

SOUTH GIPPSLAND SHIRE COUNCIL

Special Committee of Council  
to hear Submissions to the  
Council Plan 2020-2024  
Annual Budget 2020/21  
17 JUNE 2020

Commencing at  
10.30 AM

17 June 2020  
Council Chambers,  
Leongatha

17 JUNE 2020

That Special Committee of Council to hear  
submissions to the 2020 - 2024 Council Plan  
and Proposed 2020/21 Annual Budget.



*South Gippsland  
Shire Council*

# MISSION

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

## 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](http://www.southgippsland.vic.gov.au).



## CONTENTS OF SUBMISSIONS

Notice is hereby given that Special Committee of Council of the South Gippsland Shire Council which will be held on 17 June 2020 in the Council Chambers Leongatha commencing at 10.30am

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**Kerryn Ellis**  
**Chief Executive Officer**

## **1. PRELIMINARY MATTERS**

### **1.1. LIVE-STREAMING COUNCIL MEETING DISCLAIMER**

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

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

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

Thank you

### **1.2. WELCOME**

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

In light of the global spread of COVID-19 and the extraordinary situation we currently find ourselves in, Council is doing its best to manage the advice relating to the safety of our community and our staff.

Over the past few months the Federal and State Governments have been increasingly clear in their directives about social gatherings. To that end Council has taken the unprecedented step of closing its doors to the public for this Council Meeting.

The closure to the gallery while retaining an open meeting through the livestreaming of the Open Council Meeting is made in accordance with the Local Government Act 2020 - s.395 – 'Meetings may be closed to the public during the prescribed period.'

Access to the live stream through Council's Internet will be the 'open' component of this Meeting.

The safety of the community and staff and the continuation of vital services remain Council's highest priority.

## **RECOMMENDATION**

That Council:

1. Not allow members of the public to attend the 17 June 2020 Special Committee of Council – Submission Hearing in person;
2. Hears the submitters via telephone and will be live streamlined on the internet;
3. Resolve that the 17 June 2020 Special Committee of Council – Submission Hearing remains ‘open’ via the livestream on the Internet, in keeping with section 395 of the *Local Government Act 2020*; and
4. Note that this decision is made to protect the health and wellbeing of all people required to be in attendance.

### **1.3. OPENING PRAYER**

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

Amen

### **1.4. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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

### **1.5. REQUEST LEAVE OF ABSENCE**

### **1.6. APOLOGIES**

## 1.7. DECLARATION OF CONFLICT OF INTEREST FOR ADMINISTRATORS

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

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

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

The Administrator 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.

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

## 1.8. DECLARATION OF CONFLICT OF INTEREST FOR STAFF

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

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

## 2. COUNCIL REPORT

### 2.1 SUBMISSION HEARING 2020/21 ANNUAL BUDGET AND COUNCIL PLAN 2020-2024

Corporate and Community Services Directorate

#### EXECUTIVE SUMMARY

At the Ordinary Meeting of Council 22 April 2020, Council endorsed the proposed Annual Budget 2020/21 (Budget) and proposed Council Plan 2020-2024 (Council Plan). Council resolved to invite formal submissions from the public under s.223 of the *Local Government Act 1989* (Act) on these strategic documents.

This Special Committee of Council – Submission Hearing (Hearing) is for Council to hear from speakers in support of their written submissions (**Attachment [2.1.1]** through to **Attachment [2.1.11]**). Ten minutes have been allocated for each presenter. This includes time for the presentation and clarifying questions from Administrators.

Item	Topic	Submitter	Timeslot
3.3	<b>Council Expenditure</b>	<b>Gus Blaauw</b>	10.30 to 10.40
3.4	<b>Council Expenditure</b>	<b>Ralph Gallagher</b>	10.40 to 10.50
3.5	<b>Memorial Hall Redevelopment</b>	<b>Peter Western</b> (Lyric Theatre)	10.50 to 11.00
3.8	<b>Splash Stadium Entry Fee</b>	<b>Dan Monaghan &amp; Cara Carter</b> (Leongatha Basketball Association)	11.00 to 11.10
3.10	<b>Environmental Sustainability</b>	<b>Michael Borgas</b> (Just Transition)	11.10 to 11.20
4.1	<b>Environmental Sustainability</b> - Part A: Budget - Part B: Council Plan	<b>Lynn Atkinson &amp; Michael Nugent</b> (Extinction Rebellion)	11.20 to 11.30
4.2	<b>Various Topics</b> - Part A: Budget - Part B: Council Plan	<b>Lindsay Love</b> (South Gippsland Action Group)	11.30 to 11.40



4.3	<b>Various Topics</b> - Part A: Rates - Part C: Capital Works - Part D: Live Streaming	<b>Don Hill</b>	11.40 to 11.50
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## RECOMMENDATION

**That the Special Committee of Council hear the following submissions under the *Local Government Act 1989*, Section 223 in relation to the Proposed Annual Budget 2020/21 and/or Proposed Council Plan 2020 -2024:**

1. **Gus Blaauw - Council Expenditure (submission 3.3);**
2. **Ralph Gallagher - Council Expenditure (submission 3.4);**
3. **Peter Western (Lyric Theatre) - Memorial Hall Redevelopment (submission 3.5);**
4. **Dan Monaghan & Cara Carter (Leongatha Basketball Association) - Splash Stadium Entry Fee (submission 3.8);**
5. **Michael Borgas (Just Transition) - Environmental Sustainability (submission 3.10);**
6. **Lynn Atkinson & Michael Nugent (Extinction Rebellion) - Environmental Sustainability (submission 4.1);**
7. **Lindsay Love (South Gippsland Action Group) - Various Topics (submission 4.2); and**
8. **Don Hill - Various Topics (submission 4.3).**

## REPORT

### Background

The Budget and Council Plan have been prepared following community consultation throughout the year and is guided by priorities outlined in its key strategic documents including the 15 Year Long Term Financial Strategies.

Council received 23 written submissions from 16 submitters. Four submitters sent multiple submissions. These have been combined to each form one submission report. Eight submitters requested to speak at this Open Hearing. The 11 submissions that will be heard from 10.30am on 17 June 2020 are in **Attachment [2.1.1]** through to **Attachment [2.1.11]**.

This Hearing is held subject to the requirements of the Business Continuity Plan relating to the COVID-19 pandemic. Alternative arrangements were made with speakers to present via telephone during this live session.

The Special Committee of Council will consider and recommend the outcome of all the submissions received at the meeting scheduled at 12.45pm on Wednesday 17 June 2020.

## **CONSULTATION**

Community consultation was conducted throughout the year to inform the development of the Budget and Council Plan.

Both documents were placed on public exhibition from 28 April 2020 until 5pm, 28 May 2020. In response to the State of Emergency in Victoria which commenced on 16 March 2020 and extended to 21 June 2020 due to the COVID19 pandemic, Council adapted its advertising of the public exhibition. This included:

- Council's website and Facebook page;
- Council's In the Know newsletter;
- Foster Mirror newspaper; and
- Sentinel Times Facebook page and online newspaper

## **RESOURCES**

Nil

## **RISKS**

Hearing from submitters that have indicated a desire to speak to their submission, is a legal requirement associated with the s.223 public engagement process. Considering and determining the outcome of submissions is a further legislated requirement under s.223 of the Act.

A Special Committee Meeting of Council has been scheduled at 12.45pm on 17 June 2020 to complete the formal consultation and consideration process. Adherence to these formal requirements has mitigated Council's risk of potentially making uninformed decisions, denying people natural justice to participate in decisions likely to affect them or breaching the *Local Government Act 2020*. The recommendations of the Special Committee will be considered by Council at the 24 June 2020 Council Meeting.

## **STAFF DISCLOSURE**

Nil

## ATTACHMENTS

*Attachments are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*

1. 3.3 Submission - Council Expenditure - Gus Blaauw [2.1.1 - 14 pages]
2. 3.4 Submission - Council Expenditure - Ralph Gallagher [2.1.2 - 2 pages]
3. 3.5 Submission - Memorial Hall Redevelopment - Peter Western (Lyric Theatre) [2.1.3 - 65 pages]
4. 3.8 Submission - Splash Stadium Entry Fee - Leongatha Basketball Association [2.1.4 - 2 pages]
5. 4.1 Part A Submission - Environmental Sustainability - Lynn Atkinson & Michael Nugent (Extinction Rebellion) [2.1.5 - 9 pages]
6. 4.1 Part B Submission - Environmental Sustainability - Lynn Atkinson & Michael Nugent (Extinction Rebellion) [2.1.6 - 9 pages]
7. 4.2 Part A Submission - Various Topics - Lindsay Love (South Gippsland Action Group) - Budget [2.1.7 - 5 pages]
8. 4.2 Part B Submission - Various Topics - Lindsay Love (South Gippsland Action Group) - Council Plan [2.1.8 - 12 pages]
9. 4.3 Part A Submission - Various Topics - Don Hill - Rates [2.1.9 - 1 page]
10. 4.3 Part C Submission - Various Topics - Don Hill - Capital Works [2.1.10 - 1 page]
11. 4.3 Part D Submission - Various Topics - Don Hill - Live Streaming [2.1.11 - 1 page]

## REFERENCE DOCUMENTS

### **Council Policy**

*Documents are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)*  
Revised 2017-2021 Council Plan

## LEGISLATIVE PROVISIONS

Local Government Act 1989  
Local Government Act 2020

### **3. MEETING CLOSED**

#### **NEXT MEETING**

The next Ordinary Meeting of Council open to the public will be held on Wednesday, 24 June 2020 commencing at 2pm in the Council Chambers, Leongatha.