are advanced through representation and partnering with other government bodies and key stakeholders.

CONSULTATION

These are large projects that require consultation with and support from various levels of government and the community.

Many of the projects put forward can be considered 'next steps' of the 2011 projects previously endorsed. During the lifetime of each project, the following groups have been consulted with to progress the projects to their current states:

- The Great Southern Rail Trail Committee of Management
- West Gippsland Catchment Management Authority
- Regional Development Victoria (RDV)
- Department of Sustainability & Environment
- Parks Victoria
- Tourism Victoria
- Department of Planning and Community Development
- Gippsland Ports
- Destination Gippsland Limited

- Children' service providers and parent committees in Korumburra.

Community consultation is and will remain a priority throughout the progression of all listed projects. It is vital that the provision of services meet the needs of the communities we support. This balance can only be achieved with constant and open communication and a realistic understanding and agreement on infrastructure and service requirements.

Part of the focus on community consultation will include the investigation of new methods of community engagement to increase community attendance and participation at strategy planning sessions.

REPORT

Background

Council advocated for several large priority projects during 2011 with progress made on each.

The list was extensive and included the following projects all of which have now been advanced:

- Leongatha Heavy Vehicle Alternate Route:

Detailed Design and Planning Study to be conducted by Vic Roads has been funded. Economic Impact Study has also been funded by Regional Development Victoria which will assist in advocating for construction funding.
- Great Southern Rail Trail Extension:

Reconceptualised into the Corner Inlet Tourism Development Project with detailed designs complete, an internal funding commitment made and external funding sought.
- Port Welshpool Marina Development – Feasibility Study:

Reconceptualised into the Corner Inlet Tourism Development Project with an internal funding commitment made and external funding being sought.
- Korumburra Children Services Hub:

Soil assessments are being conducted at both Mair Crescent and Victoria Street to determine the preferred site for development. Preliminary work on floor space requirements has commenced.
- Overtaking Lane On Strzelecki Highway Between Mirboo North & Morwell:

The Victorian Coalition Government made an election commitment to construct an overtaking lane on the Strzelecki Highway between Mirboo North and Morwell

- Wilsons Promontory Nature Retreat:

The necessary planning amendment has been lodged with the Minister for Planning seeking the rezoning of land from Farming Zone to Special Use Zone to enable the facility to proceed.

- Broadband:

A Gippsland Broadband Engagement Plan has been developed to facilitate the rollout of the National Broadband Network. Council submitted a request in partnership with Bass Coast Shire Council to the National Broadband Network Co. to be a trial area for Next Generation wireless. While we were considered for this trial, we were unsuccessful in our application.

- Development At Coal Creek - Preliminary Feasibility Study:

Preliminary Feasibility Study complete with recommendations to be reviewed.

Discussion

The following projects are put forward for endorsement as Council's Priority Projects for the coming year.

- Leongatha Heavy Vehicle Alternate Route

The Leongatha Heavy Vehicle Alternate Route Project seeks the construction of a Heavy Vehicle Alternate Route for the Leongatha Town Centre using Hughes and Long Streets. This will remove heavy vehicles from Bair Street, improving the amenity and safety of the town centre and increasing the accessibility of heavy vehicles to the industrial estate and other key destinations.

Considerable preparatory and planning work has occurred on the project over many years. The location of the route has been agreed and endorsed by Council, and VicRoads Regional Office and Minister Ryan and Federal Member Russell Broadbent are supportive of the project.

The proposal effectively has two key stages:

Stage 1: Funded:

Completion of Detailed Design Work: Funding of \$270,000 has been secured from the Victorian Government for a detailed and fully comprehensive VicRoads planning study to occur.

Stage 2: Unfunded:

Construction of The Project: The final costs will be determined by the Detailed Design study, however it is anticipated that the works would be approximately \$11 million.

- Corner Inlet Tourism Development Project

The Corner Inlet Tourism Development Project would see a major economic development in the Corner Inlet area of the Shire. The development project is comprised of four individual components:

Restoration of the Port Welshpool Long Jetty;

Extension of the Great Southern Rail Trail from Foster to Welshpool;

Dredging of the Toora Channel for Boating and Recreational Activities; and

Feasibility Study/Detailed Design for a Port Welshpool Marina Development.

In November 2011, Council committed to support the Corner Inlet Tourism Development Project by allocating funds of \$1.5m - \$2.1m in the Long Term Financial Plan to assist in securing identified grant opportunities with the intention to progress the Project as a whole.

- Korumburra Children Services Hub

The Municipal Early Years Plan 2012 –16 was adopted by Council in December 2011. The Plan included, as a priority, the changes required in Children's Services infrastructure in Korumburra to ensure achievement of the Federal Government's reform of 15 hours of kindergarten accessible to every child in the year prior to their school start (Universal Access) and that unmet demand for childcare was met.

A number of sites have been identified for a Children's Services Hub in Korumburra. Soil testing is currently being undertaken at both Mair Crescent and Victoria Street and a site assessment for a minimum of three sites will be presented to the Council in March/April 2012 with a recommendation of a preferred site.

Council will be advocating to both the Federal and State governments for a funding contribution towards the capital cost of the Children's Services Hub.

As an interim measure an extension to the existing kindergarten building is planned to meet Universal Access requirements for 2013. Designs and costings are complete for the extension and we are waiting on the Department of Education and Early Childhood Development to confirm their contribution towards capital funding before we proceed with the \$93,000 extension project.

- Development At Coal Creek - Feasibility Study and Business Plan

Following improved visitation, from 11,000 to more than 51,000 in four years, Council have adopted a strategy for Coal creek to be cost neutral in 5-7 years and have commissioned a preliminary feasibility study to progress this strategy. Following this preliminary feasibility, council wishes to pursue a more detailed plan to recommend ways to develop and explore options for a redevelopment of Coal Creek to improve financial viability through increased visitation, branding and revenue, with particular focus on the following:

A recommended model /strategic direction for redevelopment of coal creek, including:

- Opportunities for enhanced retail utilizing existing buildings
- Potential uses for poorly utilised land on the site
- Infrastructure requirements to facilitate increased visitation
- Partnership opportunities with regional education providers to increase education program delivery

Prepare a Business Case and Business Plan for the recommendation, including:

- Detail financial forecasts
- Address capital costs, ownership, equity and governance requirements

Council are seeking state government assistance in funding this feasibility as a key priority for Council in improving community, education and tourism development in Korumburra.

- South Gippsland Highway Safety Improvements at Bridge Street, Korumburra

In partnership with VicRoads, Department of Transport and Department of Planning and Community Development, Council is undertaking a study to develop a town centre framework plan for Korumburra. This project will also review options for improving the safety of the intersection of Bridge Street and South Gippsland Highway in the main street of Korumburra. There has been community concern for some time regarding the safety of the 'dogleg' at this intersection, amplified by a fuel tanker truck rollover in 2011. Council is seeking support from the State Government to fund identified action to improve the safety of this intersection.

- Development of Leongatha Rail Yard VicTrack Land

There has been much community speculation regarding unused VicTrack land close to the Railway Station in Leongatha. It is seen by the community as a strategically important land parcel and there is a desire to see it put to its best use, of which Council will take a lead role in facilitating.

Council is currently undertaking a Parking Study of Leongatha CBD which will also consider the impacts of a potential heavy vehicle alternate route on Long Street instead of the South Gippsland Highway. It is anticipated that this study will also look at options for development of the VicTrack land in a preliminary review of the needs of the CBD. Council is seeking funding and support from State Government for developing this site into its identified best use. Given the strategic nature of the site and its importance to both enhanced parking and retail development in Leongatha and its proximity to the heavy vehicle alternative route.

- Broadband and Telecommunications

The plan for the rollout of the NBN for the next three years is expected to be released by the end of March. Council are assisting Meeniyan with their request to be added to the towns to receive optic fibre.

- VicRoads Roads Maintenance Standards and Response Time

Over the past 24 months there has been a noticeable reduction in the maintenance standard on roads in the care and control of VicRoads within the Shire. Damaged pavements that would normally have been fixed within a week are taking up to two months or longer to be repaired. This is putting the community travelling on these roads at risk of accident and injury.

Council is seeking the State Government to review VicRoads maintenance standards and the funding made available to VicRoads for maintenance.

- Korumburra & Nyora Growth Planning

The Council is undertaking the following projects to provide for the growth of Korumburra and Nyora over the next decade. They represent a major focus of Council's resources to the planning and economic growth of the area and will provide the opportunity for homes to be constructed for over 5,000 new residents and new retail and recreational spaces through a structured process. Infrastructure will be funded by new developments to enhance existing and future community resources.

Nyora & Korumburra Residential Rezoning

Korumburra Town Centre Framework Plan

Nyora & Korumburra Framework Plans (Planning Scheme provisions)

Development Plan Nyora

Development Contributions Plan (inc. Western Korumburra and Nyora expansion areas)

Korumburra & Nyora Social Infrastructure Planning

Housing & Settlement Strategy (Shire wide)

Growth Planning will aggregate the results of the projects to provide an overall future 'picture' of Korumburra & Nyora and surrounding areas.

Proposal

It is proposed that Council endorse the commitment of time, resources and funds where necessary, to the following projects and adopt them as Priority Projects for 2012 and seek funding and support where appropriate from other levels of government:

- Leongatha Heavy Vehicle Alternate Route
- Corner Inlet Tourism Development Project (encompassing the Great Southern Rail Trail extension from Foster to Welshpool, the restoration of the Long Jetty, feasibility study/detailed design of the Port Welshpool Marina development and dredging of Toora Boat Ramp)
- Korumburra Children Services Hub
- Development At Coal Creek - Feasibility Study and Business Plan
- South Gippsland Highway Safety Improvements at Bridge Street, Korumburra
- Development of Leongatha Rail Yard VicTrack Land
- Broadband and Telecommunications
- VicRoads Roads Maintenance Standards
- Korumburra & Nyora Growth Planning

FINANCIAL CONSIDERATIONS

Council may need to commit a proportion of funds to secure grant opportunities for these projects and where necessary, ensure infrastructure projects are investment ready.

In doing this it is important that the strategic integrity of the Long Term Financial Plan is not compromised. This may necessitate reviewing Council's current projects that are currently funded in the Plan. This could be considered during the current Capital Works Program review process and/or the forth coming budget preparation process.

RISKS

Currently there is no review process or timeframe for the GRP. This has been raised by Council and Regional Development Victoria as a major issue for progressing well funded, political or strategically important 'non-GRP' specific projects through bodies such as Regional Development Australia Committee to consider – example being Long Jetty. There is now work in progress to address this matter.

CONCLUSION

It is proposed that Council formally endorse these priority projects to be internally resourced to ensure external funding and advocacy can be pursued over the coming year.

It should be noted that while this proposal will direct Council's focus to specific projects, it will not ignore other project opportunities that arise over this time. Council will continue to work with established groups and organisations to push forward with key prospects surrounding other planning developments and road safety projects throughout the Shire in line with the Council Plan.

RECOMMENDATION

That Council adopt the following Projects as 'Priority Projects' for advocacy, support and funding internally and from other levels of government over the coming year:

1. Leongatha Heavy Vehicle Alternate Route;
2. Corner Inlet Tourism Development Project (encompassing the Great Southern Rail Trail extension from Foster to Welshpool, the restoration of the Long Jetty, feasibility study/detailed design of the Port Welshpool Marina development and dredging of Toora Boat Ramp);
3. Korumburra Children Services Hub;
4. Development At Coal Creek - Feasibility Study;
5. South Gippsland Highway Safety Improvements at Bridge Street, Korumburra
6. Development of Leongatha Rail Yard VicTrack Land;
7. Broadband and Telecommunications;
8. VicRoads Roads Maintenance Standards and Response Time; and
9. Korumburra & Nyora Growth Planning.

MOVED: Cr Jackson

SECONDED: Cr Davies

THAT COUNCIL ADOPT THE FOLLOWING PROJECTS AS 'PRIORITY PROJECTS' FOR ADVOCACY, SUPPORT AND FUNDING INTERNALLY AND FROM OTHER LEVELS OF GOVERNMENT OVER THE COMING YEAR:

- 1. LEONGATHA HEAVY VEHICLE ALTERNATE ROUTE;**
- 2. CORNER INLET TOURISM DEVELOPMENT PROJECT (ENCOMPASSING THE GREAT SOUTHERN RAIL TRAIL EXTENSION FROM FOSTER TO WELSHPOOL, THE RESTORATION OF THE LONG JETTY, FEASIBILITY STUDY/DETAILED DESIGN OF THE PORT WELSHPOOL MARINA DEVELOPMENT AND DREDGING OF TOORA BOAT RAMP);**
- 3. KORUMBURRA CHILDREN SERVICES HUB;**
- 4. DEVELOPMENT AT COAL CREEK - FEASIBILITY STUDY;**
- 5. SOUTH GIPPSLAND HIGHWAY SAFETY IMPROVEMENTS AT BRIDGE STREET, KORUMBURRA**
- 6. DEVELOPMENT OF LEONGATHA RAIL YARD VICTRACK LAND;**
- 7. BROADBAND AND TELECOMMUNICATIONS;**
- 8. VICROADS ROADS MAINTENANCE STANDARDS AND RESPONSE TIME; AND**
- 9. KORUMBURRA & NYORA GROWTH PLANNING.**

Cr Fawcett left the Meeting at 4.52pm.

Cr Fawcett returned to the Meeting at 4.53pm.

CARRIED UNANIMOUSLY

E.13 LONG TERM FINANCIAL STRATEGY

Corporate Services Directorate

EXECUTIVE SUMMARY

Financial strategies provide the framework or business rules that both the annual and longer term business plans are built on. The strategies were originally adopted in 2003 and undergo an annual review and refinement process.

Council over the past 9 years has adopted a strategic approach to business planning. Since then, its overall financial performance has systematically improved.

Three minor refinements are proposed for Council's consideration. They include:

- Introducing a new strategy in relation to carbon tax costing implications.
- Removal of strategy extending financial plan/ performance indicators to 15 years.
- Minor wording change to existing fees and charges strategy (fees to go up by 'general rate' increase rather than 'general rates and charges increase').

Overall, the fundamental thrust of the long term strategies remains unchanged from the original strategies adopted in 2003.

Document pertaining to this Council Report

- **Appendix 1:** Long Term Financial Strategy

Appendix 1 can be accessed on Council's website <http://www.southgippsland.vic.gov.au/> or by contacting Council on 5662 9200.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Act 1989, Section 136

COUNCIL PLAN

Strategic Goal:	5.0	A Leading Organisation.
Outcome:	5.2	Systems and Processes.
Strategy No:	5.2.3	Financial Management.

REPORT

Background

The Auditor General in his Annual Report to Parliament in the last 3 years has recommended that all Victorian Councils should develop strategic performance indicators to review past performances and set targets for following years.

South Gippsland Shire Council introduced a strategic planning and performance management framework in 2003 and has maintained since that date a series of financial strategies to ensure that Council's immediate and long term financial viability is managed in a constructive and economically viable manner.

Council's Long Term Financial Strategy (LTFS) is reviewed and updated on an annual basis. It is important that the financial strategies (business rules) continue to align with Council's financial objectives.

The strategies continue to provide the strategic framework for developing the Long Term Financial Plan, the Council Plan (which includes the Strategic Resource Plan) and the Annual Budget.

Council Plan

The Council Plan is a high level strategic planning document that includes objectives and strategies that cover the four year term of each Council.

The financial strategies compliment and support both higher level 'strategic plans' such as the Council Plan, and 'operational plans' such as the Annual Budget, by ensuring that Council's financial position is sustainable both in the short and longer term.

Proposal

Since taking a strategic approach to business planning and performance management in 2003-04, Council's overall financial performance has systematically improved. The proposal is to continue with this approach to business management.

Three minor amendments have been incorporated into the Long Term Financial Plan for Council's consideration. These include:

1. Introducing a new strategy in relation to carbon tax costing implications. The carbon tax is anticipated to impact on some Council services due to increased costs for materials and supplies (Strategy No. 9, page 3).
2. Removing the strategy that advocates that the budgeted financial statements and the accompanying financial performance ratios are extended to be a 15 year Long Term Financial Plan (formerly Strategy No. 13 in 2011/12). This has now been fully implemented.

3. Minor wording change to the existing fees and charges strategy. It is proposed that fees will increase by the 'general rate' increase rather than the 'general rates and charges increase'. This amendment sets the increase by a defined percentage each year, aligned directly to the general rate increase Council determines (Strategy No. 16, page 4).

Implication

Continuation of the strategic planning and management process will help achieve long term business viability. This will ensure that Council has sufficient financial resources for both service provision and for infrastructure asset management now and in future years.

Implementation

The Long Term Financial Plan, Council Plan (including the Strategic Resource Plan) and the Annual Budget will continue to be referenced back against the financial strategies.

RECOMMENDATION

That Council receive and adopt the financial strategies as documented in the Long Term Financial Strategy (Appendix 1).

MOVED: Cr Fawcett

SECONDED: Cr Davies

THAT COUNCIL RECEIVE AND ADOPT THE FINANCIAL STRATEGIES AS DOCUMENTED IN THE LONG TERM FINANCIAL STRATEGY (APPENDIX 1).

CARRIED

For: Crs Deane, Davies, Raabe, Harding, Newton, Jackson and Fawcett.

Against: Crs Kennedy and Lewis.

SECTION F - URGENT OR OTHER BUSINESS

There are two basic parts to this section of the Agenda:

1. 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.

The Meeting Procedure Local Law No.3 (Clause 89) allows for urgent motions to be raised at Council provided the matter cannot be dealt with at the next ordinary meeting of Council 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'.

In raising the motion the Councillor will 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 debating rules 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.

2. Other Business

This provides an opportunity for Councillors to raise items of general interest to the Council and the community. It may relate to an up coming event or the outcomes of a recent meeting with a Minister etc.

Nil

SECTION G – GENERAL QUESTION TIME

G.1 QUESTION TIME

Mr Paul Norton tabled questions that were taken on notice.

Cr Newton expressed a concern about an announcement of a project made by The Mayor in the public and asked that in future Ward Councillors be kept informed before announcements such as these are made.

G.2 ANSWERS TO PREVIOUS QUESTIONS ON NOTICE

Nil

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 (the Act), 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.

Nil

SECTION H - MEETING CLOSED

NEXT MEETING

The next Ordinary Council Meeting open to the public will be held on 28 March 2012 commencing at 2pm in the Council Chambers, Leongatha.

The Meeting Closed at 5.09pm.

CONFIRMED:.....

CR WARREN RAABE – MAYOR

Date:.....