

SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting Minutes

24 June 2020

Council Meeting No. 446
Council Chambers, Leongatha
Commenced at 2:00 pm



minutes



*South Gippsland
Shire Council*

Come for the beauty, Stay for the lifestyle



MISSION

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

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A copy of this policy is located on Council's website www.southgippsland.vic.gov.au.

PRESENT

ADMINISTRATORS:	Julie Eisenbise, Administrator Chair Christian Zahra, Administrator Deputy Chair Rick Brown, Administrator
NOT PRESENT:	-
OFFICERS:	Kerryn Ellis, Chief Executive Officer June Ernst, Coordinator Council Business Natasha Berry, Council Business Officer

SOUTH GIPPSLAND SHIRE COUNCIL

Council Meeting No. 446
 Wednesday 24 June 2020
 Council Chambers, Leongatha commenced at 2.00 pm

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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 AND OPEN MEETING VIA LIVE STREAM

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 three 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 and 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 24 June 2020 Council Meeting in person.
2. Resolve that the 24 June 2020 Council Meeting remains 'open' via the livestream on the Internet, in keeping with section 395 of the *Local Government Act 2020*.
3. Note that this decision is made to protect the health and wellbeing of all people required to be in attendance.

MOVED: Administrator Eisenbise

SECONDED: Administrator Brown

THAT COUNCIL:

1. **NOT ALLOW MEMBERS OF THE PUBLIC TO ATTEND THE 24 JUNE 2020 COUNCIL MEETING IN PERSON.**
2. **RESOLVE THAT THE 24 JUNE 2020 COUNCIL MEETING REMAINS 'OPEN' VIA THE LIVESTREAM ON THE INTERNET, IN KEEPING WITH SECTION 395 OF THE LOCAL GOVERNMENT ACT 2020.**
3. **NOTE THAT THIS DECISION IS MADE TO PROTECT THE HEALTH AND WELLBEING OF ALL PEOPLE REQUIRED TO BE IN ATTENDANCE.**

CARRIED UNANIMOUSLY

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. APOLOGIES

Nil

1.6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council:

1. Council Meeting No. 445, held on 27 May 2020 in the Council Chambers, Leongatha; and
2. Special Committee Meeting of Council, held on 17 June 2020 in the Council Chambers, Leongatha be confirmed.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT THE MINUTES OF THE SOUTH GIPPSLAND SHIRE COUNCIL:

1. **COUNCIL MEETING NO. 445, HELD ON 27 MAY 2020 IN THE COUNCIL CHAMBERS, LEONGATHA; AND**
2. **SPECIAL COMMITTEE MEETING OF COUNCIL, HELD ON 17 JUNE 2020 IN THE COUNCIL CHAMBERS, LEONGATHA BE CONFIRMED.**

CARRIED UNANIMOUSLY

1.7. DECLARATION OF CONFLICTS OF INTEREST FOR ADMINISTRATORS

Provisions under the Local Government Act 2020 around Conflict of Interest are not operational until October 2020. Provisions under the Local Government Act 1989 remain operational until this time.

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.

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*.

Nil

1.8. DECLARATION OF CONFLICTS OF INTEREST FOR STAFF

Provisions under the *Local Government Act 2020* around Conflict of Interest are not operational until October 2020. Provisions under the *Local Government Act 1989* remain operational until this time.

The *Local Government Act 1989*, sections 80B and 80C requires 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*.

Agenda Item 5.8: Mr Ian Murphy, Recreation Coordinator declared an indirect conflict of interest due to a conflict of duty, as he is a board member of Gippsport.

Confidential Agenda Item 14.1: A staff member has declared a perceived indirect conflict of interest by close association.

2. STRATEGIC ITEMS

2.1. S223 SUBMISSION OUTCOME - PROPOSED ANNUAL BUDGET 2020/21 AND PROPOSED 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.

The Special Committee of Council, comprising of Administrators, held a Hearing (Hearing) on 17 June 2020 to hear those who chose to speak to their submission. Following the Hearing, the Special Committee of Council held an Open Meeting on 17 June 2020, to consider submissions 2.1 through to 4.4, included in **Attachment [2.1.1]**, and make recommendations to Council for endorsement at the Council Meeting on 24 June 2020. These recommendations are captured in the Minutes of the Special Committee Meeting as **Attachment [2.1.2]**.

RECOMMENDATION

That Council:

1. Notes the Special Committee of Council received all submissions on 1 June 2020 for their consideration;
2. Adopts the recommendations of the Special Committee of Council (Attachment 2.1.2]) at their Meeting held on 17 June 2020 relating to submissions 2.1 through to 4.4 (Attachment [2.1.1]); and
3. Incorporates the recommended amendments to the Proposed Annual Budget 2020/21 and Proposed Council Plan 2020-2024.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

- 1. NOTES THE SPECIAL COMMITTEE OF COUNCIL RECEIVED ALL SUBMISSIONS ON 1 JUNE 2020 FOR THEIR CONSIDERATION;**
- 2. ADOPTS THE RECOMMENDATIONS OF THE SPECIAL COMMITTEE OF COUNCIL (ATTACHMENT 2.1.2) AT THEIR MEETING HELD ON 17 JUNE 2020 RELATING TO SUBMISSIONS 2.1 THROUGH TO 4.4 (ATTACHMENT [2.1.1]); AND**
- 3. INCORPORATES THE RECOMMENDED AMENDMENTS TO THE PROPOSED ANNUAL BUDGET 2020/21 AND PROPOSED COUNCIL PLAN 2020-2024.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

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

Council received 23 written submissions from 16 submitters during the public exhibition period between 28 April 2020 and 5pm, 28 May 2020. Across these submissions, 21 related to the Budget and six related to the Council Plan. Four submitters sent multiple submissions.

All submissions were circulated to the Administrators on 1 June 2020 for their early consideration.

The Special Committee of Council voted on recommendations for each submission on 17 June 2020 and provided these recommendations to Council for their Meeting scheduled for 24 June 2020. These recommendations are captured in the Minutes of the Special Committee Meeting as **Attachment [2.1.2]**.

OFFICER RESPONSES

2.1 Pee-Wee Lewis (Korumburra Round Table) - Korumburra Revitalisation Project

Council's estimate for undergrounding the overhead power and installation of street lighting in Commercial Street between Bridge Street and Radovick Street is approximately \$1M. If extended from Radovick Street to King Street, the total cost becomes approximately \$2M. While this funding is not allocated in the 2020/21 year, it will be considered in future.

2.2 Noelene Cosson (Korumburra Business Association) - Korumburra Revitalisation Project

Council's estimate for undergrounding the overhead power and installation of street lighting in Commercial Street between Bridge Street and Radovick Street is approximately \$1M. If extended from Radovick Street to King Street, the total cost becomes approximately \$2M. While this funding is not allocated in the 2020/21 year, it will be considered in future.

The footpath from the Industrial Estate to Commercial Street will be investigated in 2020/21. The project is currently unfunded and not included in the Paths and Trails Strategy.

The Skip Walking Track from Coal Creek to Ritchies Reserve is included in the Paths and Trails Strategy as a future construction project. The project is currently unfunded as further investigations are required for Council to fully understand costs and works involved.

3.1 Beck Pierce - Community Grants

This feedback regarding the development of co-working spaces as an option for a business grants scheme will be considered throughout the implementation of the COVID-19 Community Support Package.

3.2 Kirsten Jones (Meeniyah Tourism and Traders Association) - Community Support Package

A coordinated plan to support Chambers of Commerce and other Business Associations and their members throughout and beyond COVID-19 is currently being developed. This is likely to include promotion and marketing to grow visitation to our towns and key destinations.

In addition, Council is working closely with Destination Gippsland to create specific marketing opportunities for the Shire that will also leverage off the broader Gippsland marketing and promotion.

A number of initiatives that relate to artistic and cultural activities and supporting local sporting clubs in this submission will be considered in development of Phase 2 of the COVID-19 Community Support Package.

3.3 Gus Blaauw - Council Expenditure

Council's budget is prepared in accordance with the Model Budget published each year by Local Government Victoria. Further details of expenses are not required by the Local Government Act or Local Government (Planning and Reporting) Regulations 2014, however, Council considers it would be beneficial to include the Materials and Services information provided in the Annual Budget to further align with the Annual Report and provide greater clarity to the reader.

Labour changes occur due to demand to meet the requirements and objectives of each functional area of Council. The changes occur due to legislative changes, funding and priority changes. There are no staff surplus to Council requirements.

A COVID-19 Community Support Package has been incorporated into the budget to provide additional support to the community and local businesses during the pandemic and in the recovery period.

The Capital budget is predominantly the means by which Council maintains or increases existing infrastructure, renews assets in need of replacement, and adds to the facilities and resources in the community to make it an increasingly desirable place of pride for residents and an attraction to draw new residents and businesses to grow and diversify our community. Projects are supported by strategic documents, have been appropriately planned and communicated and community engagement and consultation has occurred.

3.4 Ralph Gallagher - Council Expenditure

While Councils have been afforded the option of delaying their budgets, Council have elected to stay with the originally set budget timeline to avoid unnecessarily impacting Council services.

The Local Government Act 2020 sets out that the role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community (S8(1)). Council considers the delivery of the COVID-19 response as being directly connected to the benefit and wellbeing of the South Gippsland Shire, whilst ensuring this benefit is delivered in a financially responsible manner without jeopardising its long term financial health.

Council continues to refine the presentation and consistency of its budget to improve readability of the document and will look to incorporate feedback into future versions of the document.

Council's rates are determined in accordance with the Rating Strategy 2019-2022, available on Council's website. Feedback regarding the rating strategy will be welcomed upon development of the next Rating Strategy in 2022.

3.5 Peter Western (Lyric Theatre) - Memorial Hall Redevelopment

This project requires extensive community consultation, particularly with the varied users of the Leongatha Memorial Hall and its multiple uses. Council must establish this project as viable prior to the inclusion of funds in the budget.

Council would like the Lyric Theatre to present their findings to the Administrators towards the end of this year to continue exploring the realisation of this project.

3.6 Gary Naphine – Rates

The costs of providing Council services rise with inflation each year and Council rates increase commensurately to provide for this cost and to continue to deliver infrastructure requirements of the community. Rates have been capped for the 2020/21 year at 2% in line with the rating cap for local government.

Staff requirements are consistently reviewed and matched to the services provided by Council.

The Local Government Act 2020 sets out that the role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community (S8(1)). Council considers the delivery of the COVID-19 response as being directly connected to the benefit and wellbeing of the South Gippsland Shire, whilst ensuring this benefit is delivered in a

financially responsible manner without jeopardising its long term financial health.

3.7 David Jochinke – Rates

Council's rates are determined in accordance with the Rating Strategy 2019-2022, available on Council's website. Feedback regarding the rating strategy will be welcomed upon development of the next Rating Strategy in 2022.

3.8 Dan Monaghan & Cara Carter (Leongatha Basketball Association) - Splash Stadium Entry Fee

The Leongatha Basketball Association is the largest user of the stadium at SG SPLASH. The Association have made budget submissions in 2004, 2013, and 2016 seeking the removal of the \$2 door entry fee. The court hire fee of \$43 per hour which is paid by the Association is higher than the community operated stadiums within the municipality. The loss of income as a result of not collecting the entry fee would be \$18,000.

As previously recommended, Council will consider the removal of the \$2 door entry fee.

3.9 Bryan Watterson (Agnes River Landcare) - Agnes Gorge Project

The Agnes River Road Walk linking the Great Southern Rail Trail to the Agnes Falls Reserve is included in the Paths and Trails Strategy as a future construction project. The project is currently unfunded as further investigations are required for Council to fully understand costs and works involved.

3.10 Michael Borgas (Just Transition) - Environmental Sustainability

Council has a commitment to undertake the development of a new Vision for the future of the municipality. This Vision will involve significant community engagement, and will be a key opportunity to consider Council and the community's aspirations for action and investment in environmental sustainability into the future.

4.1 Lynn Atkinson & Michael Nugent (Extinction Rebellion) - Environmental Sustainability

Part A – Budget & Part B – Council Plan

Council has a commitment to undertake the development of a new Vision for the future of the municipality. This Vision will involve significant community engagement, and will be a key opportunity to consider Council and the community's aspirations for action and investment in environmental sustainability into the future.

4.2 Lindsay Love (South Gippsland Action Group) – Various Topics

Part A – Budget

The draft budget released for public comment does not include the Leongatha Community Hub and there is no allocation of \$300,000.

Current advice from the Defined Benefit Super Scheme is that no additional funding is required.

The Community Infrastructure Loans Scheme has been utilised to secure the Korumburra Streetscape and Community Hub projects. The overall Capital Works Program over the four years of 2019/2020 to 2023/2024 has increased from \$105M to \$116M therefore requiring these additional low interest loans.

A COVID-19 Community Support Package has been incorporated into the budget to provide additional support to the community and local businesses during the pandemic and in the recovery period. The COVID-19 hardship policy does not charge interest on deferred rates.

Part B – Council Plan

The development of the Council Plan draws on various forms of formal and informal community engagement activities undertaken throughout the year.

The submitters comments on the Key Performance Indicators (KPI's) and benchmarking requirements are noted. The refinement of meaningful KPI's and comparative benchmarking is an ongoing process.

This year Council will be refining the Community Engagement Policy to align with requirements of the *Local Government Act 2020*. This aims to further enhance Council's engagement processes.

The submission refers to concerns with titling of some components of the Council Plan. The titles of Strategic Objectives, Strategies and the requirement for KPI's are set out as a requirement to be used under the *Local Government Act 1989*.

The Vision is the aspirational aim for all services which staff provide and guides the desired outcomes which the organisation seeks to achieve. Council, in making decisions, is required to consider the best interests of the whole Shire. The outcomes are subject to a wide range of external influences including the COVID-19 pandemic. Where possible, impacts on Initiatives will be avoided to continue to provide a range of services, community support and engagement, deliver projects, capital works and encourage local stimulus.

4.3 Don Hill – Various Topics

Part A – Rates

The basis of the rates refund proposal that there is no loss or cut to services and no borrowings are needed is incorrect and does not recognise the long-term impact of such a recommendation. Modelling of the impact to our 15-year

Long Term Financial Plan shows that this proposal has a very significant effect on the future financial health of Council.

This proposal would cause a reduction in investment in the community, is not targeted towards those most in need as a result of the COVID-19 pandemic, and removes the short and long-term financial resilience of Council.

Part B – Splash Hydrotherapy Pool

The hydrotherapy pool and gym at the Leongatha Splash Stadium (93080 - Pool Splash Hydro Therapy Pool and Gym) was not advertised in the Proposed 2020/21 Annual Budget.

Part C – Capital Works

The Local Government (Planning and Reporting) Regulations 2014 require that the budget contain a detailed list of capital works expenditure in relation to non-current assets by class. This is how capital expenditure included in the 15-year long term financial plan is presented. The detailed budget for 2020/21 breaks down capital works into individual projects.

Part D – Live Streaming

Due to the current restrictions in place relating to the COVID-19 pandemic, the Special Meeting of Council – Submission Hearing, will be live streamed. As in previous years, the Special Meeting of Council agenda will be made publicly available which includes the submissions.

Part E – EBA Freeze

Council continues to abide by its employment award and enterprise agreement obligations. A Business Continuity Team was formed at the commencement of the COVID-19 pandemic which has guided Council to continue to function, providing virtually all services unhindered. There are no staff surplus to Council's requirement.

4.4 Chris Lobb – Various Topics

Part A – Budget

Council will monitor the traffic movements around the Mirboo North Pool in 2020/21. Whilst the season will be extended, the majority of the year the pool will not be operational therefore constructing hard infrastructure such as carparking is not justified at this stage.

The existing intersection of Baths Road and Balding Street is a T intersection. This arrangement is considered to be appropriate for the 50 kph speed limits and the current traffic volumes on both roads.

Water does discharge into 36 Balding Street which is not a residential block and has no houses on it. Installing stormwater drainage towards Little Morwell River along both sides of Balding Street is option is not considered appropriate

as there is a 2.5-3.0m rise along this section of Balding Street so construction would be difficult and expensive. Significant roadside vegetation would also be impacted on both sides of the road. A possible alternative option might be the construction of a stormwater connection with an associated easement to the designated waterway running through 36 Balding Street. This option could be considered as part of any development proposal for this site.

Part B – Council Plan

The aim of the Council Plan is to be inclusive of all those who live, visit, and work in the Shire. The term ‘customer’ is used in its generic sense to embrace all those who play a part in making the Shire a healthy, vibrant community, noting that our community includes those who do not directly pay rates. We will continue to consider the most appropriate terminology in future documents.

Council has not set a specific target on population growth, as there are varying sentiments within the community on the need for, and level of, population growth that should be pursued. The establishment of a Community Vision in the short term will provide the best opportunity to have a discussion with the community on the level of growth that should be pursued.

In Integrated Services and Infrastructure, the column “New” under “Summary of Planned Capital Works” is an asset management / financial term, referring to the infrastructure providing a new service which has not previously been offered. The terms “renewal”, “upgrade”, and “expansion” can mean new pieces of infrastructure located in a new location with the current or expanded service level. The current service is being offered, however, an upgrade or expansion is required due to an increase in population or increase in service level.

While not specifically mentioned in the Council Plan, the organisational arm of Council maintains a range of actions in terms of employee development. These include opportunities for employees to advance their own levels of skills and qualifications.

The Mirboo North Refresh project is to be partly implemented in the South Gippsland Planning Scheme in 2020. The State Government has made changes to the scheme particularly around building near fire risk as a result Council has instigated an externally funded project to address how Mirboo North can grow given the new restrictions on expansion in such areas.

CONSULTATION

Community feedback gained throughout the year informed 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

COVID-19 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.

Eight people indicated that they wanted to speak to their submissions. The Hearing was 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 the live session.

RESOURCES

The current Proposed Budget is sustainable and meet the requirements determined by the Local Government Act 1989 and the transitional aspects of the Local Government Act 2020 now in place.

RISKS

If Council determines that only insignificant changes be made to the Budget and/or Council Plan, the final versions can proceed with minor amendments to the adoption stage scheduled for the 24 June 2020 Ordinary Meeting of Council. This approach minimises Council's risk of breaching legislation.

If Council determines that significant changes are to be made to the Budget and/or Council Plan that make material changes and affect Council's financial operations and position, Council would be required to prepare a new Proposed Budget and/or Proposed Council Plan and undertake a further s.223 public consultation process.

The Minister for Local Government extended the deadline to deliver 2020/21 Council Budgets to 31 August 2020. Council indicated a preference to remain on schedule for adoption by 30 June 2020 to avoid potential disruptions to continuing services and projects.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. S223 Submissions - June 2020 [2.1.1 - 150 pages]

REFERENCE DOCUMENTS

Council Policy

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

Proposed Council Plan 2020-2024

Proposed Annual Budget 2020/21

Long Term Financial Plan

Legislative Provisions

Local Government Act 1989

2.2. COUNCIL PLAN 2020-2024

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

The Council Plan 2020-2024, including the rolling four-year Strategic Resource Plan (SRP), (Council Plan) (**Attachment [2.2.1]**) outlines the strategic objectives, strategies and indicators of Council for the next four years.

A formal consultation process has been completed to seek the views of the community on the directions proposed, in accordance with s.223 of the Local Government Act 1989 (Act). Six submissions were received specifically addressing various components of the Council Plan. Submitters spoke to their submissions at a Special Committee meeting on 17 June 2020.

The Council Plan contains the 2020/21 Annual Initiatives (Annual Initiatives). These Annual Initiatives commence the implementation of activities to progress the achievement of the Council Plan Objectives and Strategies. The Annual Initiatives are also captured in Section 2 of the Annual Budget 2020/21 (Annual Budget) through which they will be funded.

The Council Plan is presented to Council for adoption, subject to any changes arising from Council's determination of public submissions.

RECOMMENDATION

That Council:

1. Adopts the Council Plan 2020-2024 in Attachment [2.2.1], including any final amendments resolved for inclusion from the s.223 public submission process;
2. Provides a copy of the adopted Council Plan 2020-2024 including any final amendments, to the Minister for Local Government;
3. Publishes the Council Plan 2020-2024 on Council's website; and
4. Distributes copies to the Council's Customer Service Centre and Libraries.

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL:

- 1. ADOPTS THE COUNCIL PLAN 2020-2024 IN ATTACHMENT [2.2.1], INCLUDING ANY FINAL AMENDMENTS RESOLVED FOR INCLUSION FROM THE S.223 PUBLIC SUBMISSION PROCESS;**
- 2. PROVIDES A COPY OF THE ADOPTED COUNCIL PLAN 2020-2024 INCLUDING ANY FINAL AMENDMENTS, TO THE MINISTER FOR LOCAL GOVERNMENT;**
- 3. PUBLISHES THE COUNCIL PLAN 2020-2024 ON COUNCIL'S WEBSITE; AND**
- 4. DISTRIBUTES COPIES TO THE COUNCIL'S CUSTOMER SERVICE CENTRE AND LIBRARIES.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

The role of Council is to provide leadership for the good governance of the Shire. This is achieved, in part, by establishing strategic directions articulated in a four-year Council Plan and supported by a four-year Strategic Resource Plan. These requirements are legislated under s.125 of the *Local Government Act 1989* (Act).

Council considered a review of the *Council Plan 2017-2021 – Revised 2019*, in accordance with s.125 of the Act, and determined it was appropriate to create a new four-year Council Plan to guide the term of Administrators and the commencement of the new Council's term, to be elected in October 2021.

Council has worked together to develop the Strategic Objectives, Strategies and Strategic Indicators contained in the Proposed Council Plan 2020-2024 in **Attachment [2.2.1]**.

New Strategic Objectives have been developed being:

1. United Shire – *shared community direction*;
2. Economic Prosperity – *corner stone for local employment and business growth*;
3. Integrated Services and Infrastructure; and
4. Customer Focused Organisation.

Each Strategic Objective contains strategic directions and measures of success. The relevant Council services provided and adopted plans and strategies of Council that work towards achieving the Strategic Objectives are also articulated.

The Measures of Success seek to monitor relevant trends Council is aiming to influence. These indicators include measures that Council's actions can directly control the outcome of the results, along with measures that Council can influence the outcomes and some indicators outside of Council's influence but are relevant to assist with future planning.

A further section in the Proposed Council Plan sets out the *Local Government Performance Indicators* relevant to each Strategic Objective with targets Council is striving to achieve. The results of Council's performance in regard to these indicators will be reported at the end of each year in the Annual Report and on the State Government's '*Know Your Council*' website. Council's performance can then be compared against all other Victorian Council's regarding these indicators.

Annual Major Initiatives are incorporated as a separate section outlining the actions Council plans to implement in the 2020/21 financial year. These actions work towards achieving the strategies and vision for each Strategic

Objective. These are also captured in Section 2 of the Proposed Annual Budget 2020/21 from where they are funded.

Refinements have been made to several of the Annual Initiatives and one Measure of Success indicator due to updated information received during the consultation process, particularly on grant funding, along with updated requirements arising from project scoping works undertaken. These refinements include:

1. The first Measure of Success under Objective 4 for the 'Customer Satisfaction with Community Consultation and Engagement' has been modified slightly to adjust the reporting responsibility and the first target.
2. Adjustments to the reporting responsibility for some Annual Initiatives and several completion dates across the four Objectives;
3. Clarification to the wording of the Advisory Committees under Objective 1 has been made;
4. Several of the notes stated works were subject to grants on several capital works projects under Objective 3 have been removed; and
5. The wording of the Integrated Transport initiative and wording of the predictive modelling for roads and buildings under Objective 3 have been modified.

The Strategic Resource Plan is the final component included in the Council Plan. This captures the forecast resources required for the coming four years to implement the Council Plan and Council's operations. This information is captured from the Annual Budget 2020/21 and the next three years forecast estimates from the Long-term Financial Plan. The SRP has been updated with the most current information compiled as the financial year draws towards a close.

A consultation process has been undertaken between 28 April and 28 May 2020 to seek written submissions on the Proposed Council Plan. Six submissions were received. The Council is considering these submissions and the recommendations from the Special Committee in a separate Council Report on 24 June 2020. Council may choose to amend a part(s) of the Council Plan in consideration of those submissions.

This Council Plan is presented to Council for adoption, subject to the inclusion of any amendments arising from the community submissions.

CONSULTATION

Council has considered a range of ideas and suggestions arising from various internal and community sources in the development of the Council Plan. Administrators developed the Council Plan in a series of briefing sessions held between October 2019 and March 2020. Information from various Council

Departments has also been considered and included, where relevant, to inform the strategic directions, Annual Initiatives and the budgetary implications.

Council endorsed the Proposed Council Plan for a formal public consultation process on 22 May 2020. Community submissions were sought between 28 April and 28 May 2020. Six submissions were received specifically addressing the Council Plan. Submitters spoke to their submissions at a Special Committee meeting on 17 June 2020. Council is considering the recommendations of the Special Committee in a separate Council Report today.

RESOURCES

Financial implications normally arise as a result of the directions and priorities Council sets for the four-year term. Council has considered these implications through the development of the Council Plan, Annual Budget and Long-Term Financial Plan (LTFP).

Some amendments have been made to the four-year Strategic Resource Plan through end of year activities. Further final amendments may be required arising from Council's resolutions for the Council Plan and Annual Budget submissions.

RISKS

Consideration of the financial implications required to implement the strategic directions of Council aims to mitigate the risk of overcommitting Council to achieve outputs and outcomes it does not have the resources to support. The Financial Strategies, outlined in the Annual Budget and in the SRP, provide guidance for Council in determining how to responsibly plan for future service provision. Adherence to these strategies will further mitigate this risk.

Council is required to adopt a Council Plan for its four-year term and review it annually in accordance with s.125 of the Act. The Council Plan must contain Strategic Objectives, Strategies to achieve the Objectives for at least four years, Strategic Indicators to monitor the achievement of the Objectives and a rolling four-year SRP to deliver the Council Plan. Without these sections, Council risks breaching the legislative requirements set out in the Act. The Council Plan contains all of these sections.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Council Plan 2020-2024 [2.2.1 - 34 pages]

REFERENCE DOCUMENTS

Council Policy

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

Council Plan 2017-2021 – Revised 2019

Proposed Council Plan 2020-2024

Proposed Annual Budget 2020/21

Long Term Financial Plan

Legislative Provisions

Local Government Act 1989

2.3. ANNUAL BUDGET 2020/21

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

Council endorsed the Proposed 2020/21 Annual Budget (the Budget) at the 22 April 2020 Council Meeting. A formal s.223 public consultation program has been completed, following a hearing of submissions on the 17 June 2020 and the consideration and recommendation of submissions made at a Special Committee Meeting of Council in the afternoon of 17 June 2020.

The Proposed Budget (**Attachment [2.3.1]**) has been prepared pursuant to ss.127 and 130 of the *Local Government Act 1989* and is presented to Council for adoption.

There has been a number of adjustments made to the Proposed 2020/21 Annual Budget that was adopted at the 22 April 2020 Council Meeting relating to operating income, fees and charges, operating and capital expenditure. The majority of changes have been by budget items being carried forward from the 2019/20 financial year to 2020/21, largely due to the impacts on timing of works and related expenditure as a result of COVID-19 restrictions. These Proposed Budget adjustments have not compromised the intention or integrity of either the Annual Budget 2020/21 or the budgeted financial statements in the Long-Term Financial Plan.

These movements are summarised below and the major changes are expanded upon under the Report heading section:

Income Statement	Proposed Budget (April) \$'000	Annual Budget (June) \$'000	Variation Projected to Current budget \$'000	
Total income	71,543	71,406	137	Decrease
Total expenses	64,204	64,935	731	Increase
Surplus (deficit)	7,339	6,471	868	(Unfav)

Capital Expenditure	Proposed Budget (April) \$'000	Annual Budget (June) \$'000	Variation Projected to Current budget \$'000	
Expenditure	31,765	39,629	7,864	Increase

Other	Proposed Budget (April) \$'000	Annual Budget (June) \$'000	Variation Projected to Current budget \$'000	
Rates & Charges	45,253	45,252	1	Decrease
Employee EFT	255.04	256.35	1.31	Increase

In response to community feedback, the budget has been revised to include a breakdown of the Materials and Services expenditure categories to align with reporting provided in Council Annual Reports.

Financial impact

The budget adjustments have not compromised the integrity of either the Annual Budget 2019/20 or the budgeted financial statements in the Long-Term Financial Plan.

RECOMMENDATION

That Council:

1. Adopts the Annual Budget 2020/21 (Attachment [2.3.1]) in accordance with s.130(1) of the *Local Government Act 1989* including the Declaration of Rates and Charges in accordance with s.158 of the *Local Government Act 1989*;
2. Authorises the Chief Executive Officer to give public notice of this decision to adopt the Annual Budget 2020/21 in accordance with s.130 (2) of the *Local Government Act 1989*;
3. Provides a copy of the adopted Annual Budget 2020/21 including any final amendments, to the Minister for Local Government;
4. Publishes the Annual Budget 2020/21 on Council's website; and
5. Distributes copies to the Council's Customer Service Centre and libraries.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

- 1. ADOPTS THE ANNUAL BUDGET 2020/21 (ATTACHMENT [2.3.1]) IN ACCORDANCE WITH S.130(1) OF THE LOCAL GOVERNMENT ACT 1989 INCLUDING THE DECLARATION OF RATES AND CHARGES IN ACCORDANCE WITH S.158 OF THE LOCAL GOVERNMENT ACT 1989;**
- 2. AUTHORISES THE CHIEF EXECUTIVE OFFICER TO GIVE PUBLIC NOTICE OF THIS DECISION TO ADOPT THE ANNUAL BUDGET 2020/21 IN ACCORDANCE WITH S.130 (2) OF THE LOCAL GOVERNMENT ACT 1989;**
- 3. PROVIDES A COPY OF THE ADOPTED ANNUAL BUDGET 2020/21 INCLUDING ANY FINAL AMENDMENTS, TO THE MINISTER FOR LOCAL GOVERNMENT;**
- 4. PUBLISHES THE ANNUAL BUDGET 2020/21 ON COUNCIL'S WEBSITE;
AND**
- 5. DISTRIBUTES COPIES TO THE COUNCIL'S CUSTOMER SERVICE CENTRE AND LIBRARIES.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

At the 22 April 2020 Council Meeting, Council considered and prepared the Annual Budget 2020/21 for the purposes of s.127 of the *Local Government Act 1989* (the Act).

Council resolved in part that the Annual Budget 2020/21 be referred to the 24 June 2020 Council Meeting for adoption.

As required under the provisions of s.129 of the Act, the necessary public notices have been given. The requirement to make information available under Regulation 10 of the Local Government Regulations 2014 has been complied with.

Budget adjustments

Departments have reviewed their final budget projections for 2020/21 with the objective being that for the financial year end 30 June 2020, actual costs incurred will correlate closely to projected costs.

As part of this process there were a number of capital, grant funded and other projects identified that will not be completed by financial year end. The budget projections for these projects have been reduced in 2019/20 and corresponding increases have been made to budgets in 2020/21.

The above adjustments shift the financial Key Performance Indicators (KPIs) between the two financial years but do not present a strategic concern. The funding implications of budgeted carry forwards and the timing of receiving Victorian Grant Commission (VGC) grant income between the two years have a nil overall impact on long term financial results.

The major changes to the Proposed Budget presented in March 2020 are detailed below.

Operating Budget

1. The announcement of \$2.385M funding in late May from the Department of Infrastructure, Transport, Regional Development and Communication.
2. An additional Freedom of Information (FOI) officer has been included as well as increasing hours for current FOI staff to manage a significant increase in FOI requests. Increase of \$133,000.
3. Grants income in 2020/21 reduced due to \$4.92M Victoria Grants Commission income paid in advance and recorded as income in 2019/20.
4. Correction of budget for the Venus Bay Skate park of \$250,000 reduction.
5. Adjustment of plant and fleet purchase \$234,000 to accurately reflect the timing of plant and fleet trade-ins.

6. Adjustments to the timing of delivery of several projects including Korumburra Hub, Timms Rd Bridge, Leongatha Knights pitch and lighting, Mirboo North pool, Poowong and Leongatha netball courts, as well as multiple works from previous flood and slips related events.
7. A number of changes to fees and charges including the following Caravan Park fees and charges adjustments:

Description of Fees and Charges	2019/20 Fee Inc GST	Draft 2020/21 Fee Inc GST	Final 2020/21 Fee Inc GST
Economic Development and Tourism Management - Long Jetty Caravan Park Fees Changed			
Deluxe Cabin off peak stay 7 pay 6	\$ 810.00	\$ 742.00	\$ 840.00
Deluxe Cabins (Jaycos) (Bonus Night / Negotiable Rate)	\$ 107.00	\$ 107.00	\$ 110.00
Deluxe Cabins (Jaycos) (Off Peak)	\$ 135.00	\$ 127.00	\$ 140.00
Deluxe Cabins (Jaycos) (Peak)	\$ 153.00	\$ 159.60	\$ 158.00
Extra Adult (Off Peak)	\$ 10.00	\$ 11.70	\$ 10.00
Extra Adult Peak	\$ 10.00	\$ 14.50	\$ 10.00
Extra Child (Off Peak)	\$ 5.00	\$ 5.20	\$ 5.00
Extra Child Peak	\$ 5.00	\$ 5.50	\$ 5.00
Large Deluxe Jayco Cabin (Bonus Night / Negotiable Rate)	\$ 123.00	\$ 127.60	\$ 126.00
Large Deluxe Jayco Cabin (Off Peak)	\$ 140.00	\$ 145.50	\$ 145.00
Large Deluxe Jayco Cabin (Peak)	\$ 175.00	\$ 184.00	\$ 180.00
Large Deluxe Jayco off peak stay 7 pay 6	\$ 840.00	\$ 854.00	\$ 870.00
Large Deluxe Jayco peak	\$1,120.00	\$ 989.00	\$1,160.00
Powered site off peak stay 7 pay 6	\$ 234.00	\$ 240.00	\$ 240.00
Powered sites (Bonus Night / Negotiable Rate)	\$ 32.00	\$ 32.00	\$ 33.00
Powered Sites (Off Peak)	\$ 39.00	\$ 39.00	\$ 40.00
Powered Sites (Peak)	\$ 49.00	\$ 50.00	\$ 50.00
Standard Cabins (Bonus Night / Negotiable Rate)	\$ 83.00	\$ 84.00	\$ 86.00
Standard Cabins (Off Peak)	\$ 113.00	\$ 114.75	\$ 118.00
Standard Cabins off peak stay 7 pay 6	\$ 678.00	\$ 685.00	\$ 708.00
Standard Cabins(Peak)	\$ 140.00	\$ 147.00	\$ 145.00
Unpowered off peak stay 7 pay 6	\$ 186.00	\$ 190.00	\$ 192.00
Weekly hardship rental Cabins (Standard)	\$ 392.00	\$ 400.00	\$ 400.00
Weekly hardship rental Deluxe Jayco	\$ 424.00	\$ 432.50	\$ 434.00
Weekly hardship rental Large Deluxe	\$ 488.00	\$ 498.00	\$ 498.00
Weekly powered site hardship rental	\$ 137.00	\$ 140.00	\$ 140.00
Weekly unpowered hardship site rental	\$ 109.00	\$ 111.00	\$ 111.00
Administration Fee	\$ 21.00	\$ 21.00	\$ 21.00
Boom Gate Pass / Security Deposit (Refundable)	\$ 21.00	\$ 21.50	\$ 21.00

Description of Fees and Charges	2019/20 Fee Inc GST	Draft 2020/21 Fee Inc GST	Final 2020/21 Fee Inc GST
Cleaning Charge	\$ 31.00	\$ 32.00	\$ 32.00
Laundry / Linen Hire	\$ 20.00	\$ 15.50	\$ 20.00
Laundry / Linen Hire Extra	\$ 5.00	\$ 5.00	\$ 5.00
Laundry / Washing Machines	\$ 3.00	\$ 3.00	\$ 3.00
Annual Site Holders	\$3,567.00	\$4608.00	\$3,645.00
Electricity Usage Charge - quarterly estimates - Annuals and Permanents	\$ 235.00	\$ 90.00	\$ 90.00
Permanent Site Holders (Weekly Fee)	\$ 90.00	\$ 92.00	\$ 92.00
Seasonal Site Holder 6 month	\$2,317.00	\$2370.00	\$2,368.00
Fees Added			
Powered Site (Off Peak) Stay 10 Pay 8	\$ 312.00		\$ 320.00
Unpowered Site (Off Peak) Stay 10 Pay 8	\$ 248.00		\$ 256.00
Standard Cabin (Off Peak) Stay 10 Pay 8	\$ 904.00		\$ 944.00
Deluxe Cabin (Off Peak) Stay 10 Pay 8	\$1,080.00		\$1,120.00
Unpowered Site (Off Peak)	\$ 31.00		\$ 32.00
Unpowered Site (Peak)	\$ 39.00		\$ 40.00
Unpowered Site (Bonus Night/Negotiable Rate)			\$ 25.00
Small Deluxe Cabin (Off Peak)	\$ 125.00		\$ 130.00
Small Deluxe Cabin (Peak)	\$ 145.00		\$ 150.00
Small Deluxe Cabin (Off Peak) Stay 7 Pay 6	\$ 750.00		\$ 780.00
Small Deluxe Cabin (Off Peak) Stay 10 Pay 8	\$1,000.00		\$1,040.00
Small Deluxe Cabin (Bonus Night/Negotiable Rate)	\$ 93.00		\$ 96.00
Weekly hardship rental Small Deluxe Cabin			\$ 420.00
Couples Deluxe Cabin Linen Included (Off Peak)			\$ 140.00
Couples Deluxe Cabin Linen Included (Peak)			\$ 170.00
Couples Deluxe Cabin Linen Included (Off Peak) Stay 10 Pay 8			\$1,120.00
Couples Deluxe Cabin Linen Included (Off Peak) stay 7 pay 6			\$ 840.00
Cleaning Charge - Hourly Rate	\$ 55.00		\$ 55.00
Economic Development and Tourism Management - Yanakie Caravan Park			
Fees Changed			
10 Night Special Couples Cabins Off Peak Stay 10 pay 8	\$1,088.00	\$1104.70	\$1,120.00

Description of Fees and Charges	2019/20 Fee Inc GST	Draft 2020/21 Fee Inc GST	Final 2020/21 Fee Inc GST
10 Night Special Powered Off Peak Stay 10 pay 8	\$ 320.00	\$ 319.30	\$ 328.00
10 Night Special Premium Powered site Off Peak Stay 10 pay 8	\$ 368.00	\$ 377.40	\$ 376.00
10 Night Special Seaview Cabins Off Peak Stay 10 pay 8	\$1,120.00	\$1138.50	\$1,144.00
10 Night Special Seaview Cottage Off Peak Stay 10 pay 8	\$1,856.00	\$1883.00	\$1,920.00
10 Night Special Standard Cabins Off Peak Stay 10 pay 8	\$ 752.00	\$ 754.00	\$ 776.00
2 Couples Cabin (Off Peak)	\$ 136.00	\$ 140.50	\$ 140.00
2 Couples Cabin (Peak)	\$ 170.00	\$ 175.50	\$ 175.00
2 Seaview Cabins (Off Peak)	\$ 140.00	\$ 143.50	\$ 143.00
2 Seaview Cabins (Peak)	\$ 175.00	\$ 181.00	\$ 180.00
6 Standard cabins (Off Peak)	\$ 94.00	\$ 97.00	\$ 97.00
6 Standard Cabins (Peak)	\$ 118.00	\$ 121.50	\$ 122.00
7 Night Special Couples Cabins Off Peak Stay 7 pay 6	\$ 816.00	\$ 829.25	\$ 840.00
7 Night Special Powered Off Peak Stay 7 pay 6	\$ 240.00	\$ 239.70	\$ 246.00
7 Night Special Seaview Cabins Off Peak Stay 7 pay 6	\$ 840.00	\$ 854.00	\$ 858.00
7 Night Special Seaview Cottage Off Peak Stay 7 pay 6	\$1,392.00	\$1412.70	\$1,440.00
7 Night Special Standard Cabins Off Peak Stay 7 pay 6	\$ 564.00	\$ 566.10	\$ 582.00
7 Night Special Unpowered Off Peak Stay 7 pay 6	\$ 192.00	\$ 189.70	\$ 198.00
Extra Adult (Off Peak)	\$ 10.00	\$ 10.20	\$ 10.00
Extra Adult Peak	\$ 10.00	\$ 10.65	\$ 10.00
Extra Child (Off Peak)	\$ 5.00	\$ 5.10	\$ 5.00
Extra Child Peak	\$ 5.00	\$ 5.30	\$ 5.00
Powered Sites (Off Peak)	\$ 40.00	\$ 41.00	\$ 40.00
Powered sites (Peak)	\$ 49.00	\$ 50.00	\$ 50.00
Premium Powered Site (Beach front / larger sites) Off peak	\$ 45.00	\$ 45.00	\$ 47.00
Premium Powered Site (beach front / larger sites) Peak	\$ 57.00	\$ 59.60	\$ 58.00
Seaview Cottage (Off Peak)	\$ 232.00	\$ 240.00	\$ 240.00
Seaview Cottage (Peak)	\$ 288.00	\$ 298.00	\$ 298.00
Unpowered Site (Off Peak)	\$ 32.00	\$ 32.00	\$ 33.00
Unpowered Sites (Peak)	\$ 39.00	\$ 40.00	\$ 40.00
Weekly Couples cabin hardship rental	\$ 475.00	\$ 484.50	\$ 484.00
Weekly Powered site Hardship rental	\$ 196.00	\$ 200.00	\$ 200.00
Weekly Seaview cabins Hardship rental	\$ 489.00	\$ 499.00	\$ 499.00
Weekly Seaview Cottage Hardship rental	\$ 808.00	\$ 824.50	\$ 825.00

Description of Fees and Charges	2019/20 Fee Inc GST	Draft 2020/21 Fee Inc GST	Final 2020/21 Fee Inc GST
Weekly Standard cabin hardship rental	\$ 324.00	\$ 330.50	\$ 330.00
Weekly Unpowered Hardship rental	\$ 155.00	\$ 158.10	\$ 158.00
Administration Fee	\$ 21.00	\$ 21.00	\$ 21.00
Boom Gate Pass / Security Deposit (Refundable)	\$ 21.00	\$ 21.45	\$ 21.00
Cleaning Charge	\$ 31.00	\$ 31.65	\$ 32.00
Laundry / Linen Hire	\$ 15.00	\$ 15.00	\$ 20.00
Laundry / Linen Hire Extra	\$ 5.00	\$ 5.10	\$ 5.00
Laundry Usage / Washing Machines	\$ 3.00	\$ 3.00	\$ 3.00
Annual Site Holders	\$3,567.00	\$4401.85	\$3,645.00
Seasonal Site Holders 6 Month	\$2,788.00	\$2850.80	\$2,850.80

Capital Expenditure

The following capital projects have had budgets carried forward from 2019/20 to 2020/21.

Capital Works Area	Project Cost \$'000
PROPERTY	
BUILDINGS	
73580 - Buildings - Renewal Program 13520 - Foster War Memorial	60
73580 - Buildings - Renewal Program 15970 - Mirboo North Hall	80
73630 - Buildings - Community Hub – Korumburra	2,388
73630 - Buildings - Community Hub - Korumburra 14480 - Information Technology Equipment	200
73790 - Buildings - SPLASH Solar System	62
98010 - Long Jetty Caravan Park Capital 12060 - Camp Kitchen and Communal Area	35
TOTAL BUILDINGS	2,825
TOTAL PROPERTY	2,825
PLANT AND EQUIPMENT	
PLANT, MACHINERY AND EQUIPMENT	
79120 - Plant - Plant Purchases 11800 - Plant - 446 - BOOM ARM MOWER - NOREMAT - TB38 Reach Mower	70
79120 - Plant - Plant Purchases 12170 - Plant - 440 - LARGE TRACTOR - CATERPILLAR - Challenger (ZBL 769)	120
79120 - Plant - Plant Purchases 14310 - Plant - 611 - HEAVY TRUCK - HINO - 700 series Tipper (YKK 087)	186

Capital Works Area	Project Cost \$'000
79120 - Plant - Plant Purchases 14320 - Plant - 648 - HEAVY TRUCK - HINO - 700 Series 2844 Six Rod (YSL 736)	236
79120 - Plant - Plant Purchases 14340 - Plant - 649 - HEAVY TRUCK - HINO - 700 Trout River Body (ZNT 119)	221
79120 - Plant - Plant Purchases 14350 - Plant - 655 - HEAVY TRUCK - HINO - 700 Trout River Body (ZNT 092)	221
79120 - Plant - Plant Purchases 16350 - Plant - 143 - MED TRUCK - HINO - 917 Xlong Crew Cab Tipper (1BO 3MP)	100
79120 - Plant - Plant Purchases 22970 - 22970 - Immunisation Trailer - Asset ID 27958 - Rego T06459	31
TOTAL PLANT, MACHINERY & EQUIPMENT	1,185
TOTAL PLANT AND EQUIPMENT	1,185
INFRASTRUCTURE	
ROADS	
82210 - Roads - Sealed Rehabilitation Program 15340 - Loch Poowong Road, Loch	724
82280 - Federal Blackspot Program 11790 - Boolarra Mirboo North Road, Boolarra South	215
82280 - Federal Blackspot Program 13650 - Fullers Road, Foster	120
82280 - Federal Blackspot Program 16140 - Mount Lyall Road	145
82280 - Federal Blackspot Program 18240 - Stewarts Road, Outtrim	318
82420 - Roads - Gardner Lane Poowong 11010 - General	256
82450 - Roads - Clancys Road, Korumburra 11010 - General	- 225
TOTAL ROADS	1,552
BRIDGES	
85070 - Bridge - Bass Valley Road (KB080)	101
85210 - Bridge - Timms Road (ID 6767; KB330) 11010 - General	321
85220 - Bridge - Standfields Bridge, Poowong North	130
TOTAL BRIDGES	552
MAJOR CULVERTS	
85050 - Major Culvert - Renewal Program 14080 - Harding and Lawson Road, Fish Creek	50
TOTAL MAJOR CULVERTS	50
FOOTPATHS AND CYCLEWAYS	
88040 - Footpaths - Extension Program	84
88090 - Footpath Extension - Jumbunna Road, Korumburra 11010 - General	600
93120 - Great Southern Rail Trail Capital 35990 - Leongatha to Korumburra	895
TOTAL FOOTPATHS AND CYCLEWAYS	1,579
DRAINAGE	
82430 - Upgrade Works at the Walkerville Retarding Basin	86
TOTAL DRAINAGE	86

Capital Works Area	Project Cost \$'000
OTHER STRUCTURES	
73780 - Pools - SPLASH Stadium Seating	30
82040 - Leongatha Business Precinct Project - Bair Street 11470 - Bair Street, Leongatha	1,783
93020 - Recreation - Kindergartens Playground Replacement Program 19840 - Whitelaw Street, Meeniyan	37
93070 - Pools - Renewal Program 13510 - Foster Swimming Pool	197
93070 - Pools - Renewal Program 22950 - 22950 - Toora Swimming Pool Stage 2 (Carpark Upgrade)	120
93120 - Great Southern Rail Trail Capital 23170 - Leongatha Railway Station Stage One	100
93130 - Recreation - Baromi Park Masterplan & Associated Works 22460 - Mirboo North Active Play	271
93130 - Recreation - Baromi Park Masterplan & Associated Works 22510 - Baromi Community Space – Toilet	5
93130 - Recreation - Baromi Park Masterplan & Associated Works 22590 - Baromi Community Space – Arts Performance	77
93150 - Recreation - Venus Bay Environmental Projects	65
93180 - Recreation - Korumburra Skate Park	250
98020 - Yanakie Caravan Park Capital 13150 - Electrical Upgrade	83
98020 - Yanakie Caravan Park Capital 13150 - Electrical Upgrade	83
98020 - Yanakie Caravan Park Capital 18150 - Stage 2 Fire Fighting	232
99020 - Pools - Refurbishment - Mirboo North	4,153
TOTAL OTHER STRUCTURES	7,487

CONSULTATION

A consultation process was been undertaken between 28 April and 28 May 2020 to seek written submissions on the Proposed Annual Budget 2020/21. Twenty-one submissions were received. The Council is considering these submissions and the recommendations from the Special Committee in a separate Council Report on 24 June 2020. Council may choose to amend the Annual Budget in consideration of those submissions.

The Annual Budget is presented to Council for adoption, subject to the inclusion of any amendments arising from the community submissions.

RESOURCES

Nil

RISKS

Incorrect Budget Projections

Annual budgets are 'best estimates' of cost requirements to deliver a defined level of services and strategic projects and initiatives. Throughout the financial year there is reasonable likelihood that:

- Some costs incurred may vary materially to what was budgeted;
- Unavoidable cost events or increases may occur; and/ or
- Strategic opportunities may arise that require funding.

Council will strategically manage these events by utilising a 'rolling budget' management process. On a monthly basis, there will be a review of 'actual' financial performance to year-to-date budgets. An exception-based summary for material variations and changes to annual and longer term budget projections will be circulated to Councillors.

Throughout the course of the financial year the actual financial performance is managed by:

- Comparing year-to-date actual financial performance with the estimated year-to-date budgets;
- Monitoring the financial impact of changes made to budget projections on the forecast financial results at year end; and
- Monitoring the longer-term financial ramifications and comparing to the originally adopted Long Term Financial Plan's budgeted financial statements.

Budget projections for annual and forward budgets will be updated when it is known that the year-end result will vary materially from original budgets. This process ensures that management and Council are at all times aware of likely year-end results and the longer-term financial impact. This provides opportunity for Council to demonstrate sound financial management by strategically managing financial risks faced by Council throughout the year.

The financial performance indicators used to develop the annual and longer-term budgets are also used to monitor projected financial outcomes at year end as well as the longer-term financial ramifications.

Materiality Changes

Any significant material change through the year could possibly trigger the requirement for Council to prepare a revised budget if a material change to the operations or financial position of Council is affected as a result. There is no specific direction around what constitutes a material change, but as COVID-19 has demonstrated, unanticipated and financially significant events can arise with short term and/or long term financial sustainability effects.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Adopted Model Budget 2020-21 - Final [2.3.1 - 85 pages]

REFERENCE DOCUMENTS

Council Policy

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

Annual Budget

Annual Budget Incorporating 15 Year Long Term Financial Plan and Annual Plan Initiatives

Legislative Provisions

Local Government Act 1989

3. OBJECTIVE 1 - STRENGTHEN ECONOMIC GROWTH AND PROSPERITY

3.1. VENUS BAY TOURISM PRECINCT PLAN UPDATE

Development Services Directorate

EXECUTIVE SUMMARY

Venus Bay is a popular coastal Town and numbers are estimated to reach over 6,000 during the Christmas holiday period. As at the 2016 Census, Venus Bay had a resident population of 994, making it the seventh largest town by resident population in South Gippsland. It is estimated to reach 1,265 by 2036.

At the 28 February 2018 Ordinary Meeting, Council resolved to prepare a Venus Bay Activity Centre Plan to consider current and emerging issues related to the Town Centre in response to population and visitation growth.

As the project progressed it became known as the Venus Bay Tourism Precinct Plan. Following community input, a Venus Bay Tourism Precinct Plan has been prepared (refer to **Attachment [3.1.1]**) and is recommended for adoption.

Key works and recommendations of the Venus Bay Tourism Precinct Plan include:

- Upgrade hard and soft landscapes in the commercial area to maximise beneficial use of public open space, incorporating alfresco dining areas, bike stands, bins, seats, public art and native plantings that seek to increase shade, where possible;
- Provide continuous and safe pedestrian access between Jupiter Park and Surf Beach (south side of Jupiter Boulevard) and the commercial centre to community centre (Centre Road to Inlet View Road) and across Jupiter Boulevard through the use of landscaped outstands;
- Investigate upgrade of the overflow car park surface (at 141-143 Jupiter Boulevard).
- Rezone land within town centre to commercial zone to provide for future population growth and service need;
- Apply a Design and Development Overlay to commercial zoned land, directing development design for the protection of the coastal village character; and
- Construction of a new skate park in Jupiter Park.

This project complements a range of similar infrastructure renewal commitments being undertaken in South Gippsland's larger towns. Leongatha

and Korumburra Streetscape Masterplans are currently being implemented. Foster's streetscape renewal was completed in 2018.

RECOMMENDATION

That Council:

1. Adopts the Venus Bay Tourism Precinct Plan (Attachment [3.1.1]);
2. Notes there is an allocation of \$643,000 in the 2020/21 annual budget for the redevelopment of Jupiter Park including the construction of a new skate park;
3. Notes the detailed design for the Venus Bay Precinct Plan will be completed in 2020/21.
4. The detailed design will include improvements to public open space, pedestrian access, parking and road safety conditions consistent with the recommendations of the adopted Venus Bay Precinct Plan;
5. The detailed design will include continuous and safe pedestrian access between Jupiter Park and Surf Beach (south side of Jupiter Boulevard) and the commercial centre to community centre (Centre Road to Inlet View Road) and across Jupiter Boulevard through the use of landscaped outstands;
6. Costings of the detailed design will be directed to the 2021/22 Annual Budget process for consideration;
7. Seeks authorisation for a Planning Scheme Amendment to rezone Township Zoned land to Commercial 1 Zone and apply a Design and Development Overlay, generally in accordance with the Venus Bay Tourism Precinct Plan's recommendations and refer any submissions to an Independent Planning Panel;
8. Prepares a Venus Bay Tourism Precinct Wastewater System Feasibility Report for the central business area; and
9. Writes to the submitters to thank them for their submission and to inform them of Council's decision.

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL:

1. **ADOPTS THE VENUS BAY TOURISM PRECINCT PLAN (ATTACHMENT [3.1.1]);**
2. **NOTES THERE IS AN ALLOCATION OF \$643,000 IN THE 2020/21 ANNUAL BUDGET FOR THE REDEVELOPMENT OF JUPITER PARK INCLUDING THE CONSTRUCTION OF A NEW SKATE PARK;**
3. **NOTES THE DETAILED DESIGN FOR THE VENUS BAY PRECINCT PLAN WILL BE COMPLETED IN 2020/21.**
4. **THE DETAILED DESIGN WILL INCLUDE IMPROVEMENTS TO PUBLIC OPEN SPACE, PEDESTRIAN ACCESS, PARKING AND ROAD SAFETY CONDITIONS CONSISTENT WITH THE RECOMMENDATIONS OF THE ADOPTED VENUS BAY PRECINCT PLAN;**
5. **THE DETAILED DESIGN WILL INCLUDE CONTINUOUS AND SAFE PEDESTRIAN ACCESS BETWEEN JUPITER PARK AND SURF BEACH (SOUTH SIDE OF JUPITER BOULEVARD) AND THE COMMERCIAL CENTRE TO COMMUNITY CENTRE (CENTRE ROAD TO INLET VIEW ROAD) AND ACROSS JUPITER BOULEVARD THROUGH THE USE OF LANDSCAPED OUTSTANDS;**
6. **COSTINGS OF THE DETAILED DESIGN WILL BE DIRECTED TO THE 2021/22 ANNUAL BUDGET PROCESS FOR CONSIDERATION;**
7. **SEEKS AUTHORISATION FOR A PLANNING SCHEME AMENDMENT TO REZONE TOWNSHIP ZONED LAND TO COMMERCIAL 1 ZONE AND APPLY A DESIGN AND DEVELOPMENT OVERLAY, GENERALLY IN ACCORDANCE WITH THE VENUS BAY TOURISM PRECINCT PLAN'S RECOMMENDATIONS AND REFER ANY SUBMISSIONS TO AN INDEPENDENT PLANNING PANEL;**
8. **PREPARES A VENUS BAY TOURISM PRECINCT WASTEWATER SYSTEM FEASIBILITY REPORT FOR THE CENTRAL BUSINESS AREA; AND**
9. **WRITES TO THE SUBMITTERS TO THANK THEM FOR THEIR SUBMISSION AND TO INFORM THEM OF COUNCIL'S DECISION.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Background

Venus Bay

Venus Bay is known for its picturesque coastal setting nestled in sand dunes between the surf swell of Venus Bay and the calmer estuary waters of Anderson Inlet. It is comprised of three estates, commonly known as the first, second and third estates, created from donated farm land. The residential areas are still separated from Anderson Inlet by rural farm land, wetland/ salt marsh vegetation and from Bass Strait by primary coastal dune within the Cape Liptrap Coastal Marine Park.

The permanent population of Venus Bay grew from 509 to 944 between 2006 and 2016 (Census Data). It is estimated to have a resident population of 1002 in 2020 and is likely to reach 1,265 by 2036 (based on ABS 2019 population estimates). However, the town's population in 2036 has the potential to be between 1186 to 1715 (Tim Nott, Commercial Assessment) depending on future population growth and migration rates.

While the 60 – 70 year age group is the largest proportion of the total population (259), the 10 – 15 year age group has grown the fastest between 2011 and 2016 (136 percent).

The Project

At the 28 February 2018 Ordinary Meeting, Council resolved to prepare a Venus Bay Activity Centre Plan. This resolution followed a Notice of Motion.

The Venus Bay Activity Centre Plan was to consider improvements to open space and transport networks, employment and commercial opportunities, infrastructure and natural systems in response to future population growth forecasts.

As the project progressed it became known as the Venus Bay Tourism Precinct Plan. It completes the required planning to implement Council's commitments from the 2016 Community Capital Works Allocation project which allocated \$125,000 towards an upgraded skate park facility in Venus Bay.

This project complements a range of similar infrastructure renewal commitments being undertaken in South Gippsland's larger towns. Leongatha and Korumburra Streetscape Masterplans are currently being implemented. Foster's streetscape renewal was completed in 2018.

Economic analysis of the benefits of the Foster Streetscape improvements was undertaken by using the Spendmapp program. This analysis compares year-on-year spending in the town to understand if there has been a change since the completion of the works. A comparison between August to June 2017-18 and August to June 2018-19 identifies an increase in spending of approximately

\$2.4 million or a 15.4 percent increase. The biggest increases in spending were in the categories of Dining and entertainment, Supermarkets and Food retailing.

Tourism Precinct Streetscape Concept Plan

A Concept Plan was prepared for streetscape improvements within the Tourism Precinct (which includes the town centre, Jupiter Park and community centre). The draft was prepared using information and feedback previously provided by the local community, community organisations and public authorities. It also considered engineering (traffic and safety) standards. The final streetscape concept plan can be viewed at (**Attachment [3.1.1]** – Appendix 1 - Venus Bay Streetscape Concept Plan – Final).

Input from the community and other stakeholders during consultation, identified a number of opportunities and improvements, in particular the relocation of a disabled car park to in front of the chemist, relocation of a new skate park to Jupiter Park, addition of defined pedestrian crossings to reduce vehicle speed and redevelopment of Jupiter Park.

The next step is to proceed to a detailed design for the streetscape and to plan for Jupiter Park renewal and the skate park's construction.

There were divergent views in the community about the skate park, both in relation to its perceived need and where it should be located. The Tourism Precinct Plan considers the community views in further detail.

Commercial / community wastewater treatment scheme

The ability to support existing and future commercial growth in Venus Bay is limited by the capacity to effectively treat the waste-water generated by the commercial activities.

The amount of waste-water that a septic tank system can effectively treat is influenced by the system design and the size of the land area which is available for effluent storage, treatment and disposal. The Environmental Protection Authority set these requirements through its Code of Practice for onsite wastewater management.

In consultation with South Gippsland Water, the project investigated the concept of a small-scale sewerage scheme to address inadequate wastewater management capacities within existing lots.

A Septic Tank Effluent Pumped (STEP) system can improve treatment and dispersal of effluent at current and future commercial properties (see map), even assuming conservative daily flow rates. This option is reasonably cost effective given the age of the existing septic tank systems, effluent pumps in use and shallow pipes used.

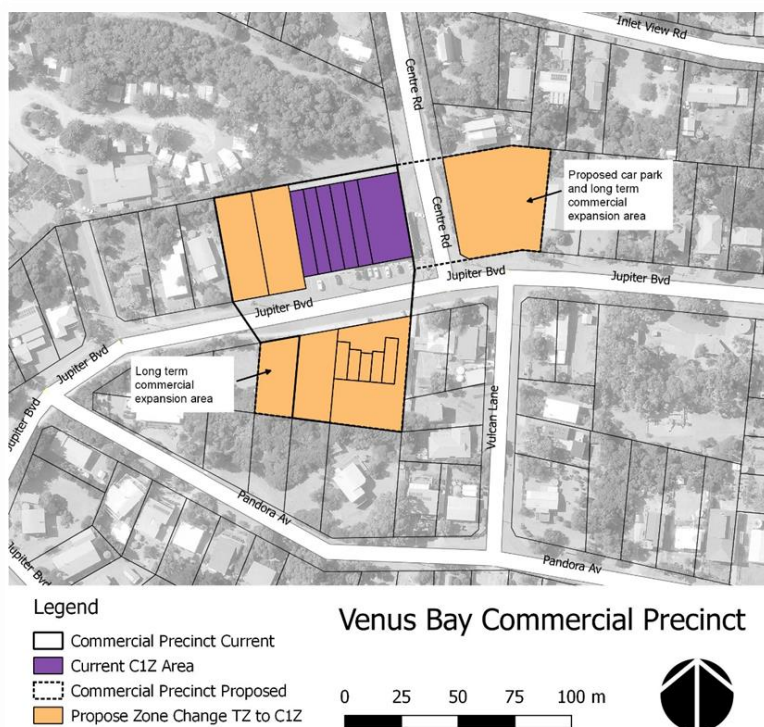
A parcel of land at 130 Inlet View Road (adjoining the transfer station) is considered to have the most potential for treatment and dispersal of collected effluent. It is zoned Public Use Zone 1 and owned by the State Government.

The next step is to complete a feasibility study to confirm a suitable design and cost before formal discussions with Department of Environment, Land, Water and Planning (DELWP), owners and businesses can occur.

While the management and costs of treating waste-water in unsewered areas remains the obligation of private landowners, Council has a role to play in supporting planning activities that provide broader benefits to the Township.

Future Commercial Services Requirements

Figure 1: Venus Bay Commercial Precinct Plan



An independent economic analysis (**Attachment [3.1.1]** – Appendix 3 – Venus Bay Activity Centre Plan - Commercial Assessment, Tim Nott, 2019) was commissioned to determine the amount of commercial floor space required to cater for future population growth. The analysis considered two scenarios for population growth to 2036. These are:

- Scenario 1 - a steadily increasing share of new and existing houses in Venus Bay will be occupied by residents rather than be holiday homes with an increase of 770 residents (total population 1,715); and
- Scenario 2 - Venus Bay will accommodate all the growth for the South West Coastal District (based on forecast by .id consulting) with an increase 241 residents (total population 1,186).

It is considered that Scenario 1 is more likely to occur based on recent trends and societal changes such as remote working options. We anticipate that other townships within the South West Coastal District are also likely to grow in the time period to 2036 and as such Scenario 2 is not likely to be realised.

Based on Scenario 1, the economic analysis recommended that an additional 460-610 m² of retail floor space will be required for local centre services, being mostly for food and tourism-based retail. In addition, the Planning Scheme requires land for parking which is included in the area identified in Figure 1 as being part of a commercial zoned precinct (through the application of Commercial 1 Zone).

The next step is to prepare a Planning Scheme Amendment to rezone land to Commercial 1 Zone to designate and secure more land for commercial purposes – see Figure 1 Venus Bay Commercial Precinct Plan above.

Venus Bay Tourism Precinct Plan Recommendations

Recommendations are included within the Venus Bay Tourism Precinct Plan (refer to **Attachment [3.1.1]**). The key recommendations include:

- Upgrade hard and soft landscapes in the commercial area to maximise beneficial use of public open space, incorporating alfresco dining areas, bike stands, bins, seats, public art and native plantings that seek to increase shade, where possible;
- Provide continuous and safe pedestrian access between Jupiter Park and Surf Beach (south side of Jupiter Boulevard) and the commercial centre to community centre (Centre Road to Inlet View Road) and across Jupiter Boulevard through the use of landscaped outstands;
- Investigate upgrade of the overflow car park surface (at 141-143 Jupiter Boulevard);
- Rezone land within town centre to commercial zone to provide for future population growth and service need;
- Apply a Design and Development Overlay to commercial zoned land, directing development design for the protection of the coastal village character; and
- Construction of a new skate park in Jupiter Park.

CONSULTATION

Community consultation for the Streetscape Concept Plan was held during January and February 2019. This time was chosen to maximise the ability to engage with absentee landowners. An advertised weekend drop-in session was attended by over 200 people.

Consultation also included a display at the community centre, a direct mailout to affected properties and an online consultation through the OurSay platform. At the end of the consultation period, Council had received over 200 submissions.

Consultation took place with all relevant external agencies / authorities, as well as the Venus Bay Surf Life Saving Club.

Considerable comment was received in relation to the location of a new entry level skate park (53 submissions); peak seasonal car parking facilities; pedestrian safety (paths, crossings, speed zones and lighting) as well as visitor /user experience aspects such as entrance features; landscaping; public toilets; directional and way-finding signs; and public open space.

The concept plan was developed with consideration given to past community consultation, customer service requests and internal discussions identified key issues in the town centre including pedestrian safety, overflow car parking and the need for better skate park facilities.

RESOURCES

The land located at 141-143 Jupiter Boulevard was purchased by Council in November 2016 to provide for future capacity and allow for additional carparking during busy summer months.

Council has set aside \$643,000 in the proposed 2020/21 annual budget for the redevelopment of Jupiter Park including the construction of a new skate park and implement the recommendations of the Venus Bay Tourism Precinct Plan.

The detailed design for the Venus Plan Precinct Plan will be completed in 2020/21. The detail design will inform future capital works budgets to implement the project recommendations.

While the management and costs of treating waste-water in unsewered areas remains the obligation of private landowners, Council does have a role to play in supporting future planning activities that provide broader benefits to the Township. In acknowledgement of this, Council will facilitate some concept planning to help inform a discussion with South Gippsland Water and the current commercial landowners and occupiers. This can be completed within existing resources.

RISKS

Planning for future population growth and the subsequent pressure on public infrastructure helps mitigate against adverse or unintended future outcomes.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Venus Bay Tourism Precinct Plan - 24 June 2020 [3.1.1 - 123 pages]

REFERENCE DOCUMENTS

Council Policy

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

Economic Development and Tourism Strategy
Open Space Strategy
Recreation Plan
South Gippsland Housing and Settlement Strategy
South Gippsland Planning Scheme
Town Centre Framework Plans

Legislative Provisions

Coastal Management Act 1995
Country Fire Authority Act 1958
Environment Protection Act 1970
Fences Act 1968
Heritage Act 1995
Land Act 1958
Planning and Environment Act 1987
Road Management Act 2004
Road Safety Act 1986
Road Safety (Traffic Management) Regulations 2009

3.2. ECONOMIC DEVELOPMENT AND VISITOR ECONOMY STRATEGY AND FORMATION OF COMMUNITY ADVISORY GROUPS

Development Services Directorate

EXECUTIVE SUMMARY

South Gippsland's economy has an annual economic output of \$3.7 billion per annum and provides jobs for over 11,000 people. It is a significant contributor to the national economy in the areas of Agriculture and Food processing. The vast majority of businesses in South Gippsland are small and locally operated, with over 90 per cent employing fewer than 20 people.

While primary production of Agriculture generates the largest economic output, the local economy is supported by an estimated 1.2M people who visit the Shire each year. The local Visitor economy is valued at \$114M per annum.

The proposed 2020-24 Council Plan identifies 'Economic Prosperity' as one of four key strategic areas of importance. The vision is to establish the Shire as a thriving and diverse local economy that builds on our region's natural advantages.

To achieve this vision, the proposed 2020-2024 Council Plan identifies the development of an Economic Development Strategy and Tourism Strategy by 30 June 2021. The outcomes of these strategies will focus Council's resources on actions which deliver the best economic and social outcomes for South Gippsland.

It is recommended that Council establish Advisory Groups to support the development of each strategy. This will ensure the strategies are well informed, give effect to the overarching governance and supporting principles of the *Local Government Act 2020* and developed within a collaborative framework.

RECOMMENDATION

That Council:

1. Notes that South Gippsland has an economic output of \$3.7 billion per annum and the local Visitor Economy is valued at \$114 million per annum;
2. Notes the Council Plan 2020-2024 identifies 'Economic Prosperity' as one of four strategic objectives of focus;
3. Notes that an Annual Initiative of the Council Plan in 2020/21 is to develop an Economic Development Strategy and Tourism Strategy by 30 June 2021;
4. Establishes the following Advisory Groups to support the development of the Economic Development Strategy and Tourism Strategies;

- a. Economic Development Strategy Advisory Group (EDSAG); and
 - b. Visitor Economy Strategy Advisory Group (VESAG).
5. Endorses the composition of each Advisory Group to include eight members. Seven independent members and one member of Council's executive;
 6. Requests the Chief Executive Officer to prepare a Terms of Reference for each Advisory Group which is consistent with the strategic objectives of 'Economic Prosperity' in the 2020-24 Council Plan;
 7. Requests the Chief Executive Officer prepare and undertake an Expression of Interest (EOI) process to recruit seven independent members for each Advisory Group; and
 8. Receives a future report to adopt the Terms of Reference for each Advisory Group and appoint the independent members to each Advisory Group.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

1. **NOTES THAT SOUTH GIPPSLAND HAS AN ECONOMIC OUTPUT OF \$3.7 BILLION PER ANNUM AND THE LOCAL VISITOR ECONOMY IS VALUED AT \$114 MILLION PER ANNUM;**
2. **NOTES THE COUNCIL PLAN 2020-2024 IDENTIFIES 'ECONOMIC PROSPERITY' AS ONE OF FOUR STRATEGIC OBJECTIVES OF FOCUS;**
3. **NOTES THAT AN ANNUAL INITIATIVE OF THE COUNCIL PLAN IN 2020/21 IS TO DEVELOP AN ECONOMIC DEVELOPMENT STRATEGY AND TOURISM STRATEGY BY 30 JUNE 2021;**
4. **ESTABLISHES THE FOLLOWING ADVISORY GROUPS TO SUPPORT THE DEVELOPMENT OF THE ECONOMIC DEVELOPMENT STRATEGY AND TOURISM STRATEGIES;**
 - a. **ECONOMIC DEVELOPMENT STRATEGY ADVISORY GROUP (EDSAG); AND**
 - b. **VISITOR ECONOMY STRATEGY ADVISORY GROUP (VESAG).**
5. **ENDORSES THE COMPOSITION OF EACH ADVISORY GROUP TO INCLUDE EIGHT MEMBERS. SEVEN INDEPENDENT MEMBERS AND ONE MEMBER OF COUNCIL'S EXECUTIVE;**

6. **REQUESTS THE CHIEF EXECUTIVE OFFICER TO PREPARE A TERMS OF REFERENCE FOR EACH ADVISORY GROUP WHICH IS CONSISTENT WITH THE STRATEGIC OBJECTIVES OF 'ECONOMIC PROSPERITY' IN THE 2020-24 COUNCIL PLAN;**
7. **REQUESTS THE CHIEF EXECUTIVE OFFICER PREPARE AND UNDERTAKE AN EXPRESSION OF INTEREST (EOI) PROCESS TO RECRUIT SEVEN INDEPENDENT MEMBERS FOR EACH ADVISORY GROUP; AND**
8. **RECEIVES A FUTURE REPORT TO ADOPT THE TERMS OF REFERENCE FOR EACH ADVISORY GROUP AND APPOINT THE INDEPENDENT MEMBERS TO EACH ADVISORY GROUP.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Background

South Gippsland's economy has an annual economic output of \$3.7 billion per annum and provides jobs for over 11,000 people. It is a significant contributor to the national economy in the areas of Agriculture and Food processing. The vast majority of businesses in South Gippsland are small and locally operated, with over 90 per cent employing fewer than 20 people.

While primary production/agriculture generates the largest economic output, the local economy is supported by an estimated 1.2M people who visit the Shire each year. The local Visitor economy is valued at \$114M per annum.

The proposed 2020-24 Council Plan identifies 'Economic Prosperity' as one of four key strategic areas of importance. The vision is to establish the Shire as a thriving and diverse local economy that builds on our region's natural advantages.

To achieve this vision, the proposed Council Plan 2020-24 identifies the development of a draft Economic Development Strategy and Tourism Strategy by 30 June 2021.

It is recommended the Tourism Strategy be re-titled the Visitor Economy Strategy. This better reflects the range of reasons and opportunities to visit South Gippsland.

The Local Government Act 2020

The new *Local Government Act 2020* introduced overarching governance principles and supporting principles that Council in its performance must give effect to. Of particular relevance to the development of these strategies are the following overarching principle:

- Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risk is to be promoted;
- The municipal community is to be engaged in strategic planning and strategic decision making;
- Collaboration with other councils and Government and statutory bodies is to be sought;
- Regional, state and national plans and policies are to be considered in strategic planning and decision making; and

- The transparency of Council decisions, actions and information is to be ensured.

The development of strategies supported by skills based Advisory Groups ensures that effect is given to the overarching governance principles.

The Strategies

The strategies should be developed in alignment with the strategic objectives of 'Economic Prosperity' in the draft Council Plan 2020-24. These are;

1. Council seeks to build a sustainable and growing economy that:
 - Attracts and supports business to thrive and grow;
 - Broaden, builds and strengthens industry sectors;
 - Creates and sustains local employment opportunities; and
 - Establishes the Shire as the 'food hub' that feeds our state and beyond.
2. Develop plans that will balance and utilise the natural values of the environment, improve the Shire's liveability and build on the benefits of our proximity to Melbourne.
3. Deliver services that support the growth of the local and regional economy.
4. Work with surrounding councils to support regional growth and prosperity.

It is recommended that Council establish Advisory Groups to support the development of each strategy. This will ensure the strategies are well informed and developed in a collaborative approach.

Advisory Groups

It is recommended that each Advisory Group are established to support the strategy development:

- Economic Development Strategy Advisory Group (EDSAG); and
- Visitor Economy Strategy Advisory Group (VESAG).

It is proposed that each Advisory Group have a composition of eight members. It is proposed that seven independent members be appointed along with one member of Council's Executive. One independent member will be selected as Chair of each Advisory Group.

Independent members of the Advisory Group will be recruited via an Expression of Interest (EOI) process. Assessment of the EOIs will be completed by a panel established by the Chief Executive Officer. Panel recommendations will be presented to Council for endorsement. Each Advisory Group will include a minimum of two independent members who are directly connected to South Gippsland.

It is proposed that members of the Advisory Groups are appointed for a period of two years. The first year will oversee the strategy development, the second year will oversee the first stages of implementation.

In seeking an EOI for membership to the EDSAG, preference will be given to those with demonstrated skills and experience in areas such as economic and regional development, agriculture, engineering, horticulture, energy and education.

In seeking an EOI for membership to the VESAG, preference will be given to those with demonstrated skills and experience in areas such as regional tourism, adventure travel, events, communications and strategic planning.

CONSULTATION

The development of each Strategy will be supported by an Advisory Group. Independent members will be recruited through an Expression of Interest (EOI) process. Priority will be given to prospective committee members that can demonstrate skills and experience which best contribute to the objectives of the 2020-24 Council Plan strategic objective 'Economic Prosperity'.

Opportunities will be provided for industry engagement and public consultation during the development of each strategy. These future actions will be determined in consultation with the Advisory Groups.

RESOURCES

The proposed 2020/21 Annual Budget includes an allocation of \$30,000 to develop the strategies. Secretariat support to the Advisory Groups will be provided within existing resources.

It is proposed that independent members of the Advisory Groups are paid a sitting fee per meeting of \$500 per member and \$750 for the Chair.

RISKS

South Gippsland's economic output is \$3.7 billion per annum. The health of our economy has a direct impact on the Shire's current and future prosperity.

Strategic planning for the economic, social and environmental sustainability of the municipal district is a form of risk management. It ensures that effort and resources are directed to targeted outcomes and potential opportunities are captured and not missed.

Any future conflict of interest matters relating to the function of the Advisory Groups will be managed in accordance with the requirements of the *Local Government Act 2020*.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

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

Annual Budget 2019/20

Economic Development and Tourism Strategy

Proposed Annual Budget 2020/21

Proposed Council Plan 2020-24

Legislative Provisions

Local Government Act 2020

3.3. COUNCIL PLAN 2017-2021 ANNUAL INITIATIVE - BOATING INFRASTRUCTURE ADVOCACY

Development Services Directorate

EXECUTIVE SUMMARY

In Victoria, recreational boating creates about 18,000 jobs and is worth \$4.5B a year to the economy. The sector is an important contributor to South Gippsland's \$114M visitor economy.

The South Gippsland Shire Council Plan 2017-2021 seeks to support the local boating community through the following annual initiative;

Objective Overview 3: Improve South Gippsland's Built Assets and Value our Natural Environment: Year 3 Annual Initiative (2019/20):

"Advocate infrastructure interests of the local boating community to the State Government, for access to improved facilities, car parking, boat ramp fees and financial support to the Coast Guard."

Some of the key actions taken over the past twelve months to support the local boating community include:

- removal of boat ramp parking and launching fees at Port Welshpool;
- secured \$60,000 funding from the Victorian Government to support the removal of fees;
- construction of a piled floating pontoon at Venus Bay to replace the wooden jetty. The cost of the project was approximately \$230,000. Council secured a grant from the Victorian Government for \$100,000, Better Fishing Facilities Program 2018/19;
- annual contribution of \$5,700 to support the Port Welshpool Coast Guard;
- community grant of \$8,000 awarded to the Port Welshpool Coast Guard for development of a business plan for facility upgrades; and
- supported the local community with its successful advocacy to Gippsland Ports for the retention and maintenance of the Port Franklin slipway.

It is recommended that Council continue to pursue further funding opportunities with the Victorian Government to reduce the cost burden associated with maintaining public boating infrastructure on Crown Land.

RECOMMENDATION

That Council:

1. Notes the actions taken to complete the Council Plan annual initiative:
 - a. Removed boat ramp parking and launching fees at Port Welshpool;
 - b. Secured funding from the Department of Transport for \$60,000 to support maintenance activities to boating facilities in the 2019/20 financial year;
 - c. Constructed a \$230,000 piled floating pontoon at Venus Bay, supported by a \$100,000 grant from the Victorian Government, Better Fishing Facilities Program 2018/19;
 - d. Supported the Port Welshpool Coast Guard through Council's annual contribution of \$5,700;
 - e. Awarded an \$8,000 community grant to the Port Welshpool Coast Guard for development of a business plan for facility upgrades;
 - f. Supported the local community with its successful advocacy to Gippsland Ports for the retention and maintenance of the Port Franklin slipway; and
2. Continues to advocate to the Victorian Government for ongoing funding support for the maintenance of boating facilities on Crown Land under Council's Committees of Management.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

1. **NOTES THE ACTIONS TAKEN TO COMPLETE THE COUNCIL PLAN ANNUAL INITIATIVE:**
 - a. **REMOVED BOAT RAMP PARKING AND LAUNCHING FEES AT PORT WELSHPOOL;**
 - b. **SECURED FUNDING FROM THE DEPARTMENT OF TRANSPORT FOR \$60,000 TO SUPPORT MAINTENANCE ACTIVITIES TO BOATING FACILITIES IN THE 2019/20 FINANCIAL YEAR;**
 - c. **CONSTRUCTED A \$230,000 PILED FLOATING PONTOON AT VENUS BAY, SUPPORTED BY A \$100,000 GRANT FROM THE VICTORIAN GOVERNMENT, BETTER FISHING FACILITIES PROGRAM 2018/19;**
 - d. **SUPPORTED THE PORT WELSHPOOL COAST GUARD THROUGH COUNCIL'S ANNUAL CONTRIBUTION OF \$5,700;**
 - e. **AWARDED AN \$8,000 COMMUNITY GRANT TO THE PORT WELSHPOOL COAST GUARD FOR DEVELOPMENT OF A BUSINESS PLAN FOR FACILITY UPGRADES;**
 - f. **SUPPORTED THE LOCAL COMMUNITY WITH ITS SUCCESSFUL ADVOCACY TO GIPPSLAND PORTS FOR THE RETENTION AND MAINTENANCE OF THE PORT FRANKLIN SLIPWAY; AND**
2. **CONTINUES TO ADVOCATE TO THE VICTORIAN GOVERNMENT FOR ONGOING FUNDING SUPPORT FOR THE MAINTENANCE OF BOATING FACILITIES ON CROWN LAND UNDER COUNCIL'S COMMITTEES OF MANAGEMENT.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Background

The boating sector is an important contributor to South Gippsland's \$114M visitor economy and attracts people to the area from a wide range of locations. Expenditure from these visitors often occurs in some of our smaller towns but flows out to other localities in the Shire.

In addition to the economic benefits, recreational boating is a popular activity for South Gippsland's permanent and non-permanent residents. A number of clubs and community bonds are established through a shared passion for fishing and boating.

An analysis of visitation to Port Welshpool demonstrated a large number of visitors from outside South Gippsland, with notable concentrations from Baw Baw/Latrobe, Frankston/Mornington Peninsula, and Outer Eastern Melbourne (Berwick, Ferntree Gully, Endeavour Hills).

Recreational boating creates about 18,000 jobs in Victoria and is worth \$4.5B a year to the state economy. There are about 200,000 registered vessels in the state with registrations growing at 2.5 per cent per annum over recent years. Boating-related visitation to South Gippsland is likely to continue to increase.

The South Gippsland Shire Council Plan 2017-2021 seeks to support the local boating community through the following annual initiative:

Objective Overview 3: Improve South Gippsland's Built Assets and Value our Natural Environment: Year 3 Annual Initiative (2019/20):

"Advocate infrastructure interests of the local boating community to the State Government, for access to improved facilities, car parking, boat ramp fees and financial support to the Coast Guard."

There are currently eight boat ramps in South Gippsland (refer to **Attachment [3.3.1]**). Council manages six of these sites in Port Welshpool, Sandy Point, Toora, Tarwin Lower, Venus Bay and Yanakie. The remaining two boat ramps in Walkerville North and South are managed by the Walkerville Foreshore Reserve Committee of Management.

Port Franklin also has jetties that are leased to boat operators and has a slipway for boating maintenance. The slipway required significant maintenance and Gippsland Ports undertook a process, including community consultation to evaluate the long-term future of the slipway.

A flotilla of the Australian Volunteer Coast Guard operates from Port Welshpool. This is located near the town's boat ramp and the group performs an important safety service to boating users in the region.

Actions Completed

Abolition of Boat Ramp Launching and Parking Fees

At its meeting of 24 July 2019, Council resolved to support the Victorian Government's initiative to abolish fees at all public recreational boat ramps. All boat ramps in South Gippsland are now free to use.

To compensate Council for its loss of revenue at Port Welshpool, a funding agreement was negotiated with the Department of Transport (DoT) for \$60,000 for the 2019/20 financial year. The revenue that was collected from the launching and parking fees was spent on maintaining the Port Welshpool Boat Ramp and carpark facilities.

It is recommended that Council continue to pursue further funding opportunities with the Victorian Government to reduce the cost burden to the South Gippsland ratepayer associated with maintaining public boating infrastructure on Crown Land.

Venus Bay Floating Pontoon

Council constructed a new piled floating pontoon at Venus Bay to replace the old wooden jetty which was in poor condition. The new pontoon caters for both boats and anglers, using an adjacent two-lane boat ramp. The project included the construction of a barrier between the two lanes at the ramp to prevent boats impacting each other in cross winds. The final cost of the project was approximately \$230,000. A grant for \$100,000 was secured from the Victorian Government through the Better Fishing Facilities Program 2018/19.

Port Welshpool Coast Guard

A community grant of \$8,000 was awarded to the Port Welshpool Coast Guard from Council's community grants program. The grant supports the development of a business plan for facility upgrades.

Council provides an annual contribution of approximately \$5,700 to support the Port Welshpool Volunteer Coast Guard.

Port Franklin Slipway

Council provided advice to a group of boat owners seeking to continue the operation of the Port Franklin slipway. This included assistance with a submission on the future of the slipway and its operation. Following wide community consultation and submission from the group, Gippsland Ports determined to continue operation of the slipway while further evaluation can be undertaken. There has since been maintenance undertaken on the slipway to increase its capacity and it is now open to undertake works.

Maintenance

In 2019/20 Council undertook works at Port Welshpool that included maintenance to the jetty, car park and associated paths, pressure washing,

plumbing and electrical works and replacement & maintenance of the floating pontoon modules.

Approximately \$15,000 of maintenance works was conducted at other boat ramp and launching facilities within the Shire during the financial year.

Future Actions

Future actions regarding boating facilities include:

- Continued advocacy to the Victorian Government for ongoing funding to support the maintenance of boating facilities on Crown Land under Council's Committees of Management; and
- Give further strategic consideration of the boating and fishing sector during the development of the South Gippsland Visitor Economy Strategy identified in the draft Council Plan 2020-24.

CONSULTATION

Consultation was undertaken with Gippsland Ports, Department of Transport and boat operators at Port Franklin to implement the Council Plan annual initiative.

RESOURCES

Maintenance activities were undertaken within existing Council resources underpinned by the \$60,000 grant from the DoT in lieu of previously budgeted fee revenue.

The construction of the Venus Bay pontoon had a total project cost of approximately \$230,000. This was subsidised by a grant from the Victorian Government of \$100,000, Better Fishing Facilities Program 2018/19.

RISKS

Boating and fishing are popular activities for residents and visitors. However, the facilities require ongoing upkeep and maintenance to meet public safety standards and to ensure that facilities remain contemporary with industry expectations.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Map of Boat Ramps in South Gippsland [3.3.1 - 1 page]

Council Policy

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

Revised Council 2017-2021

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

4.1. COMMUNITY GRANTS PROGRAM FOR 2020/21

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

Council strives to facilitate, plan and provide programs, services and opportunities that strengthen its communities. One method Council uses to do this is via its annual Community Grants Program (the Program), which makes funds available for a broad range of community initiatives across the municipality. Each year Council reviews the current Community Grants Guidelines.

Following completion of a desktop review of the guidelines, changes are recommended to the Community Grants Program for 2020/21 to increase independence on the Assessment Panel and to expand the eligibility criteria. During 2020/21, it is proposed that Council complete a comprehensive review of the Program, incorporating community input, external expertise and benchmarking.

Council will open the Community Grants Program for 2020/21 on 1 July 2020.

RECOMMENDATION

That Council:

1. Notes the opening date of the Community Grants Program on 1 July 2020;
2. Endorses the following amendments to the Community Grants Program for 2020/21:
 - a. Expansion of Grant eligibility criteria, to include Companies Limited by Guarantee and Social Enterprise;
 - b. Selection of an Independent Chair for the Assessment Panel;
 - c. Membership of Panel to include at least two independent members; (including the Chair)
 - d. Amend Guidelines to provide information on the selection and assessment process.
3. Adopts the revised Community Grants Program Guidelines and information 2020/21 (Attachment [4.1.1]);

4. Approves a budget of \$20,000 to undertake an External Review of the South Gippsland Community Grants Program, including consultant fees, to undertake:
 - a. Benchmarking against like Grant programs;
 - b. Engagement of a consultant to lead the review and community consultation process and provide external advice and expertise; and
 - c. Establishment of a Community Grants Review Reference Group;
5. Requires the Chief Executive Officer to provide a report of recommendations to Council no later than the Council Meeting in June 2021.

Administrator Christian Zahra moved a Motion different from the recommendation.

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL:

- 1. NOTES THE OPENING DATE OF THE COMMUNITY GRANTS PROGRAM ON 1 JULY 2020;**
- 2. ENDORSES THE FOLLOWING AMENDMENTS TO THE COMMUNITY GRANTS PROGRAM FOR 2020/21:**
 - a. EXPANSION OF GRANT ELIGIBILITY CRITERIA, TO INCLUDE COMPANIES LIMITED BY GUARANTEE AND SOCIAL ENTERPRISE;**
 - b. SELECTION OF AN INDEPENDENT CHAIR FOR THE ASSESSMENT PANEL;**
 - c. MEMBERSHIP OF PANEL TO INCLUDE AT LEAST TWO INDEPENDENT MEMBERS; (INCLUDING THE CHAIR)**
 - d. AMEND GUIDELINES TO PROVIDE INFORMATION ON THE SELECTION AND ASSESSMENT PROCESS.**
- 3. ADOPTS THE REVISED COMMUNITY GRANTS PROGRAM GUIDELINES AND INFORMATION 2020/21 (ATTACHMENT [4.1.1]);**
- 4. APPROVES A BUDGET OF \$20,000 TO UNDERTAKE AN EXTERNAL REVIEW OF THE SOUTH GIPPSLAND COMMUNITY GRANTS PROGRAM, INCLUDING CONSULTANT FEES, TO UNDERTAKE:**
 - a. BENCHMARKING AGAINST LIKE GRANT PROGRAMS;**
 - b. ENGAGEMENT OF A CONSULTANT TO LEAD THE REVIEW AND COMMUNITY CONSULTATION PROCESS AND PROVIDE EXTERNAL ADVICE AND EXPERTISE; AND**
 - c. ESTABLISHMENT OF A COMMUNITY GRANTS REVIEW REFERENCE GROUP;**
- 5. NOTIFIES THE NETWORKS OF RECREATION, COMMUNITY AND ARTS & CULTURE GROUPS, OF THE AMENDMENTS MADE TO THE COMMUNITY GRANTS PROGRAM; AND**
- 6. REQUIRES THE CHIEF EXECUTIVE OFFICER TO PROVIDE A REPORT OF RECOMMENDATIONS TO COUNCIL NO LATER THAN THE COUNCIL MEETING IN JUNE 2021.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

At the Ordinary Meeting of Council (No. 440, 20 November 2019), the following recommendations were adopted:

"That Council:

- 1. Makes no change to the existing Community Grants Program; and*
- 2. Notes that a review of the Community Grants Program is scheduled for June 2020."*

(Note: this recommendation altered a recommendation at the June 2019 Council Meeting).

The Community Grants Program continues to meet the objectives of the Community Grants Policy (**Attachment [4.1.2]**). Each year the Program is monitored and adjusted to ensure that the Program objectives continue to be met. During 2019/20 an internal review of the Program was conducted and recommended that the following changes be made to the Program for 2020/21:

- Expansion of Grant eligibility criteria, to include Companies Limited by Guarantee and Social Enterprise,
- Selection of an Independent Chair for the Assessment Panel
- Membership of Panel to include at least two independent members (including the Chair)
- Amend Guidelines to provide information on selection and assessment process.

Further, it is recommended that during 2020/21, Council undertakes a comprehensive external review for the Community Grants Program, including:

- Benchmarking against like Grant programs
- Engagement of a consultant to lead the review and community consultation process
- Establishment of a Community Grants Review Reference Group

The proposed timeline for this process is as follows:

- July 2020 - Provide Terms of Reference for Community Grants Review to Council for comment;
- September 2020 - Engage an external consultant;

- September 2020 - Establish Community Grants Review Reference Group and proceed with agreed consultation process;
- March 2021 - Provide initial outcome report to Council; and
- June 2021 - Provide recommendations to Council.

CONSULTATION

Current consultation has been undertaken internally with the Grant Assessment Team along with a broad range of Council departments.

The attached proposal for external review outlines the consultation to be undertaken to provide for engagement with the community. This consultation will include:

- Benchmarking the existing Program against like councils and similar community grants programs across the State;
- Engaging an independent consultant to lead the review and community consultation;
- Establishing a Community Grants Review Reference Group, drawn from the community, previous grant recipients and relevant stakeholders, with a clearly identified terms of reference; and
- Surveying previous grant applicants on relevance, significance and success of the Program.

RESOURCES

The proposal recommends the engagement of an independent consultant to lead the review and community consultation, and provide suitably qualified advice and expertise to the project. A budget of \$20,000 is required to ensure the process is robust.

RISKS

There are no risks associated with reviewing the Community Grants Program.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. South Gippsland Community Grants Program Guidelines 2020-21 [4.1.1 - 15 pages]
2. Community Grants Program Policy C47 [4.1.2 - 3 pages]

REFERENCE DOCUMENTS

Council Policy

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

Annual Budget Incorporating 15 Year Long Term Financial Plan and Annual Plan Initiatives

Community Grants Program Policy (C47)

Community Strengthening Strategy

4.2. POLICY REVIEW: ART AND CULTURE POLICY (C03)

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

Council maintains an *Art and Culture Policy (C03)* (the Policy) to strengthen South Gippsland's position as a recognised region that:

- Has a strong art and cultural identity rich in diversity and opportunity;
- Has an artistic and cultural practice that positively impacts on the health and wellbeing of its residents and visitors; and
- Cultivates and nurtures a vibrant and geographically diverse arts, culture and creative industry sector that creates engaged and connected communities, and delivers economic benefit to the region.

The 2020 review of the Policy has indicated only minor changes are required. It has continued to provide an effective guide for Council's endeavours in this area. It also supports work undertaken by Council to assist the sector through the COVID19 pandemic.

RECOMMENDATION

That Council:

1. Adopts the minor changes to the Arts and Culture Policy C03 (Attachment [4.2.1]; and
2. Publishes the revised Arts and Culture Policy C03 (Attachment [4.2.1]).

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

1. **ADOPTS THE MINOR CHANGES TO THE ARTS AND CULTURE POLICY C03 (ATTACHMENT [4.2.1]; AND**
2. **PUBLISHES THE REVISED ARTS AND CULTURE POLICY C03 (ATTACHMENT [4.2.1]).**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Council undertook a comprehensive review of its *Arts and Culture Policy* with the assistance of an Art & Culture Working Group in 2016. This review led to the subsequent development and adoption of the South Gippsland Arts, Culture & Creative Industry Strategy (2017/2022).

The 2020 revision has indicated that only minor changes are required to the Policy as it has continued to provide an effective guide for Council's endeavours in this area. The policy also supports Council's efforts to assist the arts and culture sector through the impact of the COVID19 pandemic.

The minor changes are as follows:

- Removal of references to 'equitable funding between recreation and arts and cultural development'; and
- Amendment to the Implementation Statement to reference the South Gippsland Arts, Culture and Creative Industry Strategy, and its key outcomes. Since the last review the Strategy has been adopted and an implementation program is underway.

CONSULTATION

Extensive consultation has been undertaken with the Arts, Culture and Creative Industry community since the review in 2016 of the Policy.

- The South Gippsland Arts, Culture and Creative Industry Strategy was co-written with an Arts & Culture working group, and was endorsed for adoption by this group.
- The South Gippsland Arts Network with representation from all sectors of the Arts Community contributes significantly to the implementation of the Policy and Arts, Culture and Creative Industry Strategy.
- The Arts Development Officer maintains a large network of arts, culture and creative industry practitioners encouraging feedback and input to the implementation of this policy and Arts, Culture and Creative Industry Strategy.
- The Arts Development Officer represents South Gippsland in the Creative Gippsland Partnership – a partnership across all Gippsland councils, which provides a regional approach to Arts Development in Gippsland.

RESOURCES

The revised Policy has no financial impacts.

RISKS

No risks to Council have been identified.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Arts and Culture Policy (C03) - Draft June 2020 [4.2.1 - 3 pages]

REFERENCE DOCUMENTS

Council Policy

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

Arts and Culture Policy (C03)
Arts, Culture and Creative Industry Strategy
Community Strengthening Strategy

4.3. POLICY REVIEW: PORT WELSHPOOL MARITIME MUSEUM COLLECTION POLICY (C73)

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

Council introduced a *Port Welshpool Maritime Museum Collection Policy (C73)* (the Policy) for the Port Welshpool Maritime Museum in 2019, and required a review in 2020.

The 2020 review has indicated there are no material changes required for the Policy, it continues to provide an effective guide for the management of the collection at the Port Welshpool Maritime Museum.

RECOMMENDATION

That Council:

1. Adopts the Port Welshpool Maritime Museum Collection Policy (C73) (Attachment [4.3.1]); and
2. Publishes the revised Port Welshpool Maritime Museum Collection Policy (C73) (Attachment [4.3.1]).

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

1. **ADOPTS THE PORT WELSHPOOL MARITIME MUSEUM COLLECTION POLICY (C73) (ATTACHMENT [4.3.1]); AND**
2. **PUBLISHES THE REVISED PORT WELSHPOOL MARITIME MUSEUM COLLECTION POLICY (C73) (ATTACHMENT [4.3.1]).**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

The Port Welshpool Maritime Museum Collection Policy exists to promote awareness and understanding of the industrial and natural maritime history of the Port Welshpool area of South Gippsland from 1881 to the present.

Council introduced a collection Policy for the Port Welshpool Maritime Museum in 2019 to:

- provide guidance relevant to the Port Welshpool & District Maritime Museum Collection; and
- To ensure that the acquisition and disposal of Collection items meet significance criteria through their relevance to the stated time line period and the planned themes of the site.

The 2020 review has indicated there are no material changes required for the Policy as it provides an effective guide for the management of the collection at the Port Welshpool Maritime Museum.

CONSULTATION

Members of the Committee of Management and volunteers at the Port Welshpool & District Maritime Museum were consulted when the Policy was implemented in 2019, and have been provided with a copy of the Policy.

RESOURCES

The revised Policy has no financial impacts.

RISKS

No risks to Council have been identified.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Port Welshpool Maritime Museum Collection Policy (C73) - Draft June 2020 [4.3.1 - 6 pages]

REFERENCE DOCUMENTS

Council Policy

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

Community Strengthening Strategy

Legislation

Local Government Act 1989

Local Government Act 2020

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

5.1. DESIGN AND CONSTRUCTION OF AN INTEGRATED EARLY YEARS LEARNING CENTRE PROJECT LEONGATHA

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

A detailed review of early years infrastructure needs and demand in South Gippsland identified Leongatha as the highest priority location requiring additional early years infrastructure investment within the Shire.

This report seeks approval from Council to proceed with the Leongatha Early Learning Centre project and to apply for a funding grant with the Department of Education and Training to part-fund this project.

RECOMMENDATION

That Council:

1. Supports the findings of the business case for an Integrated Early Learning Centre in Leongatha (Attachment [5.1.1]);
2. Approves the commencement of the design and construction of an Integrated Early Learning Centre in Leongatha;
3. Endorses Symmons Street, Leongatha as the preferred location;
4. Authorises Council to prepare a funding submission for an Integrated Early Learning Centre in Leongatha, under the State Government's Building Blocks Infrastructure Grants Program;
5. Delegates operational decisions regarding the Integrated Early Learning Centre project to the Chief Executive Officer; and
6. Notes that a community engagement process is being undertaken to support the Integrated Early Learning Centre project.

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL:

- 1. SUPPORTS THE FINDINGS OF THE BUSINESS CASE FOR AN INTEGRATED EARLY LEARNING CENTRE IN LEONGATHA (ATTACHMENT [5.1.1]);**
- 2. APPROVES THE COMMENCEMENT OF THE DESIGN AND CONSTRUCTION OF AN INTEGRATED EARLY LEARNING CENTRE IN LEONGATHA;**
- 3. ENDORSES SYMMONS STREET, LEONGATHA AS THE PREFERRED LOCATION;**
- 4. AUTHORISES COUNCIL TO PREPARE A FUNDING SUBMISSION FOR AN INTEGRATED EARLY LEARNING CENTRE IN LEONGATHA, UNDER THE STATE GOVERNMENT'S BUILDING BLOCKS INFRASTRUCTURE GRANTS PROGRAM;**
- 5. DELEGATES OPERATIONAL DECISIONS REGARDING THE INTEGRATED EARLY LEARNING CENTRE PROJECT TO THE CHIEF EXECUTIVE OFFICER; AND**
- 6. NOTES THAT A COMMUNITY ENGAGEMENT PROCESS IS BEING UNDERTAKEN TO SUPPORT THE INTEGRATED EARLY LEARNING CENTRE PROJECT.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

A detailed review of early years infrastructure needs and demand in South Gippsland identified Leongatha as the highest priority requiring additional early years infrastructure investment within the Shire.

In January 2020 Council agreed to invest in a new Early Years facility in Leongatha to meet demand for kindergarten and long day care for at least the next 10 years and reduce enrolment pressure on kindergartens in Meeniyan and Mirboo North.

Current forecasting indicates that there will be a deficit of at least 68 kindergarten places in Leongatha and district by 2031 and a deficit of at least 113 long day care (childcare) places.

The implementation of three-year-old kindergarten, increasing demand for childcare and kindergarten services, and changes to service standards and requirements mean that the current infrastructure in Leongatha is no longer able to fully meet current demand or future demand. All kindergarten services in Leongatha will be operating at full capacity from 2020.

Provision of a new early learning centre in Leongatha will support economic development in the Shire. Provision of affordable child care is essential to support access to employment and training and increase productivity and economic growth. The benefit of quality early childhood education through kindergarten and child care services has been demonstrated to improve education wellbeing outcomes for children and families.

An integrated early childhood centre provides for better coordination of learning and support for children, enables service providers to work collaboratively and provides parents with easier access to services. It is also the most efficient model to meet emerging demand for child care and kindergarten services.

Council were briefed on the project on 22 January 2020. Key planning tasks have since been undertaken including:

- Development of a business case;
- Site Selection;
- Commencement of Master Planning;
- Identification of external funding; and
- Stakeholder engagement.

Business Case

A copy of the business case is included as **Attachment [5.1.1]**. The business case recommended an integrated facility that incorporates:

- Kindergarten – two 33-place rooms;
-

- Long day care – one 33-place room, one 22-place room;
- A multi-purpose consulting suite / community activity room (e.g. supported playgroups);
- Staff office/s, planning room, tea room;
- Toilets, laundry, sleeping area/s, storage;
- Designed play areas for each licenced room;
- Car Parking and access; and
- Capacity for extension to the facility to meet future demand.

Other options including a more limited or staged construction, or modular design, were not preferred in the business case. It is likely that these options would compromise efficient design and operation of the centre until additional stages were built and would limit the amount of co-funding available from the State Government.

Site Selection

A comprehensive site selection process has been undertaken. Four potential sites were identified, including Symmons Street Leongatha, Hassett Street Leongatha and co-location at the Education Precinct (two options).

Symmons Street was selected as the preferred site for this facility. Co-location at the Education Precinct was considered a priority for any subsequent Early Years infrastructure development in Leongatha from 2030 onwards.

There would be significant synergies through co-location with other early years services in Symmons Street, and the potential to consolidate governance of services. The facility will be built in close proximity to Leongatha Children's Centre and Allora Preschool.

The site was also identified as preferable in terms of site planning, construction and overall management. The site is owned by Council and does not require a planning permit.

Master Planning

Site assessment and master planning processes for the site are being undertaken and will help inform the design and layout of the proposed facility. It is expected that master planning will be completed by the end of June 2020, with concept designs complete in July 2020 and cost plans and documentation by late July 2020. Following detailed design, construction would occur during the 2021-22 financial year, with a view to opening the new facility in 2022, preferably by the start of term 2.

Funding

Council has allocated \$3M toward this \$5M project in the proposed 2020/21 Annual Budget (Budget).

In addition, the State Government has announced two capital funding rounds for early childhood infrastructure under the *Building Blocks* program; the first closing on 15 May 2020 and the second on 31 July 2020 (**Attachment [5.1.2]**).

It is proposed that Council applies for an additional amount of at least \$2M under this funding program, in July. Discussions with the Department of Education and Training have indicated strong in-principle support for this project. Council approval is sought to submit to this funding program in support of this project.

Stakeholder Engagement

Meetings have been held with the existing early years providers in Leongatha (Leongatha Children's Centre, and Leongatha Preschools Inc), to outline the planning process for this project and to support their engagement in the master planning for the site. Both organisations will continue to be engaged throughout the constructions phase of the project to help minimise disruption to their operations or any other impacts on families, children and staff using their existing facilities.

A community engagement plan to inform residents in neighbouring properties and the wider community has been developed and is being implemented. Contact with neighbouring residents will commence in late June 2020 and information and updates on the project will be provided to the community through both online and print media.

CONSULTATION

This project has been developed jointly by the Infrastructure and Corporate and Community Services Directorates.

An engagement and consultation process with existing service providers, Leongatha Children's Centre and Leongatha Preschools Inc. has commenced. These organisations are providing advice to the Master Planning process and will continue to be engaged through construction to minimise disruption to parents, children and staff.

Engagement with surrounding stakeholders to inform them of the project and identify any emerging issues will be undertaken from late June 2020 once concept plans are available.

RESOURCES

Council has allocated \$3M toward this project in the proposed 2020/21 budget. Design work will occur in the 2020/21 financial year, with construction expected to be completed in 2021/22.

Additional funding of at least \$2M will be sought from the State Government's *Building Blocks* early childhood infrastructure program, subject to Council approval.

RISKS

A formal risk management plan will be undertaken in the development of this project.

The currently identified risks include:

- The project does not proceed. In this case there will be a significant shortage of kindergarten and long day care places in Leongatha and district, increasing year-on-year until additional infrastructure can be provided. This also presents a reputational risk to Council if significant waiting periods for kindergarten and long day care.
- The project cost exceeds the available budget. The master planning and design process for the project will detail actual project costs and mitigation strategies. Options to address this event would include deferring or scaling back elements of the project scope, completing the project in stages, or seeking additional funding.
- State Government funding is not secured or is less than requested. The scope of the proposed centre would need to be significantly reduced. This could be achieved by staging the construction, with kindergarten in stage one and childcare included at a later date. However, advice from the Department of Education and Training has been consistently supportive of Council submitting for funding and the emerging demand for early childhood services in the Shire has been acknowledged.
- A not-for-profit provider must operate the facility to secure state government funding. While the strong preference is for a local not-for-profit provider to be selected to manage the facility, other providers could be considered in the event a local provider cannot do so.
- Council does not make a submission for funding to the State Government. As one of the initial six councils to implement three-year-old kindergarten, South Gippsland has been considered a priority area for infrastructure investment by the State Government. If a funding application was not made in 2020, Council would be competing with the majority of other councils for funding in subsequent years, which will limit the future availability of additional funding. It would also create a potential reputational risk for Council as a funding partner with the State Government.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Business Case Leongatha Project - Integrated Early Childhood Facility [5.1.1 - 14 pages]
2. Fact Sheet - Building Blocks [5.1.2 - 2 pages]

REFERENCE DOCUMENTS

Council Policy

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

Blueprint for Social and Community Infrastructure 2014-2029

Early Childhood Services Building Assets Policy Framework

Municipal Early Years Plan 2016-2021

External Documents

Supporting Children and Families in the Early Years: A Compact between DET, DHHS and Local Government (represented by MAV) 2017-2027

5.2. GRANT APPLICATIONS - FOSTER INDOOR STADIUM REDEVELOPMENT AND THE GSRT WELSHPOOL TO ALBERTON - COMMUNITY SPORTS INFRASTRUCTURE STIMULUS PROGRAM

Infrastructure Directorate

EXECUTIVE SUMMARY

On the 28 May 2020, the Victorian Government opened applications to Sport and Recreation Victoria's new \$68M Community Sports Infrastructure Stimulus Program. The Program is designed to build and upgrade community sports facilities across the state. The investment aims to support local sporting clubs, create jobs, and boost Victoria's economic recovery from the coronavirus (COVID-19) Pandemic.

After consultation with relevant community groups and Sport and Recreation Victoria, it is proposed to submit an application under the new Stimulus Program for the Foster Indoor Stadium Redevelopment project (\$2,260,000) and support an application by the Wellington Shire Council for Great Southern Rail Trail (GSRT) Welshpool to Alberton Extension project \$5,850,000).

If successful in securing funds under this program, Council will be required to contribute \$253,000 towards the Foster Indoor Stadium Redevelopment project.

If Wellington Shire Council is successful in securing funds under this program, Council will be required to contribute \$180,000 towards the Great Southern Rail Trail (GSRT) Welshpool to Alberton Extension project.

Both projects are already identified in Council's forward capital works program.

RECOMMENDATION

That Council:

1. Endorses the grant application that has been submitted under the Victorian Government's Community Sports Infrastructure Stimulus Program for the Foster Indoor Stadium Redevelopment project for a grant of \$2,260,000;
2. Endorses the support for the application that has been submitted by the Wellington Shire Council under the Victorian Governments Community Sports Infrastructure Stimulus Program Great Southern Rail Trail Welshpool to Alberton Extension project for a grant of \$5,850,000;
3. Notes that there is budget allocated in Council's Long-Term Financial Plan in 2025/26 towards the Foster Indoor Stadium Redevelopment project to cover Council's contribution of \$253,000, and this will be bought forward to 2020/21 should the application to the Victorian Governments Community Sports Infrastructure Stimulus Program be approved; and

4. Notes that there is budget allocated in Council's Long-Term Financial Plan in 2025/26 towards the Great Southern Rail Trail Welshpool to Alberton Extension project to cover Council's contribution of \$180,000, and will be bought forward to 2020/21 should the application to the Victorian Governments Community Sports Infrastructure Stimulus Program be approved.

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL:

1. **ENDORSES THE GRANT APPLICATION THAT HAS BEEN SUBMITTED UNDER THE VICTORIAN GOVERNMENT'S COMMUNITY SPORTS INFRASTRUCTURE STIMULUS PROGRAM FOR THE FOSTER INDOOR STADIUM REDEVELOPMENT PROJECT FOR A GRANT OF \$2,260,000;**
2. **ENDORSES THE SUPPORT FOR THE APPLICATION THAT HAS BEEN SUBMITTED BY THE WELLINGTON SHIRE COUNCIL UNDER THE VICTORIAN GOVERNMENTS COMMUNITY SPORTS INFRASTRUCTURE STIMULUS PROGRAM GREAT SOUTHERN RAIL TRAIL WELSHPOOL TO ALBERTON EXTENSION PROJECT FOR A GRANT OF \$5,850,000;**
3. **NOTES THAT THERE IS BUDGET ALLOCATED IN COUNCIL'S LONG-TERM FINANCIAL PLAN IN 2025/26 TOWARDS THE FOSTER INDOOR STADIUM REDEVELOPMENT PROJECT TO COVER COUNCIL'S CONTRIBUTION OF \$253,000, AND THIS WILL BE BOUGHT FORWARD TO 2020/21 SHOULD THE APPLICATION TO THE VICTORIAN GOVERNMENTS COMMUNITY SPORTS INFRASTRUCTURE STIMULUS PROGRAM BE APPROVED; AND**
4. **NOTES THAT THERE IS BUDGET ALLOCATED IN COUNCIL'S LONG-TERM FINANCIAL PLAN IN 2025/26 TOWARDS THE GREAT SOUTHERN RAIL TRAIL WELSHPOOL TO ALBERTON EXTENSION PROJECT TO COVER COUNCIL'S CONTRIBUTION OF \$180,000, AND WILL BE BOUGHT FORWARD TO 2020/21 SHOULD THE APPLICATION TO THE VICTORIAN GOVERNMENTS COMMUNITY SPORTS INFRASTRUCTURE STIMULUS PROGRAM BE APPROVED.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Foster Indoor Stadium Redevelopment

The Foster Indoor Stadium Redevelopment project is an extensive upgrade to a current facility located at the Foster Showgrounds. A revised cost plan has the total project cost estimated at \$2,513,000.

The multi-use stadium supports a range of sporting groups including basketball, the Football Netball Club and badminton as well as a gymnasium. There is also extensive well-established community use of the facility by the University of the 3rd Age, Craft Market, Show Society and local school groups.

The project will include providing a compliant basketball court, changeroom upgrade, dry program area, meeting rooms, kitchen/kiosk, storage space, exterior building beautification and formalised carparking. The facility has been designed to align to the various guidelines including the Netball Victoria Facility Manual and Female Friendly Infrastructure Guidelines.

Unfortunately, the Stadium is no longer fit for purpose. The court does not meet minimum compliance standards for basketball and the changeroom facilities are not accessible or well designed. The entry and other spaces lack storage and are not adequate to meet community need. The Foster Football Netball Club which plays netball on the outdoor courts adjacent to the stadium facilities has no access to female change room facilities and this project enables equal access to changeroom facilities as required by the league and Netball Victoria.

On the 27 June 2018, Council endorsed an application of \$1M for the project to the 2018/2019 Better Indoor Stadium Fund. The application was not approved and therefore the project has not been able to progress, as there has not been a funding program for which it was considered eligible.

Great Southern Rail Trail Welshpool to Alberton Extension

The GSRT Extension - Welshpool to Alberton Project is a combined project between South Gippsland Shire Council and Wellington Shire Council that aims to complete the 21km "missing link" along the trail between South Gippsland and Wellington. There is 72km of existing rail trail connecting Leongatha at the western end with Welshpool in the east and is suitable for cyclists, walkers, and horses. The 21km proposed section between Welshpool to Alberton consists of approximately 12.7km in Wellington Shire Council and 8.2km in South Gippsland Shire Council. The 13km Alberton to Yarram section already exists. The GSRT Extension - Welshpool to Alberton Project is an important step in the fruition of the GSRT Extension Project to develop a nationally iconic 188km rail trail from Clyde in the City of Casey to Yarram in the Wellington Shire. The Leongatha to Korumburra section has recently been approved for funding of \$500,000 from the Victorian Government's Regional Infrastructure Fund with an application pending for the Korumburra to Nyora section.

The total project cost is approximately \$6,5M.

Community Sports Infrastructure Stimulus Program

Through the Community Sports Infrastructure Stimulus Program, community sporting clubs and organisations will work with local councils and alpine resort boards to fast-track infrastructure projects that can start in the coming weeks and months.

This initiative is part of the Victorian Government's \$2.7 billion Building Works package, designed to support shovel-ready infrastructure projects and create thousands of jobs for Victorians.

The objective of the Stimulus Program is to build and upgrade community sports facilities across the state. The investment aims to support local sporting clubs, create jobs, and boost Victoria's economic recovery from the coronavirus (COVID-19) Pandemic.

Local councils and alpine resort boards will be able to submit up to three applications, worth a combined total of no more than \$10M. Each application must be worth a minimum of \$1M in funding with requests of up to 90% of the total project cost.

Applications to the Stimulus Program must be submitted by 19 June 2020 with outcomes anticipated in July 2020.

CONSULTATION

The Foster Indoor Stadium Redevelopment project is an outcome of various master plans for both the Foster Showgrounds and the actual stadium. The project is identified in Council's Long-term Financial Plan and has been developed in consultation with Basketball Victoria, SRV, Foster Showgrounds Section 86 Committee, and other relevant stakeholders to ensure that the project meets all necessary objectives and guidelines.

The completion of the GSRT Welshpool to Alberton Extension is a combined project between South Gippsland Shire Council and Wellington Shire Council in consultation with the Department of Environment, Land, Water and Planning (DELWP) and the GSRT Committee of Management.

RESOURCES

The Foster Indoor Stadium Redevelopment project is identified in the Council Long Term Financial Plan for 2025/26. If approved, the proposed application will mean a cost saving of \$747,000 based on the current budget.

The breakdown of funding for the Foster Indoor Stadium Redevelopment project is in **Table 1**.

Table 1 – Breakdown of Funding – Foster Indoor Stadium Redevelopment Project

Estimated Total Project Cost	\$2,513,000
Community Sports Infrastructure Stimulus Program	\$2,260,00
Recommended Council Contribution	\$253,000

The GSRT Welshpool to Alberton Extension project is in the Council Long Term Financial Plan. If approved, the proposed application will mean a cost saving of \$515,815 based on the current budget.

The breakdown of funding for the GSRT Welshpool to Alberton Extension project is in **Table 2**.

Table 2 – Breakdown of Funding – GSRT Welshpool to Alberton Extension

Estimated Total Project Cost	\$6.5M
Community Sports Infrastructure Stimulus Program	\$5,850,000
Recommended Council Contribution	\$180,000
Wellington Shire Council	\$470,000

RISKS

It should be noted that neither of these projects will proceed if Council is unsuccessful with securing the grant funding.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

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

Annual Budget 2020/21

Blueprint for Social and Community Infrastructure 2014-2029

Procurement Policy (C32)

Legislative Provisions

Local Government Act 1989

5.3. FRANKLIN RIVER RESERVE - CLOSURE

Infrastructure Directorate

EXECUTIVE SUMMARY

Council has identified infrastructure, risk, environmental, and public health concerns at Franklin River Reserve located at 4705 South Gippsland Highway, Toora. These concerns extend to inappropriate use of infrastructure, damage to septic infrastructure, soil contamination, as well as risk from tree-limb drop and fire. To mitigate the risk to the public and alleviate pressure on the site, it is recommended that Council permanently restrict camping at the Franklin River Reserve.

Franklin River Reserve is a fine example of public space that will continue to be enjoyed by day visitors, local community, and by-passers. It is anticipated that its amenity and natural value will be preserved by these recommendations.

RECOMMENDATION

That Council:

1. Closes the Franklin River Reserve by restricting camping to ensure public safety and preserve infrastructure for reasons outlined in this report; and
2. Requests the Department of Environment Land Water and Planning (DELWP) to change the reservation from “camping” to “public purposes” only.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

1. **CLOSES THE FRANKLIN RIVER RESERVE BY RESTRICTING CAMPING TO ENSURE PUBLIC SAFETY AND PRESERVE INFRASTRUCTURE FOR REASONS OUTLINED IN THIS REPORT; AND**
2. **REQUESTS THE DEPARTMENT OF ENVIRONMENT LAND WATER AND PLANNING (DELWP) TO CHANGE THE RESERVATION FROM “CAMPING” TO “PUBLIC PURPOSES” ONLY.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Council is appointed under Section 14 of the Crown Land (Reserves) Act 1978 as a Committee of Management for the area known as Franklin River Reserve, reserved for “public purposes and camping and water purposes” being part of allotment 20C Parish of Wonga Wonga, allotment 10B and part of allotment 13A Section B Parish of Toora – 4705 South Gippsland Highway, Toora.

Figure 1 - Crown Allotments

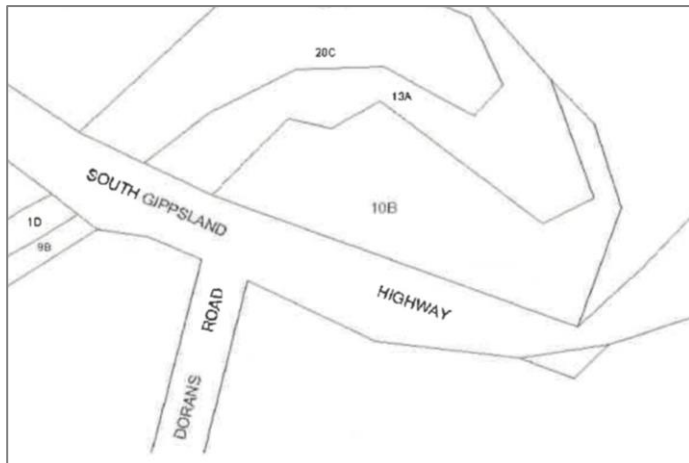


Figure 2 - Aerial Image of Franklin River Reserve



The reserve is an attractive and popular site consisting of several zones. Effluent management zone and the public toilet area is featured in **Figure 3**, the public toilet facility in **Figure 4 and 5**, and camping/day use site in **Figure 6**.

The reserve is used by locals, day visitors, recreation vehicle (RV) tourists, campers, passing traffic, and the freedom camping fraternity. Camping is limited to 48-hours, but there is evidence that many people stay longer.

Figure 3 - Effluent Management Zone and Public Toilet Area



Figure 4 and 5 - Public Toilet Facility (constructed 2018)



Figure 6 - Camping and Day Visitor Zone

Effluent Management Area

The Environmental Health team has identified issues with the Franklin River Reserve toilet block for some time. In 2018, a new wastewater system was installed at the site, following a Land Capability Assessment from consultants, EWS Environmental, which recommended three options for the management of effluent from the toilet facility. A secondary solution of a sand mound with a design life of 30 years was chosen for its ability to reduce 90 per cent of pollution and minimise ongoing maintenance. However, the system has failed due to overuse, causing untreated effluent to come to the surface. Exposure to untreated effluent has significant public health impacts. It is also important to note that the area is close to a waterway of the Franklin River.

A failing wastewater system would be considered a nuisance pursuant to Section 61 of the Public Health and Wellbeing Act 2008 - *a person must not (a) cause a nuisance; or (b) knowingly allow or suffer a nuisance to exist on, or emanate from, any land owned or occupied by that person, which is a serious offence.*

In order for the system to function effectively, the Land Capability Assessment recommended the area be mowed regularly. As the untreated effluent has extended into the management area, the Parks and Gardens team must avoid mowing as their vehicles can become bogged in the soft areas. This presents occupation health and safety issues for staff if there is untreated effluent in their work area.

Septic Tanks

The septic tanks located adjacent to the toilet facility have needed to be pumped out / desludged at least four times a year due to the excessive load from community and camping use. This is despite the recommendation from EWS Environmental of desludging once every three years and a general internal service level of once a year at other Council non-sewered sites. This extra servicing has not prevented the overflow in the septic field, illustrating the excessive load on the system. It is likely that chemicals from the dumping of Recreational Vehicle (RV) cassettes into the toilets has upset the PH levels in the tanks resulting in the bacteria that breaks down solids being destroyed.

Figure 7 - Untreated Effluent at Franklin River Reserve January 14, 2020



Figure 8 - Sand Mound and Effluent Management Area



As a result of the COVID 19 restrictions, the reserve has been closed for all use in the camping and day visitor zone which has allowed officers to test the theory that no camping eases the pressure on the septic field allowing it to return to its normal state. It is anticipated that with day use only, the field may recover and function again. However, this recovery is not guaranteed and the

area is contaminated in its current state. It will be need to be monitored by Environmental Health and Building Maintenance teams.

Public Health Issues – Inappropriate Use of Infrastructure

The Franklin River Reserve has become more popular. The toilet facility is designed for day use only and sufficient infrastructure has not been provided for camping activities. There are no showers, no potable drinking water source, no place to wash dishes, and no RV waste dump point.

Public health and hygiene concerns are related to officer observations that campers are washing dishes in the single small toilet hand washing basin at the toilet facility. There are no camp kitchen facilities and the handwashing basin is the only source of water.

Further misuse of the system has been identified where RV cassettes (which contain a large volume of anti-bacterial chemicals) have been poured into the toilets despite signage requesting that this not occur. RV users have been observed emptying toilet waste cassettes into the toilets, which creates a spillage problem. Introducing a large volume of anti-bacterial chemicals into the wastewater system results in the likelihood of system failure, putting the community and environment at risk.

Public health issues have also been identified with food preparation occurring at the toilets due to a lack of camp kitchen facilities and no adequate drinking water facilities at the site.

Tree Safety

Council's Parks and Gardens team has advised that de-limbing continues to be an issue at the site. There are no designated camping sites, as is the case with Council's managed and leased caravan parks, so campers can choose a spot anywhere with a popular choice being under large trees.

Figure 9 - Tree Limb Drop at Franklin River Reserve



Fires

The reserve is located in a “Bushfire Prone” area. Open fires and solid fuel barbecues are not allowed at the reserve but there is evidence and complaints that campers have been lighting small camp fires in the reserve. The lack of supervision of the site means that if these are left unattended or not extinguished, the summer bushfire risk may be increased. There is no way to close the park on days where conditions are declared as ‘catastrophic’ and there is no easily accessible water source to extinguish them.

COVID-19 Management

Preventing camping has occasionally been difficult during the COVID-19 period and Local Laws officers have done their best to move campers on. Members of the public have largely stayed away, but as other camping places open up, there have been users at the reserve whilst it remains closed. The distance travelled to patrol the site may be a concern with limited officer numbers. If closed, the site could be temporarily barricaded, but would need provision for permanent fencing and a lockable gateway to prevent camping access. Utility companies and Council staff would still require access to the reserve via a key.

Figure 10 - Government Road Reserve



Figure 11 - Government Road Reserve Area to South Gippsland Highway



Unintended Consequences

Closing the reserve to campers may result in camping occurring in places other than the paid options available to patrons, including on the road reserve in **Figures 10 and 11**. The Local Laws team would need to be involved in any closure including subsequent reaction and enforcement.

The reserve is a fine example of public space that will continue to be enjoyed by day visitors, local community, and by-passers. It is anticipated that its amenity and natural value will be preserved by these recommendations.

CONSULTATION

Extensive internal consultation has occurred with Environmental Health, Building Maintenance, Community Strengthening, Parks and Gardens, Tourism, Economic Development, Communications and Local Laws to discuss all associated risks and public health concerns identified at the reserve in its current state.

Consultation will need to occur with regards to any change to the reserve service levels as follows:

- DELWP – to notify of decision to change the reservation from “camping” to “public purposes” only
- Friends of Franklin River Reserve
- Regional Roads Victoria
- The broader Toora community

RESOURCES

Council has the resources to maintain the reserve in operational budgets, however, these costs are rising. Infrastructure failure, inappropriate use and public health concerns, not cost, are the reasons for this report.

If Council supports the proposed closure of the Franklin River Reserve, signage, temporary fencing / gates, and more day visitor seating will be installed.

Additional permanent fencing will also be investigated to prevent camping access to the reserve.

RISK

If the reserve was to remain open to the public, risks have been identified with public health, environmental health, septic failure, hygiene, infrastructure failure, fires, and injury from falling trees whilst camping under tree canopies.

The following risks are identified as a result of closing the reserve:

- Reputational: The Franklin River Reserve is an extremely popular site and there may be significant backlash from individual users and camping associations. A recent closure at another less prominent Council-managed reserve, Bass Valley Camping Reserve, elicited quite a response. The potential closure of these reserves in winter, and whilst COVID-19 regulations are in place, may mean that the opposition to the closure is delayed until summer. This situation could be assisted with a communications plan to mitigate reputational risk to Council.

The development of a communications plan in consultation with Tourism, Community Strengthening, and Communications will assist mitigating this risk to Council.

- Lack of access: There are many camping and caravan options in the municipality.
- COVID-19 Management: Since 1 June 2020, and whilst the reserve is still closed to camping, several people have attempted to stay at the reserve. It is difficult to monitor and enforce this activity and the sharing of identified inadequate toilet facilities is a risk.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Legislative Provisions

Crown Land (Reserves) Act 1978

Local Government Act 1989

Local Government Act 2020

Public Health and Wellbeing Act 2008

5.4. PROPOSED COUNCIL LAND SALES - PLANNING SCHEME AMENDMENT

Development Services Directorate

EXECUTIVE SUMMARY

In 2014 Council completed its 'Strategic Review of Landholdings Project' (SRLP), which identified 15 Old Waratah Road Fish Creek and 6A Warralong Court Leongatha as two of a series of lots considered surplus to Council's public open space requirements. Council resolved to sell 15 Old Waratah Road Fish Creek at its 24 February 2016 Ordinary Council Meeting and 6A Warralong Court at its 24 August 2016 Ordinary Council Meeting.

The rezoning of 15 Old Waratah Road Fish Creek was exhibited in May 2017 as part of Planning Scheme General Amendment C100 and received 9 objections. Council resolved at its 23 August 2017 Ordinary Council Meeting to remove the rezoning from Amendment C100. It was removed to allow the remainder of the C100 Amendment to proceed to adoption without the need to establish an independent planning panel.

The land at 6A Warralong Court received two objections to a planning permit application to remove the open space reservation from the title. This site has not been subject to a previous rezoning proposal.

To complete the SRLP it is recommended that Council prepare a new Planning Scheme Amendment to rezone 15 Old Waratah Road Fish Creek from Public Park and Recreation Zone (PPRZ) to the Township Zone and 6A Warralong Court Leongatha from the PPRZ to the General Residential 1 Zone in combination with a Planning Permit application to remove the open space reservation from the title.

Exhibition of the Planning Scheme Amendment provides an opportunity for public submissions to be formally made and considered. Objections received to Planning Scheme Amendments are required to be referred to an independent planning panel before they can be considered for adoption.

RECOMMENDATION

That Council:

1. Requests Authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment to rezone 15 Old Waratah Road to Township Zone and 6A Warralong Court Leongatha to General Residential Zone combined with the Planning Permit application to remove the open space reserve status from 6A Warralong Court Leongatha; and
2. Refers any objections received to the Amendment to an Independent Planning Panel for consideration.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

- 1. REQUESTS AUTHORISATION FROM THE MINISTER FOR PLANNING TO PREPARE AND EXHIBIT A PLANNING SCHEME AMENDMENT TO REZONE 15 OLD WARATAH ROAD TO TOWNSHIP ZONE AND 6A WARRALONG COURT LEONGATHA TO GENERAL RESIDENTIAL ZONE COMBINED WITH THE PLANNING PERMIT APPLICATION TO REMOVE THE OPEN SPACE RESERVE STATUS FROM 6A WARRALONG COURT LEONGATHA; AND**
- 2. REFERS ANY OBJECTIONS RECEIVED TO THE AMENDMENT TO AN INDEPENDENT PLANNING PANEL FOR CONSIDERATION.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Background

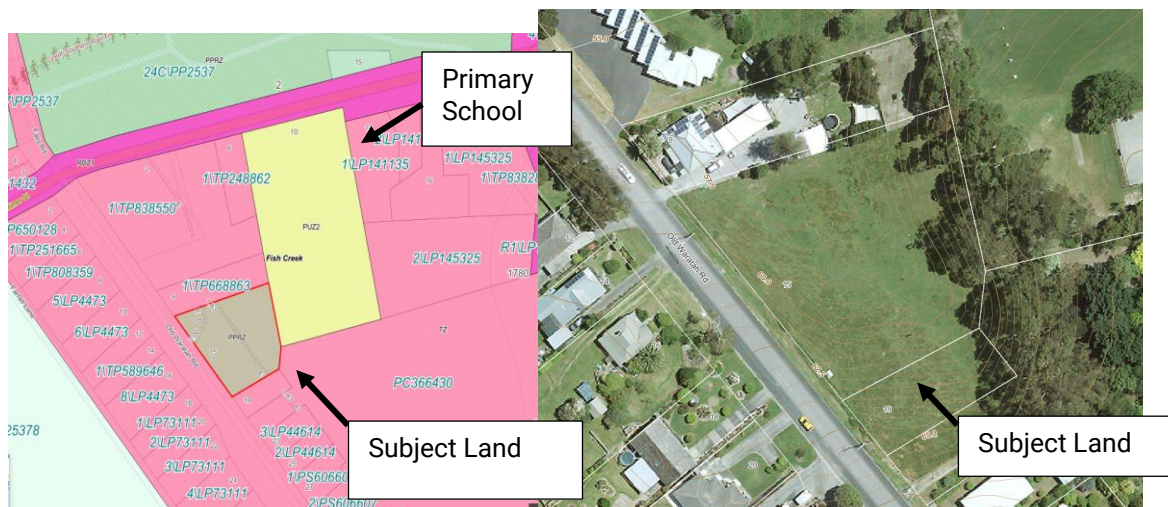
A Planning Scheme Amendment is required to fulfil the Council resolutions made at the Ordinary Council Meetings of 24 February 2016 and 24 August 2016 to sell Council open space lots at 15 Old Waratah Road Fish Creek and 6A Warralong Court Leongatha respectively. The land sales are in accordance with the recommendations of Council's 'Strategic Review of Landholdings Project' (SRLP) which identified Council owned land considered surplus to its open space requirements. The subject lots are the last two remaining sites that require rezoning to complete the recommendations of the SRLP.

It is proposed to request authorisation from the Minister for Planning to prepare a planning scheme amendment to rezone the subject sites in combination with a planning permit application to remove the open space reserve restriction on 6A Warralong Court. Following receipt of authorisation, the combined amendment and planning permit application will be exhibited for a period of not less than one month and any unresolved objections referred to an Independent Planning Panel for consideration. A future Council Resolution will be required to formally adopt the amendment before it can be submitted to the Minister for Planning for approval.

15 Old Waratah Road Fish Creek

The subject land is 4,107m² and zoned Public Park and Recreation Zone. It is proposed to be rezoned Township Zone (TZ), making it consistent with the surrounding area. The TZ provides for a broad range of potential uses including residential, commercial and light industrial developments. The site is undeveloped grassland with a small gully and easement running north west through the land. Its size, configuration, topography and location near the town centre add to its development potential. Investigations have found no former uses or developments that may have resulted in soil contamination.

Figure 1. Land Zoning and Aerial – 15 Old Waratah Road Fish Creek



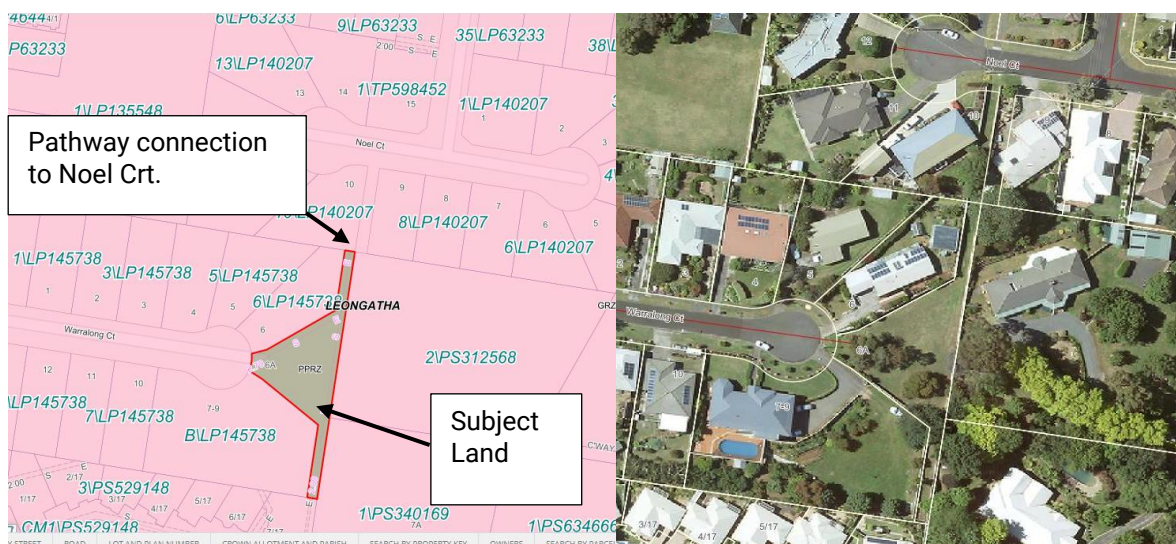
In accordance with the SRLP recommendations, the land was initially proposed to be rezoned TZ by Amendment C100 in 2017. Nine objections were received, most of which expressed concerns that the land should be retained by Council as public open space.

Amendment C100 was a general amendment containing 60 individual rezonings and those sites that received objections were removed from the Amendment to avoid the procedural requirement to refer objections to an Independent Planning Panel. The decision to remove 15 Old Waratah Road from Amendment C100 was procedural and did not infer any intention regarding the future use of the land. It was the intention at the time of removing the site from Amendment C100 to prepare another amendment to pursue the rezoning with the expectation that submissions are likely to be received and a Panel required.

6A Warralong Court Leongatha

The subject land is 1,262m² and is in the Public Park and Recreation Zone. It is proposed to be rezoned GRZ1. The site was identified by the SRLP for sale because its irregular shape makes it poorly suited for use as open space and its narrow pedestrian connection to Noel Court provides poor passive surveillance. The land is undeveloped and notable for providing informal pedestrian connectivity to Noel Court to the north and for its various service entry points (manhole covers) along the eastern boundary. The open space reserve was created when the surrounding area was initially subdivided and its status as a reserve is formally recognised on the land title as a restriction.

Figure 2. Land Zoning and Aerial – 6A Warralong Court Leongatha



Before the land can be used for any purpose other than open space, the reserve restriction must be removed from the title and the land rezoned. It is proposed to combine the Planning Permit application to remove the reserve restriction with the land rezoning process so that an Independent Planning Panel can consider all relevant matters should objections be received.

CONSULTATION

Public exhibition of the Planning Scheme Amendment will be subject to the prescribed processes required by Section 12 of the *Planning and Environment Act 1987*. This will include advertising in the government gazette and local newspapers as well as written notification to landowners and occupiers that may be materially affected by the amendment. Notice will be provided to those parties that made submissions to previous exhibitions / consultations regarding both of these sites.

RESOURCES

The preparation and exhibition of the Planning Scheme Amendment can be accommodated within existing resources.

The establishment of an Independent Planning Panel to consider any unresolved submissions is estimated to cost between \$15,000 and \$25,000.

RISKS

Following processes mitigates Council's risks:

- Exhibition of the amendment to community members considered likely to have an interest in the removal of the sites from Council's open space reserve; and
- The review of any objections received by an Independent Planning Panel prior to Council making a final decision on the amendment.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Legislative Provisions

Planning and Environment Act 1987

5.5. PLANNING PERMIT APPLICATION 2020/8 - DEVELOPMENT OF THE LAND FOR A DWELLING - 3 FREYCINET STREET WARATAH BAY

Development Services Directorate

EXECUTIVE SUMMARY

The planning permit application proposes to develop the land at 3 Freycinet Street, Waratah Bay for a double storey dwelling. As there were a number of objections (13) to the application, it is referred to Council for determination.

In determining this application, Council should consider:

- whether the built form of the proposed dwelling is respectful of the coastal landscaping setting;
- whether the siting of the proposed dwelling will have unacceptable amenity impacts to the surrounding properties and landscape; and
- whether the proposed development ensures bushfire risk can be reduced to an acceptable level.

The application has been assessed against the *Planning and Environment Act 1987* and the South Gippsland Planning Scheme. The assessment finds that the application is consistent with the relevant policy objectives and the proposal can be supported by issuing a Notice of Decision to grant a permit subject to appropriate conditions.

RECOMMENDATION

That Council issue a Notice of Decision for the development of the land for a dwelling at 3 Freycinet Street Waratah Bay, subject to the following conditions:

1. Prior to plans being endorsed, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a. Appropriate vegetation to be planted within the front setback and along the east and west boundaries.
 - b. A planting schedule of all proposed trees, shrubs and ground covers (including common names and botanical names), pot sizes, sizes at maturity, and quantities of each plant.
 - c. The incorporation of lower, middle and upper storey species.

- d. All species must be selected from the relevant Ecological Vegetation Class (EVC) for the bioregion that the land is located within, from the *Indigenous Plants of South Gippsland Shire* publication.
2. Prior to any works commencing, the owner of the land must enter into an agreement with the Responsible Authority in accordance with Section 173 of the Planning and Environment Act 1987 which states that the road access to the land may be detrimentally impacted by coastal climate change and associated inundation, which may impact upon the owner's use and enjoyment of the land and which may cut off access to and egress from the subject land from time to time or permanently should the access road become, in Council's view, uneconomic to repair. Council has no responsibility nor does Council accept any responsibility for providing alternate access to or egress from the subject land.

The Agreement must be registered on title pursuant to Section 181 of the Planning and Environment Act and confirmation of the Dealing number provided to Council. All costs relating to the preparation and registration of the Agreement must be borne by the applicant.

Note: A copy of the Section 173 Agreement is available on www.southgippsland.vic.gov.au under Planning and Building / Understanding your permit conditions.

3. Appendix 2 of the Bushfire Management Plan Ver.1, 08/01/2020, included in the Bushfire Management Statement prepared by Euca Planning P/L, must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.
4. The building, works and layout as shown on the endorsed plan(s) must not be altered or modified except with the written consent of the Responsible Authority.
5. Once the development has started it must be continued and completed in a timely manner to the satisfaction of the Responsible Authority.
6. The external finishes of the dwelling, including walls and roof materials, must be colour treated and maintained in muted non-reflective tones to the satisfaction of the Responsible Authority.
7. Care must be taken to ensure that the construction of the dwelling and ancillary works, and their ongoing use, does not cause erosion or degradation to the subject or surrounding land to the satisfaction of the Responsible Authority.
8. This permit does not allow the removal, destruction or lopping of native vegetation. The removal, destruction or lopping of native vegetation may be subject to further planning approval.

9. Before the use/occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
10. Landscaping shown on the endorsed plans must be planted prior to the issue of an Occupancy Permit for the dwelling and maintained to the satisfaction of the Responsible Authority.
11. Downpipe water from the dwelling and outbuilding must be suitably directed into water tank(s), soakwell(s), or otherwise discharged, so as not to cause erosion to the subject or surrounding land, to the satisfaction of the Responsible Authority. The external finishes and materials of water tank(s) (if required) must be colour treated in muted low-reflective tones.
12. South Gippsland Shire Engineering Department conditions:
 - a. Access and layout of the driveway must be constructed in accordance with Council's standard drawing SD 240 (Copy attached).
 - b. The driveway must have a minimum consolidated pavement depth of 100 mm thick crushed rock or 2nd grade gravel on a suitably prepared and firm subgrade between the road and the property boundary.
 - c. The remainder of the driveway must be constructed, and thereafter maintained, to an all-weather standard (gravel, crushed rock or equivalent).
 - d. The owner/applicant must check with the relevant authorities before any excavation work is undertaken.
 - e. All work must be to the satisfaction of the Responsible Authority.
13. The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from the dwelling must be treated and retained within the boundaries of the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
14. All stormwater discharging from the development and/or use on the land must be contained within the boundaries of the land to the satisfaction of the Responsible Authority.
15. This permit will expire if either of the following applies:
 - a. The development is not started within two (2) years of the date of this permit.

- b. The development is not completed within four (4) years of the date of this permit.
- c. The Responsible Authority may extend the periods referred to in accordance with Section 69 of the Planning and Environment Act 1987, if a request is made in writing.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL ISSUE A NOTICE OF DECISION FOR THE DEVELOPMENT OF THE LAND FOR A DWELLING AT 3 FREYCINET STREET WARATAH BAY, SUBJECT TO THE FOLLOWING CONDITIONS:

1. **PRIOR TO PLANS BEING ENDORSED, A LANDSCAPE PLAN TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY MUST BE SUBMITTED TO AND APPROVED BY THE RESPONSIBLE AUTHORITY. WHEN APPROVED, THE PLAN WILL BE ENDORSED AND WILL THEN FORM PART OF THE PERMIT. THE PLAN MUST BE DRAWN TO SCALE WITH DIMENSIONS AND THREE COPIES MUST BE PROVIDED. THE PLAN MUST SHOW:**
 - a. **APPROPRIATE VEGETATION TO BE PLANTED WITHIN THE FRONT SETBACK AND ALONG THE EAST AND WEST BOUNDARIES.**
 - b. **A PLANTING SCHEDULE OF ALL PROPOSED TREES, SHRUBS AND GROUND COVERS (INCLUDING COMMON NAMES AND BOTANICAL NAMES), POT SIZES, SIZES AT MATURITY, AND QUANTITIES OF EACH PLANT.**
 - c. **THE INCORPORATION OF LOWER, MIDDLE AND UPPER STOREY SPECIES.**
 - d. **ALL SPECIES MUST BE SELECTED FROM THE RELEVANT ECOLOGICAL VEGETATION CLASS (EVC) FOR THE BIOREGION THAT THE LAND IS LOCATED WITHIN, FROM THE *INDIGENOUS PLANTS OF SOUTH GIPPSLAND SHIRE* PUBLICATION.**
2. **PRIOR TO ANY WORKS COMMENCING, THE OWNER OF THE LAND MUST ENTER INTO AN AGREEMENT WITH THE RESPONSIBLE AUTHORITY IN ACCORDANCE WITH SECTION 173 OF THE PLANNING AND ENVIRONMENT ACT 1987 WHICH STATES THAT THE ROAD ACCESS TO THE LAND MAY BE DETRIMENTALLY IMPACTED BY COASTAL CLIMATE CHANGE AND ASSOCIATED INUNDATION, WHICH MAY IMPACT UPON THE OWNER'S USE AND ENJOYMENT OF THE LAND AND WHICH MAY CUT OFF ACCESS TO AND EGRESS FROM THE SUBJECT LAND FROM TIME TO TIME OR PERMANENTLY SHOULD THE ACCESS ROAD BECOME, IN COUNCIL'S VIEW, UNECONOMIC TO REPAIR. COUNCIL HAS NO RESPONSIBILITY NOR DOES COUNCIL ACCEPT ANY RESPONSIBILITY**

FOR PROVIDING ALTERNATE ACCESS TO OR EGRESS FROM THE SUBJECT LAND.

THE AGREEMENT MUST BE REGISTERED ON TITLE PURSUANT TO SECTION 181 OF THE PLANNING AND ENVIRONMENT ACT AND CONFIRMATION OF THE DEALING NUMBER PROVIDED TO COUNCIL. ALL COSTS RELATING TO THE PREPARATION AND REGISTRATION OF THE AGREEMENT MUST BE BORNE BY THE APPLICANT.

NOTE: A COPY OF THE SECTION 173 AGREEMENT IS AVAILABLE ON WWW.SOUTHGIPPSLAND.VIC.GOV.AU UNDER PLANNING AND BUILDING / UNDERSTANDING YOUR PERMIT CONDITIONS.

- 3. APPENDIX 2 OF THE BUSHFIRE MANAGEMENT PLAN VER.1, 08/01/2020, INCLUDED IN THE BUSHFIRE MANAGEMENT STATEMENT PREPARED BY EUCA PLANNING P/L, MUST BE ENDORSED TO FORM PART OF THE PERMIT AND MUST NOT BE ALTERED UNLESS OTHERWISE AGREED IN WRITING BY THE CFA AND THE RESPONSIBLE AUTHORITY.**
- 4. THE BUILDING, WORKS AND LAYOUT AS SHOWN ON THE ENDORSED PLAN(S) MUST NOT BE ALTERED OR MODIFIED EXCEPT WITH THE WRITTEN CONSENT OF THE RESPONSIBLE AUTHORITY.**
- 5. ONCE THE DEVELOPMENT HAS STARTED IT MUST BE CONTINUED AND COMPLETED IN A TIMELY MANNER TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
- 6. THE EXTERNAL FINISHES OF THE DWELLING, INCLUDING WALLS AND ROOF MATERIALS, MUST BE COLOUR TREATED AND MAINTAINED IN MUTED NON-REFLECTIVE TONES TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
- 7. CARE MUST BE TAKEN TO ENSURE THAT THE CONSTRUCTION OF THE DWELLING AND ANCILLARY WORKS, AND THEIR ONGOING USE, DOES NOT CAUSE EROSION OR DEGRADATION TO THE SUBJECT OR SURROUNDING LAND TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
- 8. THIS PERMIT DOES NOT ALLOW THE REMOVAL, DESTRUCTION OR LOPPING OF NATIVE VEGETATION. THE REMOVAL, DESTRUCTION OR LOPPING OF NATIVE VEGETATION MAY BE SUBJECT TO FURTHER PLANNING APPROVAL.**
- 9. BEFORE THE USE/OCCUPATION OF THE DEVELOPMENT STARTS OR BY SUCH LATER DATE AS IS APPROVED BY THE RESPONSIBLE AUTHORITY IN WRITING, THE LANDSCAPING WORKS SHOWN ON THE ENDORSED PLANS MUST BE CARRIED OUT AND COMPLETED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**

- 10. LANDSCAPING SHOWN ON THE ENDORSED PLANS MUST BE PLANTED PRIOR TO THE ISSUE OF AN OCCUPANCY PERMIT FOR THE DWELLING AND MAINTAINED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
- 11. DOWNPIPE WATER FROM THE DWELLING AND OUTBUILDING MUST BE SUITABLY DIRECTED INTO WATER TANK(S), SOAKWELL(S), OR OTHERWISE DISCHARGED, SO AS NOT TO CAUSE EROSION TO THE SUBJECT OR SURROUNDING LAND, TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY. THE EXTERNAL FINISHES AND MATERIALS OF WATER TANK(S) (IF REQUIRED) MUST BE COLOUR TREATED IN MUTED LOW-REFLECTIVE TONES.**
- 12. SOUTH GIPPSLAND SHIRE ENGINEERING DEPARTMENT CONDITIONS:**
 - a. ACCESS AND LAYOUT OF THE DRIVEWAY MUST BE CONSTRUCTED IN ACCORDANCE WITH COUNCIL'S STANDARD DRAWING SD 240 (COPY ATTACHED).**
 - b. THE DRIVEWAY MUST HAVE A MINIMUM CONSOLIDATED PAVEMENT DEPTH OF 100 MM THICK CRUSHED ROCK OR 2ND GRADE GRAVEL ON A SUITABLY PREPARED AND FIRM SUBGRADE BETWEEN THE ROAD AND THE PROPERTY BOUNDARY.**
 - c. THE REMAINDER OF THE DRIVEWAY MUST BE CONSTRUCTED, AND THEREAFTER MAINTAINED, TO AN ALL-WEATHER STANDARD (GRAVEL, CRUSHED ROCK OR EQUIVALENT).**
 - d. THE OWNER/APPLICANT MUST CHECK WITH THE RELEVANT AUTHORITIES BEFORE ANY EXCAVATION WORK IS UNDERTAKEN.**
 - e. ALL WORK MUST BE TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
- 13. THE DWELLING MUST BE CONNECTED TO RETICULATED SEWERAGE, IF AVAILABLE. IF RETICULATED SEWERAGE IS NOT AVAILABLE ALL WASTEWATER FROM THE DWELLING MUST BE TREATED AND RETAINED WITHIN THE BOUNDARIES OF THE LOT IN ACCORDANCE WITH THE STATE ENVIRONMENT PROTECTION POLICY (WATERS OF VICTORIA) UNDER THE ENVIRONMENT PROTECTION ACT 1970.**
- 14. ALL STORMWATER DISCHARGING FROM THE DEVELOPMENT AND/OR USE ON THE LAND MUST BE CONTAINED WITHIN THE BOUNDARIES OF THE LAND TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
- 15. THIS PERMIT WILL EXPIRE IF EITHER OF THE FOLLOWING APPLIES:**
 - a. THE DEVELOPMENT IS NOT STARTED WITHIN TWO (2) YEARS OF THE DATE OF THIS PERMIT.**
 - b. THE DEVELOPMENT IS NOT COMPLETED WITHIN FOUR (4) YEARS OF THE DATE OF THIS PERMIT.**

- c. THE RESPONSIBLE AUTHORITY MAY EXTEND THE PERIODS REFERRED TO IN ACCORDANCE WITH SECTION 69 OF THE PLANNING AND ENVIRONMENT ACT 1987, IF A REQUEST IS MADE IN WRITING.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Background

The subject land is Lot 14 PS043694, more commonly known as 3 Freycinet Street, Waratah Bay. The subject land is rectangular shaped, with a total area of approximately 613 m². The site has a frontage of approximately 15.24 metres to Freycinet Street and a depth of approximately 40.23 metres. The property slopes gently down to the southeast corner, and contains an existing single storey dwelling that is proposed to be demolished.

The subject land is within the Township Zone (TZ) and is affected by the Bushfire Management Overlay (BMO), Design and Development Overlay Schedule 4 (DDO4) and Environmental Significance Overlay Schedule 7 (ES07). There are no planning permit triggers under the TZ and ES07.

The requirement for a planning permit is triggered:

1. Under the BMO to construct a building associated with accommodation; and
2. The DDO4 requires planning permission as the development exceeds the height requirements and building floor space specified in the schedule.

To the rear of Freycinet Street is a grassy strip and vegetation that is part of the foreshore reserve. This strip allows pedestrian access along the reserve from the Caravan Park to Brown Street. It is understood that respective owners mow and maintain the grassy strip to retain it as a pedestrian walkway to access the beach.

The surrounding properties are characterised by single dwellings on a lot with views at the rear to Waratah Bay and the main caravan park entry and exit located at the end of Freycinet Street.

Refer to **Attachment [5.5.1]** – Aerial Photographs and **Attachment [5.5.2]** – Planning Property Report – 3 Freycinet Street Waratah Bay.

The Proposal

The application seeks to develop the land for a double storey dwelling. The ground floor consists of a yoga room and open style kitchen living and dining area with a deck and courtyard on the eastern side. The dining room leads out to a rear deck that is partially covered. The first floor contains a living area and two bedrooms with large balconies facing ocean views.

The dwelling is a contemporary design with various angles and shapes at first floor to break up the visual bulk and building mass creating visual interest when viewed from Gale Street. The dwelling proposes to use natural and muted colours and materials such as timber, rammed earth and dark coloured fibre cement sheeting to blend with the surrounding environment.

The total building floor space is 252 m² which includes the single carport and storage area facing Freycinet Street which has a front setback of 7.5 metres allowing opportunities for vegetation and landscaping planting along the frontage. The dwelling at ground floor is setback 14 metres from the front boundary with the first floor setback a further 16 metres from the front boundary.

To the rear of the subject land the rear boundary adjoins the foreshore reserve with views to Waratah Bay. The dwelling is setback of 6.9 metres from the rear boundary, at ground floor consists of a living area and open deck that is partially roofed by first floor balcony.

Refer to **Attachment [5.5.3]** – Proposed Plans – 3 Freycinet Street Waratah Bay.

Assessment

A detailed assessment of the application against relevant sections of the *Planning and Environment Act 1987* and the relevant matters in the South Gippsland Planning Scheme are discussed in **Attachment [5.5.4]** – Officer's delegate report – 3 Freycinet Street Waratah Bay.

Officers consider that the primary issues relating to this application are:

- Whether the built form of the proposed dwelling is respectful of the coastal landscaping setting;
- Whether the siting of the proposed dwelling will have unacceptable amenity impacts to the surrounding properties and landscape; and
- Whether the proposed development ensures bushfire risk can be reduced to an acceptable level.

Officers consider that the proposal is consistent with the relevant Planning Policy Framework objectives and strategies, the objectives and decision guidelines of the Design and Development Overlay Schedule 4 and Bushfire Management Overlay of the South Gippsland Planning Scheme.

CONSULTATION

The application was notified by mail to adjoining and nearby properties along Freycinet Street. The application was also notified by placing a sign on the front of the land. As a result Council has received 13 objections and 1 letter of support to the application please refer to **Confidential Attachment [15.1.1]**.

The letter of support detailed:

- Support for the application to replace the dwelling at the subject land; and

- The dwelling is no closer to the beach side than the existing dwellings, therefore does not impact on the character of the area or beach access in case of emergency.

The objections primarily include:

- The dwelling will dominate the views and create visual bulk impacts from Gale Street and the beach;
- The development is not in keeping with the predominant character of the area;
- The dwelling is too close to the rear boundary affecting the pedestrian grass walkway;
- Location of the dwelling will discourage pedestrians from using the grass walkway as will feel as intruding on privacy;
- The dwelling is not compliance with DDO4 objectives as the overbearing built form presence will dominate the public view from the Beach, Gale Street, Brown Street and Freycinet Street;
- The dwelling should be setback so that it is in line with the surrounding properties along Freycinet Street;
- The Waratah Bay Strategic Foreshore Management Plan 2014 outlines proposed upgrades and works along the Waratah Bay foreshore and the grass pedestrian footpath. The proposed works recommended in this plan cannot be constructed due to the siting of the proposed dwelling being too close to the rear boundary and beach;
- Dwelling is too close to the beach impacting on global warming and sea level rising;
- Siting of the dwelling causes potential access problems for the caravan park and properties along Freycinet Street in a case of emergency for example: bushfire;
- The siting of the dwelling does not respect the history and amenity of Waratah Bay;
- Location of underground water tanks will impact stormwater run off from Freycinet Street and beach side along the foreshore reserve;
- Carport and storage area will dominate the streetscape; and
- Overlooking concerns and impacts at first floor.

The Planning and Environment Act 1987 details the matters which are relevant when determining a planning permit application. Some of the matters raised by objectors are relevant considerations and are included within the assessment of the application. These matters are summarised and addressed in more detail in the Officer's delegate report in **Attachment [5.5.4]**.

OPTIONS

Pursuant to Section 61 of the Planning and Environment Act 1987, Council may determine to:

1. Grant a permit; or
2. Grant a permit subject to conditions; or
3. Refuse to grant a permit.

Should Council issue a Notice of Decision to Grant a Planning Permit for the proposal, any objector may elect to appeal to the Victorian Civil and Administrative Tribunal (VCAT) to review Council's decision. A permit applicant may also appeal any conditions of the permit.

Should Council determine to refuse to grant a permit for the proposal, the permit applicant may elect to appeal to the VCAT to review Council's decision.

RESOURCES

The assessment of planning permit applications is managed within existing resource allocations.

RISKS

Should Council fail to determine the application, there is a risk that the applicant may appeal to VCAT Council's failure to decide. Costs may be awarded against Council in this instance.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Aerial and site inspection photographs – 3 Freycinet Street Waratah Bay [5.5.1 - 5 pages]
2. Planning Property Report - 2020-8 3 Freycinet Street Waratah Bay [5.5.2 - 6 pages]
3. Proposed plans - 2020-8 3 Freycinet Street Waratah Bay [5.5.3 - 8 pages]
4. Officers Delegate Report - 2020-8 3 Freycinet St Waratah Bay [5.5.4 - 16 pages]

CONFIDENTIAL ATTACHMENTS

The consideration of confidential information in a closed session of Council is in accordance with section 66(2)(a) and s.66(5)(a) and (b) of the *Local Government Act 2020*.

Confidential Attachment [15.1.1] – Submissions - Planning Permit Application 2020/8 – Development of Land for Double Storey Dwelling – 3 Freycinet Street Waratah Bay is designated confidential information pursuant to the *Local Government Act 2020*, s.3(1)(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

This document has been deemed confidential to protect the privacy of submitters.

REFERENCE DOCUMENTS

Council Policy

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

Revised Council Plan 2017-2021
South Gippsland Planning Scheme

Legislative Provisions

Planning and Environment Act 1987

5.6. ROADSIDE WEED MANAGEMENT OPTIONS PAPER

Infrastructure Directorate

EXECUTIVE SUMMARY

In accordance with the Council Plan 2017-2021, the following Annual Initiative was included for delivery in 2019/20 by the Infrastructure Planning Department:

“Investigate safer alternatives and effective mechanisms in roadside weed management, than the use of herbicides and generate an ‘Options Paper’ for Council’s consideration.”

Investigations have been undertaken, with three options considered for the Roadside Weed Control (RWC) program, these being the current practice of using traditional herbicides, the use of organic herbicides, and steam weeding / treatment.

RECOMMENDATION

That Council continues to implement its Roadside Weed Control and Pest Animal Management Plan utilising current spraying practices.

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL CONTINUES TO IMPLEMENT ITS ROADSIDE WEED CONTROL AND PEST ANIMAL MANAGEMENT PLAN UTILISING CURRENT SPRAYING PRACTICES.

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Council maintains roadside weeds in accordance with the Roadside Weeds & Pests Program – Control Plan 2017-2019. The objective of this document is to plan for Council's ongoing weed and rabbit management program, which will build on past investments made by South Gippsland Shire Council with support funding provided by the State Government.

DISCUSSION

In response to the release of various reports on the potential hazards of glyphosate use and related enquiries from the community, alternative options for managing roadside weeds have been considered and are discussed below.

The following three options for the management of roadside weeds were investigated; (1) Traditional herbicides, (2) Organic herbicides, and (3) Steam weeding/treatment.

Option 1 – Traditional Herbicides

Traditional herbicides are currently used by Council to control roadside weeds. These herbicides provide effective and efficient control i.e. single knockdown of noxious weeds while limiting off-target damage.

All chemical herbicides used by the South Gippsland Shire Council (SGSC) are approved by the Australian Pesticides and Veterinary Medicines Authority (APVMA) and registered for use in accordance with the label and Material Safety Data Sheets (MSDS). Roadside Weed Control Officers (RWCO) ensure the safe and effective use of these herbicides through adherence to directions on the label.

The herbicides currently in use are applied through the use of high volume Quickspray units, with the following benefits:

1. The spray units can be installed on 4WD vehicles, ensuring safe access to all areas in most conditions generally encountered on rural unsealed roads.
2. The units can be operated on uneven surfaces, enabling RWCOs to pull off the road improving safety for both the spray team and other motorists.
3. The units incorporate 100m long hoses which enables the targeting of weed infestations on wide roadsides and difficult locations where vehicle access is limited.

Considering the above factors, the relative low cost of traditional herbicides and the detailed safety procedures available, chemical herbicides are the most effective and efficient method of roadside weed control.

Option 2 – Organic Herbicides

Organic herbicides are able to be used in the existing spray units, but there are significant reductions in efficiency and effectiveness as outlined below:

1. A like-for-like substitute of organic herbicide (e.g. Bioweed) for traditional herbicide (e.g. Grazon) can cost almost six times as much, when mixed in water to the appropriate ratio (\$220.00 vs \$37.20). Weeds also require repeat treatments to achieve good outcomes.
2. Organic herbicides are non-selective, meaning that an increase in off-target damage is likely (following repeated treatments).
3. Critically, currently available organic herbicides do not kill woody weeds (blackberry, broom, gorse etc.), which SGSC is legally required to control and are the main focus of the RWC program.

With consideration of the above, the use of organic herbicides is not cost or time effective and will not achieve the required outcomes.

Option 3 – Steam Treatment

Steam treatment would require the purchase of dedicated slip-on steam units and would also be largely ineffective for the application of roadside weed control, as outlined below:

1. The purchase of an equivalently sized unit (400L / twin reel / 25m hoses) would cost approximately \$24,000.
2. The relatively short hose length of the unit (25m versus 100m) means that more vehicle movements are required to undertake spraying and also access to some areas would be limited.
3. Spray tanks would need to be refilled more frequently due to the high volumes of water (up to 600L per/hr) required to completely drench plants to disrupt cell structure (effectively kill the weeds).

Due to the manner in which steam treatment works (disrupting cell structure in the plant, causing wilting above the ground), weeds that are well established will retain sufficient energy in their root system to regrow, meaning ongoing follow up treatment will be needed. Treatment of established woody weeds e.g. blackberry is not likely to be effective.

Summary of Findings

A comparison of all treatment methods currently available, clearly demonstrates that the current method of treatment using traditional herbicides is the most cost-effective option and achieves the best outcome.

CONSULTATION

Byron Shire Council has trialled steam technologies. It has found that using alternative methods of treatment anywhere other than high use public areas is cost prohibitive. It is still using herbicide for roadside weed control, hand weeding playgrounds, and treating sports fields with herbicide.

Both Bass Coast Shire Council and Baw Baw Shire Council advised that they are currently using traditional herbicides to control roadside weeds e.g. blackberry.

Baw Baw Shire Council trialled steam weeding in a park setting and found the exercise both ineffective and costly.

After the investigations were complete, the three alternate options for roadside weed management were presented to Council at a Strategic Briefing Session on 3 May 2020.

RESOURCES

The draft 2020/21 Roadside Weed Control budget is \$185,296. This includes anticipated funding of \$52,992 from the State Government.

RISKS

There are number of risks associated with roadside weed control that are actively managed to either eliminate or reduce the risk, including:

1. Off- target damage/spray drift:
 - a. staff are trained/qualified (ACUP) in the application, handling, and disposal of herbicides.
 - b. record herbicide application (spray logs).
 - c. review "No Spray" properties via tablets.
 - d. monitor weather conditions using anemometers.
2. Vehicle accidents – staff are trained (traffic management) and provided with appropriate safety equipment and Personal Protective Equipment (PPE).
3. Manual handling – staff have been trained in manual handling and also to use equipment in order to reduce the risk e.g. container pumps.
4. Exposure to herbicides – staff are trained and wear appropriate PPE to minimise exposure.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

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

Road Management Plan

Roadside Weeds & Pests Program

Legislative Provisions

Local Government Act 1989

5.7. SOUTH GIPPSLAND COASTAL STRATEGY - UPDATE

Development Services Directorate

EXECUTIVE SUMMARY

The current 2017-2021 Council Plan identifies an annual initiative to develop a coastal study to explore opportunities for developing the Shire's coastal areas, while still protecting the coastline and environment.

A report was presented to the December 2019 Council Meeting which included a Coastal Strategy Overview and Background report. Council adopted these documents for the purpose of public consultation. Public exhibition occurred from 18 December 2019 to 28 February 2020. A total of 68 formal submissions were received. The Coastal Strategy was due to be presented to Council for adoption at the June 2020 Council Meeting.

The new *Local Government Act 2020* introduces a number of changes to the regulatory framework that councils must operate within. Of particular relevance is the introduction of the overarching governance principles and supporting principles. These principles set out a number of requirements that must be considered when setting strategic policy.

Section 88 of the new Act also introduces the requirement for Council to develop a Community Vision with its municipal community. The proposed 2020-2024 Council Plan includes an initiative to develop a shared vision for the future direction of the Shire in partnership with the community.

It is recommended that Council defer completion of the coastal strategy until such time that the Community Vision is completed. This will ensure that any decisions that Council make are consistent with the Shared Vision and satisfy the overarching governance principles and supporting principles of the *Local Government Act 2020*.

RECOMMENDATION

That Council:

1. Notes the public submissions made to the exhibited Coastal Strategy overview and background documents;
2. Notes the proposed Council Plan 2020-2024 identifies the development of a shared vision for the future direction of the Shire in partnership with the community;
3. Defers finalisation of the South Gippsland Coastal Strategy project until the shared Community Vision is completed; and
4. Advises submitters that their submissions will be considered in the final development of the Coastal Strategy. The submissions will also be included with other community feedback received during the development of the Community Vision.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

- 1. NOTES THE PUBLIC SUBMISSIONS MADE TO THE EXHIBITED COASTAL STRATEGY OVERVIEW AND BACKGROUND DOCUMENTS;**
- 2. NOTES THE PROPOSED COUNCIL PLAN 2020-2024 IDENTIFIES THE DEVELOPMENT OF A SHARED VISION FOR THE FUTURE DIRECTION OF THE SHIRE IN PARTNERSHIP WITH THE COMMUNITY;**
- 3. DEFERS FINALISATION OF THE SOUTH GIPPSLAND COASTAL STRATEGY PROJECT UNTIL THE SHARED COMMUNITY VISION IS COMPLETED; AND**
- 4. ADVISES SUBMITTERS THAT THEIR SUBMISSIONS WILL BE CONSIDERED IN THE FINAL DEVELOPMENT OF THE COASTAL STRATEGY. THE SUBMISSIONS WILL ALSO BE INCLUDED WITH OTHER COMMUNITY FEEDBACK RECEIVED DURING THE DEVELOPMENT OF THE COMMUNITY VISION.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

The South Gippsland Coastal Strategy project was first identified following a Notice of Motion at the 22 November 2017 Ordinary Council Meeting. A project scope and budget of \$55,000 was adopted at the 25 July 2018 Ordinary Council Meeting.

The current 2017-2021 Council Plan identifies an annual initiative to develop a coastal study to explore opportunities for developing the Shire's coastal areas, while still protecting the coastline and environment. The Coastal Strategy was due to be presented to Council for adoption at the June 2020 Council Meeting.

A report was presented to the December 2019 Ordinary Council Meeting which included a Coastal Strategy Overview and Background report. Council adopted these documents for the purpose of public consultation. Public exhibition occurred from 18 December 2019 to 28 February 2020. A total of 68 formal submissions were received.

The new *Local Government Act 2020* introduces a number of changes to the regulatory framework that councils must operate within. Section 88 of the new Act introduces the requirement for Council to develop a Community Vision with its municipal community. The proposed 2020-2024 Council Plan includes an initiative to develop a shared vision for the future direction of the Shire in partnership with the community.

The Local Government Act 2020

The new *Local Government Act 2020* introduces overarching governance principles and supporting principles that Council in its performance must give effect to. Of particular relevance to the development of the Coastal Strategy are the following overarching principles:

- Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risk is to be promoted;
- The municipal community is to be engaged in strategic planning and strategic decision making;
- Innovation and continuous improvement to be pursued;
- Collaboration with other councils and Government and statutory bodies is to be sought;
- Regional, state and national plans and policies are to be taken into account in strategic planning and decision making; and

- The transparency of Council decisions, actions and information is to be ensured.

It is recommended that Council defer completion of the coastal strategy until such time that the Community Vision is completed. This will ensure that any decisions that Council make are consistent with the Shared Vision and satisfy the overarching governance principles and supporting principles of the Local Government Act 2020.

CONSULTATION

The South Gippsland Coastal Strategy Overview and Background Paper were on public exhibition from 18 December 2019 until 28 February 2020. Drop-in sessions were held in Toora, Yanakie, Port Welshpool, Tarwin Lower and Foster in January and February 2020. Discussions were held with students at Tarwin Lower Primary and Leongatha Secondary School and at Council's Cluster Meetings.

A total of 68 formal submissions were received. The submissions have been provided to Administrators (**Confidential Attachment [15.3.1]**) and will be considered in the final development of the Coastal Strategy. It is recommended that the submissions are also included with other community feedback received during the development of the Community Vision.

RESOURCES

At the 25 July 2018 Ordinary Meeting of Council, Council resolved to allocate \$55,000 from cash reserves towards the development of the South Gippsland Coastal Strategy. A total of \$384 was expended on supporting public consultation activities.

RISKS

Strategic planning seeks to identify and mitigate against risk. It identifies future opportunities that are not always visible to day to day operations. Continuing to plan for the impacts and opportunities as a result of climate change will ensure that councils finite resources are used to greatest effect.

Any short term issues that arise as a result of deferring the finalisation of the Coastal Strategy can be addressed through normal Council functions.

STAFF DISCLOSURE

Nil

CONFIDENTIAL ATTACHMENT

The consideration of confidential information in a closed session of Council is in accordance with section 66(2)(a) and s.66(5)(a) and (b) of the *Local Government Act 2020*.

Confidential Attachment [15.3.1] – Submissions - South Gippsland Coastal Strategy – Update is designated confidential information pursuant to the *Local Government Act 2020*, s.3(1)(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

This document has been deemed confidential to protect the privacy of submitters.

REFERENCE DOCUMENTS

Council Policy

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

Revised Council Plan 2017 – 2021
Roadside Weed Management Options Paper
South Gippsland Planning Scheme
Victoria Coastal Strategy 2013

Legislative Provisions

Marine and Coastal Act 2018
Planning and Environment Act 1987

5.8. SOUTH GIPPSLAND 2020 - 2030 SPORT & RECREATION INFRASTRUCTURE STRATEGY - CONSIDERATION OF COMMUNITY SUBMISSIONS

Infrastructure Directorate

EXECUTIVE SUMMARY

The South Gippsland 2020 - 2030 Sport and Recreation Infrastructure Strategy (the Strategy) identifies the key issues affecting sport and recreation and addresses Council's current commitment to recreation reserves and stadiums. The Draft Strategy proposes principles, priorities, and actions to guide future decision making in sport and recreation.

This report presents the community submissions received on the Draft Strategy and identifies the changes made as a result of the submissions to produce the Final South Gippsland 2020 - 2030 Sport and Recreation Infrastructure Strategy for Council's consideration and adoption.

RECOMMENDATION

That Council:

1. Adopts the South Gippsland 2020-2030 Sport and Recreation Infrastructure Strategy (Attachment [5.8.1]);
2. Publishes a copy of the document on Council's website;
3. Notes that the actions in the Strategy will assist in prioritising opportunities for future investment of sport and recreation infrastructure;
4. Acknowledges the critical role that sport and recreation infrastructure and community volunteers have in keeping our residents active, connected, healthy, and having fun; and
5. Writes to the submitters thanking them for their contribution to the development of the 2020 - 2030 Sport and Recreation Infrastructure Strategy.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

- 1. ADOPTS THE SOUTH GIPPSLAND 2020-2030 SPORT AND RECREATION INFRASTRUCTURE STRATEGY (ATTACHMENT [5.8.1]);**
- 2. PUBLISHES A COPY OF THE DOCUMENT ON COUNCIL'S WEBSITE;**
- 3. NOTES THAT THE ACTIONS IN THE STRATEGY WILL ASSIST IN PRIORITISING OPPORTUNITIES FOR FUTURE INVESTMENT OF SPORT AND RECREATION INFRASTRUCTURE;**
- 4. ACKNOWLEDGES THE CRITICAL ROLE THAT SPORT AND RECREATION INFRASTRUCTURE AND COMMUNITY VOLUNTEERS HAVE IN KEEPING OUR RESIDENTS ACTIVE, CONNECTED, HEALTHY, AND HAVING FUN; AND**
- 5. WRITES TO THE SUBMITTERS THANKING THEM FOR THEIR CONTRIBUTION TO THE DEVELOPMENT OF THE 2020 - 2030 SPORT AND RECREATION INFRASTRUCTURE STRATEGY.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Sport and recreation has a long history of being passionately valued by the South Gippsland communities. Generations of toil and commitment from dedicated volunteers have created a broad range of sport and recreation facilities within the municipality.

The South Gippsland 2020-2030 Sport and Recreation Infrastructure Strategy (the Strategy) has been developed to provide a framework for the future management, renewal, and improvement of this infrastructure by Council and the community.

The Draft Strategy was distributed to reserve and stadium committees and key stakeholders in late 2019 seeking feedback on the draft document. Nine written submissions were received on the Draft Strategy as follows:

- Leongatha Basketball Association
- Arthur Sutherland Reserve Welshpool
- Leongatha Football Netball Club
- Walter J Tuck Reserve Mirboo North
- Leongatha Agricultural and Recreation Reserve Committee
- Woorayl Golf Club
- Nerrena Cricket Club
- Meeniyan Recreation Reserve Committee
- Sport and Recreation Victoria

The submissions are available in **Confidential Attachment [15.2.1]**.

COMMON SUBMISSION THEMES

Across the submissions there were a number of common themes.

Table 1 – Common Submission Themes

Submission Theme	Frequency
Desire for Infrastructure Renewals / Upgrades	7/9
Volunteers	5/9
Proposed changes for draft document	5/9
Further sport or facility-based planning required	5/9
Roads, carparks, storage, utilities, drainage, entrances	4/9
Participation growth	3/9

Infrastructure Improvements: These were identified by many clubs or reserves in their submissions. Six of these submissions identified that buildings are no longer meeting their needs. The current lack of facilities to support female participation was seen by many as a key driver for the need to improve the condition, use, and functionality of buildings. Maintaining or improving social, kiosk, and kitchen areas were also listed in three of these submissions. These facilities are important income generators that provide vital support for the sustainability of club activities. Public toilets were also commonly mentioned as requiring improvements.

Volunteers: The demand on volunteers in operating sporting clubs and maintaining facilities was raised in a number of submissions. There are increasing obligations being placed on volunteers from sports as they increase their professionalism and they are also feeling the pressure of the growing expectations of participants. There is a general concern regarding the burn out of volunteers and how to attract new volunteers into roles in the future. The commitment and passion of existing volunteers is still clearly evident, but there is no single action that can fix all the challenges volunteers are facing in sport and recreation. There was clear support for any action or assistance that can make the job of volunteers easier.

Further Planning: The majority of the submissions also identified the value in undertaking additional sport specific or facility-based planning. It was acknowledged that having a strong understanding of the condition, usage, and demand for facilities was important to being able to secure the investment required for future improvements.

Other Infrastructure: Four of the nine submissions also identified other infrastructure such as roads, carparks, storage, utilities, drainage, and entrances to reserves as requiring consideration. As the frequency of use and the number of visitors to reserves increases, the basic infrastructure often fails to keep up. The increase in traffic entering the reserves requires significant resources and effort from volunteers to maintain gravel roads, carparking, and other infrastructure.

FINAL 2020 – 2030 SPORT AND RECREATION INFRASTRUCTURE STRATEGY

Utilising the feedback from the submissions, numerous changes have been made to develop the Final 2020 – 2030 Sport and Recreation Infrastructure Strategy for consideration of adoption. The final document details the proposed implementation plan for the following actions.

Action 1: That Council gather participation data across major sports to guide future investment decisions.

Action 2: Future Council planning and budgeting should consider the full portfolio of sport and recreation assets on public land rather than just those where Council has direct responsibility.

Action 3: Gather data on the variety, condition, compliance, functionality, service levels, anticipated lifespan, and value of sport and recreation assets including associated infrastructure such as internal roads, car parking, utilities, and storm water drainage.

Action 4: Further planning is required on the current condition and future priorities for all reserves and stadiums across the municipality.

Action 5: Council to explore funding a rolling program of equipment replacement across all reserves.

Action 6: Develop a sport and recreation infrastructure funding policy that details the facility components that Council will or will not fund.

Action 7: Develop a project development and evaluation process / policy.

RESOURCES

Adoption of the Strategy will have no immediate financial implications. The planned implementation of the Strategy will be undertaken within existing resources. Any potential additional funding required will be considered as part of future budget processes.

RISKS

Volunteers in sport and recreation are often passionate and commit large amounts of time to support their sport or facility. There is a risk that the Strategy will not meet their expectations of what Council should be doing to support them.

Once further planning on all sporting and recreation assets in the community are completed, resourcing and funding commitments will need to be revised which could be substantially higher than currently allocated.

STAFF DISCLOSURE

Name: Ian Murphy
Title: Recreation Officer
Conflict of Interest: Indirect Interest - Conflict of Duty
Reason: As a board member of Gippsport, I have an indirect conflict of interest (Conflict Duty) in the preparation of the Sport and Recreation Infrastructure Strategy.

ATTACHMENTS

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

1. Sport and Recreation Infrastructure Strategy 2020-2030 - May 2020 [5.8.1 - 52 pages]

CONFIDENTIAL ATTACHMENTS

The consideration of confidential information in a closed session of Council is in accordance with section 66(2)(a) and s.66(5)(a) and (b) of the *Local Government Act 2020*.

Confidential Attachment [15.2.1] – Submissions - Draft 2020-2030 Sport & Recreation Infrastructure Strategy is designated confidential information pursuant to the *Local Government Act 2020*, s.3(1)(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

This document has been deemed confidential to protect the privacy of submitters.

REFERENCE DOCUMENTS

Council Policy

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

Blueprint for Social and Community Infrastructure 2014-2029

Open Space Strategy

2007 Recreation Plan

5.9. POLICY REVIEW: SPECIAL CHARGE SCHEME POLICY (C42)

Infrastructure Directorate

EXECUTIVE SUMMARY

A review of the current *Special Charge Scheme Policy C42* (adopted 24 May 2017) has been carried out in accordance with Council's policy review process. Only minor amendments were required relating to a new policy template, referenced documents, dates, department, position titles, and the frequency of policy reviews which is now on a 4-year cycle.

The revised *Special Charge Scheme Policy C42 (2020 Policy)* is presented for Council's consideration and adoption. The adoption of the 2020 Policy will provide a strategic framework to assist and guide Council to implement Special Charge Schemes for appropriate infrastructure by optimising its capacity to raise funds for undertaking works and services pursuant to s.163 of the *Local Government Act 1989* in a fair, equitable, consultative, and consistent manner.

RECOMMENDATION

That Council:

1. Adopts the revised Special Charge Scheme Policy 2020 (C42) (Attachment [5.9.1]); and
2. Publishes on Council's website the revised Special Charge Scheme Policy 2020 (C42) (Attachment [5.9.1]).

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL:

1. **ADOPTS THE REVISED SPECIAL CHARGE SCHEME POLICY 2020 (C42) (ATTACHMENT [5.9.1]); AND**
2. **PUBLISHES ON COUNCIL'S WEBSITE THE REVISED SPECIAL CHARGE SCHEME POLICY 2020 (C42) (ATTACHMENT [5.9.1]).**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Council last adopted the *Special Charge Scheme Policy C42 (2017 Policy)* on 24 May 2017. A copy of the Council minutes and the 2017 Policy is available in **Attachment [5.9.2]**.

The 2017 Policy is due for review this financial year (2019/20) in accordance with the corporate policy timetable.

The objective of the Policy is to provide a strategic framework to assist and guide Council to implement Special Charge Schemes for appropriate infrastructure by optimising its capacity to raise funds for undertaking works and services pursuant to s.163 of the Local Government Act 1989 in a fair, equitable, consultative, and consistent manner.

The Policy provides an opportunity for Council to obtain funding for infrastructure projects that would otherwise require Council to fully fund or find other funding sources.

The Policy provides for and requires an open and transparent process to be undertaken in the implementation of Special Charge Schemes, taking into account adopted community plans. Transparency is achieved through appropriate community consultation with affected property owners and the general public.

Summary of Changes

No further revisions/updates were required as the Policy is still up to date, except for amendments to a new policy template, referenced documents, dates, grammar, department and position titles, and the frequency of policy reviews which is now on a 4-year cycle.

The final version of the 2020 Policy for consideration and adoption is included in **Attachment [5.9.1]**.

CONSULTATION

The review of the Policy was carried out by the Infrastructure Delivery department in consultation with Coordinator Risk and Coordinator Corporate Planning & Council Business. Administrators were provided the revised Policy in InfoSum edition 17 June 2020.

External consultation has been undertaken with Local Government Victoria to confirm that the relevant clause for Special Charge Schemes in the *Local Government Act 1989* (s.163) will not be repealed and will remain in force at the end of the transition period to the Local Government Act 2020. Similarly, the Ministerial Guideline referenced in the Policy will also continue to be applicable.

RESOURCES

Council's Infrastructure Delivery department are responsible for the planning and delivery of Special Charge Schemes, including project managing the works associated with any proposed schemes.

There is no cost to Council for the approval of the revised 2020 Policy.

RISKS

Risks are mitigated as Special Charge Schemes are governed by s.163 of the *Local Government Act 1989*.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. C42 Special Charge Scheme Policy 2020 (For Adoption) [5.9.1 - 4 pages]
2. Council Minutes 24 May 2017 - C42 Special Charge Scheme Policy Adoption [5.9.2 - 26 pages]

REFERENCE DOCUMENTS

Special Rates and Special Charges: Calculating Maximum Total Levy Ministerial Guidelines, Local Government Victoria, September 2004

The Macquarie Special Rates and Charges Manual, a Practical Guide for Local Government, Macquarie Local Government Lawyers, 2012

Council Policy

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

Policy Framework Policy (C72)

Legislative Provisions

Local Government Act 1989

Local Government Act 2020

Road Management Act 2004

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

6.1. RATE CAPPING EFFICIENCY – DEFERRAL REPORT

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

An annual initiative of the Council Plan 2017-2021 was to *'identify efficiency measures that Council has achieved since the introduction of the Victorian Rate Capping System and present a report to Council by 30 December 2019.'*

A preliminary report was endorsed at an Ordinary Council Meeting on 18 December 2019 and recommended:

"That Council:

- 1. Defers receipt of the report 'identify efficiency measures that Council has achieved since the introduction of the Victorian Rate Capping System' to ensure the final report includes consideration of the:
 - a. Council Plan initiative 'Develop a Sustainable Service Delivery Strategy.' This report will be presented to the Ordinary Council Meeting in June 2020;*
 - b. Gippsland Shared Services business case which is due for completion in March 2020;*
 - c. 2020/21 Annual Budget; and*
 - d. 2019/20 financial year.**
- 2. Receives a report at the 24 June 2020 Ordinary Meeting of Council to complete the annual Council Plan initiative within the 2019/20 financial year."*

RECOMMENDATION

That Council:

1. Defers receipt of 'identify efficiency measures that Council has achieved since the introduction of the Victorian Rate Capping System' to allow sufficient time to prepare the final report following the adoption of the following documents:
 - a. Council Plan initiative 'Develop a Sustainable Service Delivery Strategy.'
 - b. 2020/21 Annual Budget; and

- c. 2019/20 Financial Year Council report.
2. Receives a report by the 16 December 2020 Council Meeting to complete the annual Council Plan initiative.

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL:

1. **DEFERS RECEIPT OF 'IDENTIFY EFFICIENCY MEASURES THAT COUNCIL HAS ACHIEVED SINCE THE INTRODUCTION OF THE VICTORIAN RATE CAPPING SYSTEM' TO ALLOW SUFFICIENT TIME TO PREPARE THE FINAL REPORT FOLLOWING THE ADOPTION OF THE FOLLOWING DOCUMENTS:**
 - a. **COUNCIL PLAN INITIATIVE 'DEVELOP A SUSTAINABLE SERVICE DELIVERY STRATEGY.'**
 - b. **2020/21 ANNUAL BUDGET; AND**
 - c. **2019/20 FINANCIAL YEAR COUNCIL REPORT.**
2. **RECEIVES A REPORT BY THE 16 DECEMBER 2020 COUNCIL MEETING TO COMPLETE THE ANNUAL COUNCIL PLAN INITIATIVE.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

An annual initiative of the Council Plan 2017-2021 to 'identify efficiency measures that Council has achieved since the introduction of the Victorian Rate Capping System and present a report to Council by 30 December 2019' was commenced.

Since rate capping was first introduced in 2016/17, South Gippsland Shire Council has adapted its budget and Long Term Financial Plan (LTFP) to accommodate efficiencies necessary to meet rate capping requirements.

New initiatives such as the Community Support Package, released in response to the COVID-19 pandemic, will also be taken into consideration of the overall impact.

A number of efficiencies were identified in the preliminary report. A final report will be presented by December 2020.

RISKS

A full overview of efficiencies will not be identified until a number of reports are finalised at the end of the financial year.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

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

Annual Budget Incorporating 15 Year Long Term Financial Plan and Annual Plan Initiatives Revised Council Plan 2017 - 2021

Legislative Provisions

Local Government Act 1989

6.2. ADMINISTRATORS UPDATE TO THE COMMUNITY AND GOOD GOVERNANCE FRAMEWORK UPDATE - DEFERRAL REPORT

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

A part of the Council resolution for Agenda item 5.3 – *Administrators' Community Update – July 2019 – December 2019*, on 18 December 2019 was to:

"That Council:

- 4. Receives the next 'Administrators Community Update' at the 24 June 2020 Ordinary Council Meeting."*

At the same 18 December 2019 Meeting for Agenda item 5.1 – *Development of South Gippsland Shire Council's Good Governance Framework*, Council resolved to:

"That Council:

- 5. Receives a public report at six-month intervals which measures progress against the South Gippsland Shire Council Good Governance Framework until the end of the Administrators term and thereafter in the Annual Report."*

This report seeks to defer receipt of these update reports until the July 2020 Council meeting to coincide with the end of financial year.

RECOMMENDATION

That Council:

1. Defers the receipt of the Administrators Update Report for one month to coincide with the end of financial year;
2. Receives an Administrators Update Report – 1 July 2019 to 30 June 2020 at the 22 July 2020 Council Meeting;
3. Defers the receipt of the six-month progress report on the 'South Gippsland Shire Council Good Governance Framework' for one month to coincide with the end of financial year; and
4. Receives a 'South Gippsland Shire Council Good Governance Framework progress report – 1 January 2020 to 30 June 2020', at the 22 July 2020 Council Meeting.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

- 1. DEFERS THE RECEIPT OF THE ADMINISTRATORS UPDATE REPORT FOR ONE MONTH TO COINCIDE WITH THE END OF FINANCIAL YEAR;**
- 2. RECEIVES AN ADMINISTRATORS UPDATE REPORT – 1 JULY 2019 TO 30 JUNE 2020 AT THE 22 JULY 2020 COUNCIL MEETING;**
- 3. DEFERS THE RECEIPT OF THE SIX-MONTH PROGRESS REPORT ON THE 'SOUTH GIPPSLAND SHIRE COUNCIL GOOD GOVERNANCE FRAMEWORK' FOR ONE MONTH TO COINCIDE WITH THE END OF FINANCIAL YEAR;
AND**
- 4. RECEIVES A 'SOUTH GIPPSLAND SHIRE COUNCIL GOOD GOVERNANCE FRAMEWORK PROGRESS REPORT – 1 JANUARY 2020 TO 30 JUNE 2020', AT THE 22 JULY 2020 COUNCIL MEETING.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Following discussion with the Administrators and the Executive Leadership Team, it has been considered that a delay of one month for the '*Administrators Update Report to the Community*' (Administrators Update) and the progress report on implementing the *South Gippsland Good Governance Framework* (Good Governance Framework) will be beneficial to coincide with the end of financial year.

The COVID-19 pandemic and the commencement of the *Local Government Act 2020* (2020 Act) have both played a significant impact in the activities being progressed to improve the governance requirements of the Council.

Progress has been made in a range of the initial areas targeted in the Good Governance Framework. Progress on some aspects of the governance policy reviews has been made more challenging, due to the very limited capability Administrators and Officers have had to workshop these strategic directions. Several other unscheduled governance-based policy requirements have also been commenced as a legislated requirement of the 2020 Act. The updated reports will capture many of these activities.

CONSULTATION

The Administrators and the Executive Leadership team have considered the delivery of the Administrators Update Report and the Good Governance Framework Report. After due consideration it was requested that these reports be deferred until the July Council Meeting.

RISKS

The delay of the two update reports until July will allow for more concise end of the financial year reporting on the first-year outcomes under the Administrators leadership. It will also provide a full six month's report on the achievements for the Good Governance Framework. This adjustment in reporting time reduces the risk of inconsistencies arising from reporting for a partial year, rather than a full financial year.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

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

South Gippsland Shire Council Good Governance Framework - 2019

Legislative Provisions

Local Government Act 1989

Local Government Act 2020

6.3. INSTRUMENT OF DELEGATION - COUNCIL TO CHIEF EXECUTIVE OFFICER

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

This report recommends that Council approves a revised Instrument of Delegation (Instrument) to the Chief Executive Officer (CEO) (**Attachment [6.3.1]** – Instrument of Delegation Council to CEO – 24 June 2020) to reflect updates required due to the recent passing of the *Local Government Act 2020* (the new Act).

The additional powers delegated to the CEO on 25 March 2020, relating to when a state of emergency is declared under the *Public Health and Wellbeing Act 2008* and the CEO forms the opinion that any meeting of Council which would otherwise have determined a particular matter would lapse for want of a quorum, continue in this proposed Instrument, with relevant clauses updated to reflect the new Act.

It is intended that these additional powers be temporary to allow for business continuity and compliance during the period where Council's operation is impacted by the COVID – 19 Virus and the declaration of the current State of Emergency.

RECOMMENDATION

That Council, under the power conferred by s.11(1)(b) of the *Local Government Act 2020*, resolves that:

1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer (Attachment [6.5.1] Instrument of Delegation to the Chief Executive Officer – 24 June 2020), subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL, UNDER THE POWER CONFERRED BY S.11(1)(B) OF THE LOCAL GOVERNMENT ACT 2020, RESOLVES THAT:

- 1. THERE BE DELEGATED TO THE PERSON HOLDING THE POSITION, OR ACTING IN OR PERFORMING THE DUTIES, OF CHIEF EXECUTIVE OFFICER THE POWERS, DUTIES AND FUNCTIONS SET OUT IN THE ATTACHED INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER (ATTACHMENT [6.5.1] INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER – 24 JUNE 2020), SUBJECT TO THE CONDITIONS AND LIMITATIONS SPECIFIED IN THAT INSTRUMENT.**
- 2. THE INSTRUMENT COMES INTO FORCE IMMEDIATELY THE COMMON SEAL OF COUNCIL IS AFFIXED TO THE INSTRUMENT.**
- 3. ON THE COMING INTO FORCE OF THE INSTRUMENT ALL PREVIOUS DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER ARE REVOKED.**
- 4. THE DUTIES AND FUNCTIONS SET OUT IN THE INSTRUMENT MUST BE PERFORMED, AND THE POWERS SET OUT IN THE INSTRUMENTS MUST BE EXECUTED, IN ACCORDANCE WITH ANY GUIDELINES OR POLICIES OF COUNCIL THAT IT MAY FROM TIME TO TIME ADOPT.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Background

The effective functioning of local government would not be possible if all decisions were made by Council, hence many decision-making powers are allocated by formal delegations to the CEO.

The proposed Instrument (**Attachment [6.3.1]** – Instrument of Delegation Council to CEO – 24 June 2020) has been updated to reflect the requirements of the new Act. The primary changes relate to the inclusion of the following clauses which limit the powers of the CEO or exclude the CEO from performing functions relating to:

- B.1.3: The appointing of an Acting CEO for a period not exceeding 28 days, (which replaces existing Clause C.6 which allowed the CEO to appoint an Acting CEO for a period of no longer than two months);
- B.1.4: The election of a Mayor or Deputy Mayor;
- B.1.5: Granting leave under section 35 of the new Act;
- B.1.6: Making employment decisions in relation to the CEO;
- B.1.7: Council policy making, including Governance Rules (clause B.1.8);
- B.1.9: Borrowing money; and
- B.1.10: Declaring various rates and charges.

Clause C.2 has also been reworded to reflect the change of title of Committees under the New Act from 'Special' to 'Delegated' Committees.

Further, the new Act, has required the following changes to Part A of the Instrument relating to the provision of additional powers to the CEO if there is a state of emergency declared under the *Public Health and Wellbeing Act 2008* and the CEO forms the opinion that any meeting of Council which would otherwise have determined a particular matter would lapse for want of a quorum, which were adopted on 25 March 2020:

- A limit to the value of a contract that can be entered into under clause A.1 of the Instrument to comply with s.11(5) of the new Act. It is proposed this limit be \$3M (inclusive of GST) as this should cover all contracts expected to be entered into by Council in the near future;
- Removal of various additional powers under Part A, relating to the making of Local Laws, approving the Council Plan, adopting the Strategic Resource Plan, preparing or adopting the Budget or Revised Budget, adopting the Auditors report (and related documents), filling extraordinary vacancies on Council and

exempting members of special committees from submitting returns of interest as these have been or will soon be repealed by the new Act or are no longer applicable due to the new Act.

Further, it is proposed to extend the scenarios under which Part A could apply to the declaration of a state of disaster under the Emergency Management Act 1986 to further allow for business continuity in such circumstances.

The exercise of these additional powers continues to be subject to consultation with any available Administrators and subject to any decision made by the CEO being reported to the next available Council Meeting.

It is still intended that these additional powers be a temporary delegation to allow for business continuity and legislative compliance during the period where Council's operation is impacted by the COVID – 19 Virus and the declaration of the current State of Emergency or the declaration of a state of disaster under the *Emergency Management Act 1986*.

CONSULTATION

Consultation on the revised Instrument (**Attachment [6.3.1]** – Instrument of Delegation Council to CEO – 24 June 2020) has occurred with Council's legal advisors, Maddocks and the CEO.

RESOURCES

The Instrument provides a financial delegation to the CEO to enable the efficient and flexible functioning of Council, with reporting required to Council to advise of the exercising of this financial delegation in accordance with the requirements of the Procurement Policy (C32).

RISKS

The proposed amendment to the Instrument (**Attachment [6.3.1]** – Instrument of Delegation Council to CEO – 24 June 2020) allows Council to delegate to the CEO additional powers if there is a state of emergency declared under the *Public Health and Wellbeing Act 2008* or state of disaster under the *Emergency Management Act 1986* and the CEO forms the opinion that any meeting of Council which would otherwise have determined a particular matter would lapse for want of a quorum. The exercise of these additional powers will be subject to consultation with any available Administrators and subject to any decision made by the CEO being reported to the next available Council Meeting.

This will ensure Council can continue to operate and meet its legislative obligations under these specific circumstances only.

ATTACHMENTS

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

1. S5 Instrument of Delegation - Council to CEO - 24 June 2020 [6.3.1 - 5 pages]

REFERENCE DOCUMENTS

Council Policy

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

Procurement Policy (C32)

Legislative Provisions

Local Government Act 2020

6.4. POLICY REVIEW: PROCUREMENT POLICY (C32)

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

Council is to review, and if required revise the Procurement Policy (C32) (the Policy) (**Attachment [6.4.1]**) on an annual basis. The current policy was approved in June 2019 at a Council Meeting.

A revised Policy is provided (**Attachment [6.4.1]**) which introduces aspects based on an internal review of the Independent Broad-based Anti-corruption Commission (IBAC) investigations into Local Government Procurement, as well as to facilitate process improvements resolving previous audit observations.

RECOMMENDATION

That Council:

1. Approves the Draft of the Procurement Policy (C32) (Attachment [6.4.1]); and
2. Directs for its implementation through immediate issue of the Policy and update of the Procurement Manual by 31 August 2020.

Administrator Christian Zahra moved a Motion different from the recommendation.

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL:

1. **ADOPTS THE PROCUREMENT POLICY (C32) IN ATTACHMENT [6.4.1];**
2. **DIRECTS FOR ITS IMPLEMENTATION THROUGH IMMEDIATE ISSUE OF THE POLICY AND UPDATE OF THE PROCUREMENT MANUAL BY 31 AUGUST 2020; AND**
3. **REQUIRES THE CHIEF EXECUTIVE OFFICER TO BRING A REPORT TO COUNCIL BY 31 AUGUST 2020 OUTLINING THE LOCAL PROCUREMENT IMPLEMENTATION ACTION PLAN AND DETAILING INITIATIVES TAKEN BY COUNCIL TO MAXIMISE LOCAL PROCUREMENT.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Since the last Policy revision, Procurement has developed a strategy to mature systems and processes, responded to audit findings, established quarterly reporting, worked closely with the Infrastructure Directorate as the majority contracting group, and have formally reviewed the IBAC investigation into Local Government Procurement. These have formed the basis of the recommended changes to the Policy.

In summary these changes include:

- An added objective that the Policy is to reduce the risk of fraudulent behaviour and financial misuse;
- Enhancements around strengthening Council intentions in regard to local procurement;
- Identification of undisclosed Conflict of Interest as a high risk leading to fraudulent behaviour and identifying the potential penalties of misleading Conflict of Interest including termination of employment, cost recovery and legal action;
- A new section on contingency allocation improving the contingency approval process;
- A new section on latent conditions to support the rapid approval process required for most latent condition occurrences; and
- Some minor other wording clarifications including that the policy is no longer 'being implemented', but is up and running, being maintained and continuously improved.

CONSULTATION

This policy revision has been endorsed by the Procurement Working Group in January 2020, the Audit and Risk Committee in February 2020, and the Executive Leadership Team. The Policy has also been well socialised through the staff regularly involved in contracts and procurement.

RISKS

This policy revision addresses risks identified in prior audits in relation to variations to contracts through improved use of contingency and specific treatment of latent conditions in construction projects.

The IBAC special report of 2019 into Local Government Procurement was reviewed to ascertain if similar risks existed for South Gippsland Shire Council.

Improvement opportunities were identified including those in the policy for strengthening Conflict of Interest disclosure and the detection of potentially fraudulent transactions.

STAFF DISCLOSURE

Nil

ATTACHMENTS

1. C32 - Procurement Policy 2020 - Draft [6.4.1 - 7 pages]

REFERENCE DOCUMENTS

Council Policy

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

Fraud and Corrupt Conduct Policy (C19)

Procurement Policy (C32)

Legislative Provisions

Local Government Act 1989

6.5. POLICY REVIEW: COMPLIANCE AND ENFORCEMENT POLICY (C64)

Development Services Directorate

EXECUTIVE SUMMARY

According to the *Local Government Act 2020* (the Act) the role of Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. Included within the Act's overarching governance principles and supporting principles are:

- Council decisions are to be made and actions taken in accordance with relevant law;
- Priority is given to achieving the best outcomes for the municipal community, including future generations; and
- The transparency of Council decisions, actions and information is to be ensured.

Council is responsible for administering and enforcing a variety of Victoria's laws. Much of this legislation aims to protect and enhance the level of community health, safety and amenity. These are important responsibilities placed on Council.

Consistent with the objectives of the Act, Council has an adopted *Compliance and Enforcement Policy C64* (the Policy). This Policy seeks to set out a transparent manner in which Council will inform its compliance and enforcement decision making. It ensures that compliance and enforcement matters are dealt with fairly, consistently and reasonably.

The Compliance and Enforcement Policy (C64) is currently due for update and review as part of Council's Strategic Objective 3.3.1 and Year 3 Initiative.

The Council Plan initiative is to:

"undertake an operational review of the implementation of Council's 'Compliance and Enforcement Policy' taking into consideration community concerns and regulatory requirements".

A review of the Compliance and Enforcement Policy (C64) has been completed. The review found that the policy remains relevant and recommends only minor amendments to update the policy.

RECOMMENDATION

That Council adopts the Compliance and Enforcement Policy 2020 C64 Attachment [6.5.1].

MOVED: Administrator Brown

SECONDED: Administrator Zahra

**THAT COUNCIL ADOPTS THE COMPLIANCE AND ENFORCEMENT POLICY
2020 C64 ATTACHMENT [6.5.1].**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Background

The Local Government Act 2020 (the Act) states that the role of Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. Included within the Act's overarching governance principles and supporting principles are:

- Council decisions are to be made and actions taken in accordance with relevant law;
- Priority is given to achieving the best outcomes for the municipal community, including future generations; and
- The transparency of Council decisions, actions and information is to be ensured.

Council is responsible for administering and enforcing a variety of Victoria's laws. Much of this legislation aims to protect and enhance the level of community health, safety and amenity. These are important responsibilities placed on Council.

Legislation that Council has administration and/or enforcement responsibilities include:

- Building Act 1993
- Country Fire Authority Act 1958
- Domestic Animals Act 1994
- Environment Protection Act 1970
- Food Act 1984
- Impounding of Livestock Act 1994
- Local Government Act 1989
- Planning and Environment Act 1987
- Public Health and Wellbeing Act 2008
- Residential Tenancies Act 1997
- Road Safety Act 1986
- Road Management Act 2004

Council's strategic and operational risk registers identify a number of risks associated with failing to administer our regulatory responsibilities. These include financial, reputational and public health and safety risks.

Compliance and Enforcement Policy C64

Consistent with the objectives of the Act, Council has an adopted *Compliance and Enforcement Policy C64*. This policy seeks to set out a transparent manner in which Council will inform its compliance and enforcement decision making. It ensures that compliance and enforcement matters are dealt with fairly, consistently and reasonably.

The Policy provides Council's strategic context for compliance and enforcement. The Policy seeks to provide for an equitable, transparent and consistent approach to compliance activities.

This Policy guides the Local Laws, Environmental Health, Planning, Building and other regulatory functions to ensure a consistent approach to enforcement. Departmental procedures implement the policy.

Summary of Changes

The review found that the policy remains relevant and only minor amendments were required. Minor amendments included an updated policy scope and objective. The review also included some minor administrative amendments.

CONSULTATION

An internal review of the Policy was completed. This included benchmarking against five similar Local Government policies.

RESOURCES

The Policy is administered within current resources.

RISKS

The Policy:

- Addresses Council's legislative obligations;
- Provides for a transparent and consistent approach; and
- Promotes the importance of Public Health and Safety.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. C64 Compliance and Enforcement Policy - DRAFT June 2020 [6.5.1 - 6 pages]

REFERENCE DOCUMENTS

Council Policy

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

South Gippsland Shire Council General Local Law 2014

Legislative Provisions

Building Act 1993

Country Fire Authority Act 1958

Domestic Animals Act 1994

Environment Protection Act 1970

Environment Protection Act 1994

Food Act 1984

Impounding of Livestock Act 1994

Infringements Act 2006

Local Government Act 1989

Local Government Act 2020

Planning and Environment Act 1987

Public Health and Wellbeing Act 2008

Residential Tenancies Act 1997

Road Management Act 2004

Road Safety Act 1986

Summary Offences Act 1966

7. NOTICES OF MOTION AND/OR RESCISSION

7.1. NIL

8. PROCEDURAL REPORTS

8.1. FINANCIAL PERFORMANCE REPORT JULY TO MAY 2020

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

This Financial Performance report provides an overview of Council's financial performance for the period July 2019 to May 2020, in summary:

- Operating result: \$11.65M surplus which is \$8.69M favourable when compared with the year-to-date budget projection of a \$2.96M surplus.
- Capital works: \$12.42M expenditure which is \$7.88M behind a year-to-date budget of \$20.30M.
- Cash and investment assets: Projected 30 June \$44.31M, against the Original budget of \$33.02M.
- Underlying working capital ratio (current assets to current liabilities): Projected 30 June 2020 at 3.02 to 1 against the Original budget of 2.80 to 1. This has improved due to Council repaying a loan during the year, which was funded from reserves, 50% Financial Assistance Grants for 2020/21 (\$5.84M) paid in May 2020 and the carry forward of \$15.23M in capital work projects not completed in 2019/20.
- The projected financial forecast for 2019/20 is a \$7.41M surplus. This is \$2.23M favourable compared to the originally budgeted surplus of \$5.17M.

RECOMMENDATION

That Council receives and notes the Financial Performance Report July 2019 to May 2020 (Attachment [8.1.1]).

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL RECEIVES AND NOTES THE FINANCIAL PERFORMANCE REPORT JULY 2019 TO MAY 2020 (ATTACHMENT [8.1.1]).

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Council sets an Annual Budget each year within the framework of a 15-year Long Term Financial Plan. Guidance is provided by the Long-Term Financial Strategies when developing annual and longer-term budgets. The financial integrity of the budgeted financial statements in the annual and forward budgets can be assessed by reference to financial performance indicators.

Throughout the course of the financial year the actual financial performance is managed by:

1. Comparing year-to-date actual financial performance with the year-to-date budgets.
2. Monitoring the financial impact of changes made to budget projections on the forecast financial results at year end; and
3. Monitoring the longer-term financial ramifications against adopted Long Term Financial Strategy indicators.

The financial performance indicators that were used to develop the annual and longer-term budgets are used to monitor projected financial outcomes at year-end as well as the longer term financial ramifications.

The Financial Performance Reports have historically been prepared outside traditional quarterly cycles to align with strategic events that occur throughout the financial year (August, November, February and May). This reporting will move to standard financial quarters (September, December, March and June) during the 2020/21 financial year. This change aligns with section 97 of the *Local Government Act 2020* (Quarterly budget report) which states that;

1. *As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.*
2. *A quarterly budget report must include –*
 - a. *a comparison of the actual and budgeted results to date; and*
 - b. *an explanation of any material variations; and*
 - c. *any other matters prescribed by the regulations.*
3. *In addition, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.*

At the end of the financial year, comprehensive financial statements and performance statements are produced which are subject to external audit and included in the Annual Report.

Discussion

The Financial Performance Report July to May 2020 (**Attachment [8.1.1]**) contains detailed reporting and includes:

- **Financial Summary** - This section provides a high-level overview of Budget and Actual Operating performance, Capital Works and Cash position.
- **Financial Statements as at 31 May 2020** - This section lists the three major financial statements:
 - Income Statement
 - Balance Sheet
 - Cash Flow Statement
- **Capital Works** - This section lists the Capital Works statement and includes variation commentary between YTD actual expenditure and YTD budgets.
- **Financial Ratios** - This section provides commentary on the adopted strategic indicators as set out in Council's Long Term Financial Strategies document and variations to the Original budget.
- **Cash and Investments** - This section details the Cash and Investments held at 31 May and with which institutions Council's investments are held.
- **Annual Year-to-Date Financial Analysis** - This section analyses the implications of the year-to-date performance and the projected outcome for the financial year end, as well as Rate and Other debtors.
- **Long Term Financial Plan analysis** - This section benchmarks and strategically analyses the financial impact of the projected financial results for the year against the adopted Annual Budget, Long Term Financial Plan and the Long Term Financial Strategies key performance indicators.

RISKS

Transparency in reporting is a risk management control measure that allows the community and Council to view and assess the financial management of year to date results as well as the annual and longer-term financial implications.

Council can assess both year-to-date performance, as well as understand the annual and longer term financial implications based on actual performance against Original and Projected budgets.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Financial Quarterly Report - May 2020 [8.1.1 - 22 pages]

REFERENCE DOCUMENTS

Council Policy

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

Annual Budget

Annual Budget Incorporating 15 Year Long Term Financial Plan and Annual Plan Initiatives

Legislative Provisions

Local Government Act 2020

8.2. SUMMARY OF STRATEGIC BRIEFINGS TO ADMINISTRATORS: 1 MAY - 21 MAY 2020

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

Council in its requirement to give effect to the overarching governance principles and supporting principles of the *Local Government Act 2020*, s.9(2)(i), s.9(3)(b) and s.58) aim to assist the transparency of Council decisions, actions and information through the provision of public summaries of information presented and considered at Council Strategic Briefing Sessions, Public Presentation Sessions and Advisory Committees. These summaries provide understandable, relevant, timely and accessible information to members of the public that are captured in the minutes of the next Council meeting.

Under the previous *Local Government Act 1989*, it was a requirement to report on matters considered at an 'assembly of Council'. This requirement has now been repealed. To align with the new *Local Government Act 2020* this report continues in its same form to give effect to principles of public transparency *Local Government Act 2020*, s.9(2)(i), s.9(3)(b) and s.58).

The matters listed in this report demonstrate information presented and considered at Council Strategic Briefing Sessions, Public Presentation Sessions and Advisory Committees between 1 May and 21 May 2020.

RECOMMENDATION

That Council receives and notes this report.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL RECEIVES AND NOTES THIS REPORT.

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Meeting Title	Details
Tuesday 5 May 2020	
CEO / Administrators Weekly meeting	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • Customer contact • Community engagement • Coastal Strategy
Wednesday 6 May 2020	
Executive Update	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • Social Infrastructure Blueprint • Community feedback for Planning Team regarding planning application in Toora. • Council Electoral Structures • COVID 19 Pandemic update
Planning Briefing	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • Strategic Planning Project List • Planning Applications of Interest • Decisions from February 2020 • VCAT Decisions • Applications received February 2020
Roadside Weed Management	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered: The Administrators considered Council's system to manage roadside weed management.</p>

Meeting Title	Details
Wednesday 6 May 2020	
Coastal Strategy	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered: The Administrators considered strategic factors that influence the development of a South Gippsland Coastal Strategy.</p>
Tuesday 12 May 2020	
CEO / Administrators Weekly meeting	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • Destination Gippsland • Working for Victoria fund • Audit Committee terms of reference • Signage
Wednesday 13 May 2020	
Executive Update	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • COVID19 Pandemic Update
Community Grants Program Review	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered: The Administrators considered a review of the Community Grants Program.</p>
Community Grants Assessment	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered: The Administrators considered the assessment of the 2019/20 Community Grants Program.</p>

Meeting Title	Details
Wednesday 13 May 2020	
Council Meeting Agenda Topic Discussion – 27 May 2020	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered: The Administrators considered and asked questions relating to Agenda items for the Council Meeting 27 May 2020.</p>
Economic Development and Tourism briefing	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered: The Administrators considered current activities and progress of work of the Economic Development and Tourism (EDT) Department including:</p> <ul style="list-style-type: none"> • Progress of Economic Development & Tourism Strategies • An update of the EDT COVID-19 Response • An overview of the 'Be Kind South Gippsland' campaign • An update from Economic Infrastructure Network
Tuesday 19 May 2020	
CEO / Administrators Weekly meeting	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • Community leadership program • Tidy Towns • Council electoral reviews • Community support package • Great Southern Rail Trail
Wednesday 20 May 2020	
Executive Update	<p>Administrators Attending: Julie Eisenbise, Christian Zahra, Rick Brown</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • Reconciliation Action plan update • SEATS meeting attendance • Community Support Package – community awareness

Meeting Title	Details
	<ul style="list-style-type: none"> COVID19 Pandemic – recovery update
Wednesday 20 May 2020	
Community Support Package	<p>Administrators Attending: Julie Eisenbise, Rick Brown, Christian Zahra</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered: The Administrators considered an Agenda Item Community Support Package.</p>
Social Disadvantage in South Gippsland	<p>Administrators Attending: Julie Eisenbise, Rick Brown, Christian Zahra</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered: The Administrators considered an update on social disadvantage in South Gippsland and recommendations for Council to support people experiencing social disadvantage.</p>
2020/21 Priority Projects for Advocacy and Development	<p>Administrators Attending: Julie Eisenbise, Rick Brown, Christian Zahra</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered: The Administrators considered priority projects for advocacy ahead of consideration at Council Meeting 24 June 2020.</p>
2020/21 Strategic Roads	<p>Administrators Attending: Julie Eisenbise, Rick Brown, Christian Zahra</p> <p>Conflict of Interest: Nil disclosed</p> <p>Matters Considered: The Administrators considered Strategic Road Projects that Council propose to advocate to other levels of government for funding for road projects delivered by Regional Roads Victoria (RRV) and Council.</p>

REFERENCE DOCUMENTS

Council Policy

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

Public Participation in Meetings with Council Policy (C65)

Legislative Provisions

Local Government Act 1989

Local Government (South Gippsland Shire Council) Act 2019

Local Government Act 2020

8.3. DOCUMENTS SEALED, CONTRACTS VARIED, AWARDED OR EXTENDED BY CEO - 1 MAY TO 20 MAY 2020

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

This report documents the following actions undertaken by the Chief Executive Officer (CEO) which occurred during the period from 1 May to 20 May 2020. Council's *Procurement Policy* requires the CEO to report to Council any of the following actions undertaken to the next appropriate Meeting:

- Documents sealed;
- Contracts awarded after a public tender process within the CEO's delegation; and
- Contracts varied or extended by the CEO which exceeded the CEO's delegation.

RECOMMENDATION

That Council receives and notes this report.

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL RECEIVES AND NOTES THIS REPORT.

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

Documents Sealed

Under the *Local Government Act 2020* (the Act), section 14 states that each Council is a body corporate with perpetual succession; and must have a common seal. Sealing a document makes it an official document of Council as a corporate body. Documents that require sealing may include agreements, leases or any other contractual or legally binding document that binds Council to another party.

Use of the Local Law No. 2 2020, Part 9, clause 107(f)(iv) – Common Seal of Council, states that if the Chief Executive uses the Common Seal in a manner prescribed by sub-clause (c), this means on the authority of a Council resolution, then Council must be advised of such use on a regular basis.

'Section 173 Agreements' are prepared in accordance with s.173 of the *Planning and Environment Act 1987*, allowing Council to enter into agreements relating to the use or development of land, conditions to which the land may be used or developed or any matter that relates to planning or planning schemes in Victoria. Section 174 of the *Planning and Environment Act 1987* requires that such an agreement be under seal and must bind the owner to the covenants specified in the agreement.

In accordance with the Local Law, Instrument of Delegation and *Planning and Environment Act 1987*, the following are presented to Council as documents sealed during the period from 1 May to 20 May 2020.

1. Section 173 Agreement between South Gippsland Shire Council and the owner of 22 Railway Road Baromi in relation to Subdivision of the land into two (2) lots adjacent to a Road in a Road Zone, Category 1, and creation of access to a Road in a Road Zone, Category 1. Seal applied 4 May 2020.
2. Section 173 Agreement between South Gippsland Shire Council and the owner of Ockenga Close, Jupiter Boulevard, Inlet View Road Venus Bay in relation to 9 Lot Subdivision. Seal applied 4 May 2020.
3. Section 173 Agreement between South Gippsland Shire Council and the owner of 200 Fuller Road Foster in relation to use and develop land for a dwelling, domestic outbuilding, rural industry, winery and licensed premises. Seal applied 4 May 2020.
4. Section 173 Agreement between South Gippsland Shire Council and the owner of 23 Powells Road Foster in relation to a two (2) lot subdivision with building envelope variation. Seal applied 15 May 2020.

5. Instrument of Appointment and Authorisation to one Officer appointed under s.147(4) of the *Planning and Environment Act 1987* and s.232 of the *Local Government Act 1989*. Seal applied 4 May 2020.
6. CON/251 for Construction of Skate Park, Basketball Half Court and Performance Arts Space in Mirboo North. Seal applied 6 May 2020.

Contracts Awarded, Varied or Extended

In accordance with Council's Procurement Policy where contracts are awarded under delegation, varied or extended, they are required to be reported to the next practicable Council Meeting.

1. Contracts awarded after a public tender process within the CEO's delegation between 1 May to 20 May 2020:

Nil
2. Contracts awarded after a public tender process under the Statutory threshold by staff other than the CEO between 1 May to 20 May 2020:

Nil
3. Contract variations approved by the CEO between 1 May to 20 May 2020:

CON/231 for Mirboo North Swimming Pool Design & Construct. Contract adjustment for fixed price quotations, overall cost is less than the amount allowed for in the Provisional Sums. Variation No. 7 approved 01 May 2020.

CON/231 for Mirboo North Swimming Pool Design & Construct. Additional funding for PV Solar Power. Variation No. 8 approved 01 May 2020.

CON/186 for Develop a Master Plan for the Korumburra Railway Station Site and the Design of the Community Hub. Additional funding for JV3 Modelling to refine glazing and building envelope insulation and thermal properties. Variation No. 3 approved 01 May 2020.
4. Contract extensions approved by the 1 May to 20 May 2020:

SGC12/09 for Provision of Litter Bin Collection Services. Extension of contract for a further one year (as permitted by the contract) which will extend the expiry date to 30 June 2021. Approved 11 May 2020.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

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

Instrument of Delegation to the Chief Executive Officer, 25 March 2020

Local Law No. 2 2020, Processes of Municipal Government (Meeting Procedures and Common Seal)

Procurement Policy (C32)

Legislative Provisions

Local Government Act 1989

Local Government Act 2020

Planning and Environment Act 1987

8.4. INSTRUMENT OF DELEGATION - COUNCIL TO STAFF

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

This report recommends that Council adopts an updated Instrument of Delegation to Council Staff to reflect minor improvements recommended by Council's legal advisors and minor positional changes to Council's organisation structure.

RECOMMENDATION

That Council resolves that, in the exercise of the powers conferred by s.11 (1) of the *Local Government Act 2020* and the other legislation referred to in the attached *Instrument of Delegation (Instrument of Delegation) Council to Members of Staff* (Attachment [8.4.1]):

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in (Attachment [8.4.1]) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument of Delegation;
2. The Instrument of Delegation (Attachment [8.4.1]) to staff comes into force immediately that the common seal of Council is affixed to the Instrument of Delegation;
3. On the coming into force of the Instrument of Delegation (Attachment [8.4.1]) all previous delegations from Council to members of Council staff (other than the Instrument of Delegation to the Chief Executive Officer) are revoked; and
4. The duties and functions set out in the Instrument of Delegation (Attachment [8.4.1]) must be performed, and the powers set out in the Instrument of Delegation must be executed, in accordance with any guidelines or policies that Council may adopt.

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL RESOLVES THAT, IN THE EXERCISE OF THE POWERS CONFERRED BY S.11 (1) OF THE *LOCAL GOVERNMENT ACT 2020* AND THE OTHER LEGISLATION REFERRED TO IN THE ATTACHED *INSTRUMENT OF DELEGATION (INSTRUMENT OF DELEGATION) COUNCIL TO MEMBERS OF STAFF* (ATTACHMENT [8.4.1]):

- 1. THERE BE DELEGATED TO THE MEMBERS OF COUNCIL STAFF HOLDING, ACTING IN OR PERFORMING THE DUTIES OF THE OFFICERS OR POSITIONS REFERRED TO IN (ATTACHMENT [8.4.1]) THE POWERS, DUTIES AND FUNCTIONS SET OUT IN THAT INSTRUMENT, SUBJECT TO THE CONDITIONS AND LIMITATIONS SPECIFIED IN THAT INSTRUMENT OF DELEGATION;**
- 2. THE INSTRUMENT OF DELEGATION (ATTACHMENT [8.4.1]) TO STAFF COMES INTO FORCE IMMEDIATELY THAT THE COMMON SEAL OF COUNCIL IS AFFIXED TO THE INSTRUMENT OF DELEGATION;**
- 3. ON THE COMING INTO FORCE OF THE INSTRUMENT OF DELEGATION (ATTACHMENT [8.4.1]) ALL PREVIOUS DELEGATIONS FROM COUNCIL TO MEMBERS OF COUNCIL STAFF (OTHER THAN THE INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER) ARE REVOKED; AND**
- 4. THE DUTIES AND FUNCTIONS SET OUT IN THE INSTRUMENT OF DELEGATION (ATTACHMENT [8.4.1]) MUST BE PERFORMED, AND THE POWERS SET OUT IN THE INSTRUMENT OF DELEGATION MUST BE EXECUTED, IN ACCORDANCE WITH ANY GUIDELINES OR POLICIES THAT COUNCIL MAY ADOPT.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

The allocation of delegations to the Chief Executive Officer or other employees contributes to the effective functioning of Council. It is important to update delegations to reflect changes in personnel / legislation and improvements recommended by legal advisors to ensure decisions made are valid.

The updated Instrument of Delegation (**Attachment [8.4.1]**) consists of the following edits recommended by Maddocks as well as minor positional changes to Council's organisational structure and delegations:

- 9 new provisions: *Residential Tenancies Act 1997*: s 91ZU(1), s 91ZZC(1), s 91ZZE(1), s 91ZZE(3), s 206AZA(2), s 207ZE(2), s 311A(2), and s 317ZDA(2).
- 9 changed provisions: *Residential Tenancies Act 1997* and *Road Management Act 2004*, where minor edits were made to better express existing delegations and update references to VicRoads to now be referred to as Transport for Victoria.
- 18 deleted provisions: from the *Rail Safety (Local Operations) Act 2006*.
- 3 updated provisions: to include a delegation for the Planning Administration Officer under s.181, s.181(1A)(a) and s.181(1A)(b) of the *Planning and Environment Act 1987*.

It should also be noted that this delegation is being made under the recently passed s.11(1) of the *Local Government Act 2020*, rather than s.98(1) of the *Local Government Act 1989* which has been repealed.

RISKS

Failure to update an Instrument of Delegation (**Attachment [8.4.1]**) could result in the decisions of delegated Officers being declared invalid or unenforceable.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. S6 Instrument of Delegation - Members of Staff 24 June 2020 [**8.4.1** - 49 pages]

REFERENCE DOCUMENTS

Legislative Provisions

Local Government Act 1989

Local Government Act 2020

8.5. INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

This report recommends that Council adopts updated Instruments of Appointment and Authorisation (Instruments) under the *Planning and Environment Act 1987* (the Act) to existing employees to reflect recent changes to the *Local Government Act 2020* and also adopts an additional appointment to one new staff member (Steven Bosch) under the *Planning and Environment Act 1987*.

RECOMMENDATION

That Council:

1. Resolves that, in the exercise of the powers conferred by s.224 of the *Local Government Act 1989* and the other legislation referred to in the attached Instruments of Appointment and Authorisation (Attachment [8.5.1] Instruments of Appointment and Authorisation) Council to Staff under the *Planning and Environment Act 1987*:
 - a. The members of Council staff referred to in the Instruments of Appointment and Authorisation be appointed and authorised as set out in the instruments;
 - b. The Instruments of Appointment and Authorisation come into force immediately when the common seal of Council is affixed to the instruments and remain in force until Council determines to vary it or it is revoked by Council's Chief Executive Officer in the event the officer resigns from Council or is appointed to a position where this appointment and authorisation is not required or suitable; and
 - c. The Instruments of Appointment and Authorisation be sealed.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL:

- 1. RESOLVES THAT, IN THE EXERCISE OF THE POWERS CONFERRED BY S.224 OF THE LOCAL GOVERNMENT ACT 1989 AND THE OTHER LEGISLATION REFERRED TO IN THE ATTACHED INSTRUMENTS OF APPOINTMENT AND AUTHORISATION (ATTACHMENT [8.5.1] INSTRUMENTS OF APPOINTMENT AND AUTHORISATION) COUNCIL TO STAFF UNDER THE PLANNING AND ENVIRONMENT ACT 1987:**
 - a. THE MEMBERS OF COUNCIL STAFF REFERRED TO IN THE INSTRUMENTS OF APPOINTMENT AND AUTHORISATION BE APPOINTED AND AUTHORISED AS SET OUT IN THE INSTRUMENTS;**
 - b. THE INSTRUMENTS OF APPOINTMENT AND AUTHORISATION COME INTO FORCE IMMEDIATELY WHEN THE COMMON SEAL OF COUNCIL IS AFFIXED TO THE INSTRUMENTS AND REMAIN IN FORCE UNTIL COUNCIL DETERMINES TO VARY IT OR IT IS REVOKED BY COUNCIL'S CHIEF EXECUTIVE OFFICER IN THE EVENT THE OFFICER RESIGNS FROM COUNCIL OR IS APPOINTED TO A POSITION WHERE THIS APPOINTMENT AND AUTHORISATION IS NOT REQUIRED OR SUITABLE; AND**
 - c. THE INSTRUMENTS OF APPOINTMENT AND AUTHORISATION BE SEALED.**

CARRIED UNANIMOUSLY

[Link to next Agenda Item.](#)

REPORT

The allocation of authorisations and appointments to Council employees contributes to the effective functioning of Council. It is important to ensure that formal Instruments are updated to reflect changes in personnel as well as changes in the legislation.

The updated Instruments for existing staff presented to Council for adoption have been changed to reflect the repeal of s.232 of the *Local Government Act 1989* and its replacement with s.313 of the *Local Government Act 2020*, which relates to the institution of proceedings for offences against the Acts and regulations described in the Instruments.

Further, a new Instrument is presented for adoption for a new employee (Steven Bosch) recently recruited to a position within the Regulatory Services department.

RISKS

Failure to adopt, update or revoke an Instrument of Appointment and Authorisation could result in a decision of the employee being invalidated or Council being held liable for the actions of former employees.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. S11A - Instrument of Appointment P& E Act 1987 - 24 June 2020 [8.5.1 - 25 pages]

REFERENCE DOCUMENTS

Legislative Provisions

Local Government Act 1989

Local Government Act 2020

Planning and Environment Act 1987

9. ADMINISTRATOR REPORTS

9.1. REQUESTS FOR LEAVE OF ABSENCE

Nil

9.2. ADMINISTRATORS UPDATES

Administrator Christian Zahra addressed Council by relaying the achievements of local artist Ms Janie Gordon, who recently participated in 'The Voice' competition on television. He said that it was an incredible performance, that her beautiful voice is sure to make everyone proud and tune in each week to watch her progress. He listed some of her performance experience including singing at festivals, weddings, writing her own music, including a performance at Council's Australia Day Ceremonies.

Administrator Zahra thanked Janie for her involvement in the community, that her performances bring joy to the lives of others and that her singing teaching builds the skills of those around her, inspiring younger potential performers.

He wished her well for the remainder of the competition with her mentor, Ms Delta Goodrem. Administrator Zahra believes that the community will see the great success of Janie beyond the competition of 'The Voice', that she will be someone to watch for many decades to come.

Administrator Chair, Julie Eisenbise addressed Council by relaying her involvement in activities in the community including:

- Making many phone calls to community members.**
- Attending regular meetings of the Gippsland Local Government Network (GLGN).**
- Commenting that the South Gippsland community from volunteer groups, emergency service groups and Council staff have managed the COVID pandemic challenges extremely well. Council have continued to deliver all services and deal with an increased demand for some services and working from home.**
- Attended a Leadership Workshop with Council Directors to learn more about leadership.**
- Administrator Eisenbise congratulated the RSL for reinstating the cenotaph outside the Leongatha Memorial Hall, it took some time as a specific stone had to be sourced.**
- Attending the online Toora Tea Cosy Festival, the Festival managed to continue in spite of the COVID pandemic. She encouraged the community to go online to view the Festival this way, what a great job by the community.**
- Administrator Eisenbise acknowledged and made a presentation to Mr Tony Giles (via conference call), the former Editor of The Great Southern**

Star, local newspaper publication. The Great Southern Star was established in Leongatha in 1890 and has been an integral community institution. And whilst it no longer operates it will always be fondly remembered in South Gippsland. The 'Star' as it is affectionately known, under the leadership of Tony Giles has produced many talented journalists, designers, sales people and Editors. Administrator Eisenbise thanked Tony and the team for the hard work in providing news to our local community. A certificate of appreciation was virtually presented to him and will be sent in the mail.

- **Tony Giles responded by thanking Council for the gesture and commented that it will be sad to see this local paper go, The Great Southern Star would have been 130 years old this year. He commented that it was a great historical document, that will be missed. He attributed changes in the publication industry to the decision to close the paper. Tony also thanked his team over many years, there has been many careers bred at the 'Star'.**

9.3. COMMITTEE UPDATES

Nil

10. 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 Administrators 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. 2 (Clause 46) allows for where a situation has not been provided for under the Local Law, the Council may determine the matter by resolution. Established practice has provided for urgent motions to be raised at Council provided the matter cannot be dealt with at the next Ordinary Meeting of Council or by Officers under delegation.

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

'That consideration of (the issue) be dealt with as a matter of urgent business and Administrator...be allowed a 'short period' to indicate the reason(s) why the matter should be considered as a matter of urgent business.' If the Chairperson accepts the motion as meeting the urgent business criteria, normal meeting procedures in Local Law No. 2 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 Administrators to raise items of general interest to the Council and the community. It may relate to an up and coming event or the outcomes of a recent meeting with a Minister etc.

Nil

11. PUBLIC QUESTIONS

11.1. PETITIONS AND JOINT LETTERS

Petitions and Joint letters are written requests that have been signed by a number of community members. According to the Local Law No.2 2020 petitions may be presented to Council by an Administrator. A petition presented to the Council must lay on the table until the next Council Meeting 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 an Administrator at a Public Presentation session speak briefly to its contents. At the following Council Meeting an Administrator may accept the petition and introduce it to Council for formal noting and actioning by Council.

The Administrator 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.

Administrator Christian Zahra acknowledged receipt of a petition lodged to Council by lead petitioner Marge Arnup who represents the Fish Creek Tea Cosy Festival Committee.

Public Wi-Fi Fish Creek

We the undersigned support the request for assistance from the South Gippsland Shire Council in procuring public Wi-Fi access in the Fish Creek CBD.

RECOMMENDATION

That Council:

1. Receives and notes the petition; and
2. Receives a report at Council Meeting 22 July 2020.

MOVED: Administrator Zahra

SECONDED: Administrator Brown

THAT COUNCIL:

1. **RECEIVES AND NOTES THE PETITION; AND**
2. **RECEIVES A REPORT AT COUNCIL MEETING 22 JULY 2020.**

CARRIED UNANIMOUSLY

11.2. ANSWERS TO PREVIOUS QUESTIONS ON NOTICE

Answers to previous questions taken on notice at the former Council Meeting, are included in the Minutes of this Meeting.

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

A submitter will receive a letter outlining the response to a question after the Minutes have been produced.

Source: Public Participation in Meetings with Council Policy (C65) – adopted 18 December 2019.

Nil

11.3. SUBMITTED PUBLIC QUESTIONS

All community member questions for Council Meetings are to be written and submitted to the Council Business Team by 9.00am on the Monday morning preceding the Council Meeting to allow time for a response to be prepared, where possible, for the Council Meeting. All reasonable attempts will be made to answer pre-submitted questions at the Meeting. When further time is required to prepare an answer, questions may be taken on notice and responses will be provided at the next Council Meeting.

Questions can also be submitted in hard copy format into the 'Public Question Box' during a Council Meeting on the prescribed form. These questions will be taken on notice, included in the Minutes and responses provided at the next Council Meeting.

Public Question Time in Council Meetings is to be used for matters that are relevant to the business or functions of Council and are clear and legible. Questions may not be allowed where the question(s) is deemed to be:

- Related to a matter beyond or outside the powers of Council;
- Trivial or frivolous;
- Defamatory, indecent, abusive or objectionable;
- Derogatory or designed to embarrass a Councillor, a member of Council staff or a member of the community;
- Related to subject matter previously received and responded to;
- Related to a matter already considered and resolved upon by Council;
- Breach Council's confidentiality obligations; and/or
- Illegible, vague or not make sense.

A person may submit a maximum of three (3) questions for any one Council Meeting, this includes a combined total of three (3) questions for related parties or groups. The total word count of all questions submitted is to be 100 words or fewer.

Background material submitted with a question will not be read out or recorded in the Council Meeting Minutes.

The Chief Executive Officer (CEO) retains the discretion, in consultation with the Mayor, to not refer questions to Council meetings if there is a more effective or appropriate way to respond to the matters raised. Answers to questions from a member of the community who is present in the gallery will be read out at the Council Meeting by the CEO or Mayor.

Source: Public Participation in Meetings with Council Policy (C65) – adopted 18 December 2019.

Mr Lindsay Love submitted written questions and responses are provided in these Minutes.

Question 1

Will Council use the data and previous reports to prepare a grant application for a new Early Years facility at Nyora?

Response

Council's current priority is a grant application for funding for an additional Early Years facility at Leongatha. Council undertook a detailed analysis of demand for early childhood services throughout the Shire in late 2019. This work built on previous work undertaken for specific areas of the Shire in 2017 and 2018, updated to include data for three-year-old kindergarten and population change.

This work, recommended that planning for new infrastructure be undertaken on a district basis, and confirmed that demand for new infrastructure should be prioritised as:

- a. Leongatha and district (Leongatha, Mirboo North, Meenian)
- b. Foster and district (Foster, Toora, Welshpool, Fish Creek, Tarwin Lower)
- c. Korumburra and district (Korumburra, Lock, Poowong, Nyora)

Demand for kindergarten in Nyora is expected to increase over the next five years, as planned new housing estates are developed, but has not emerged as yet. Council has held preliminary discussions with the Department of Education and Training regarding the feasibility of locating a modular Kindergarten at the Nyora Primary School. At this stage the department has indicated that this project is unlikely to be supported before 2023 based on current and projected demand.

Question 2

Will Council use the data to prepare an application for a grant application for alterations/ additions to the Prom Coast Centre at Foster?

Response

A grant application for alterations/additions to the Prom Coast Children's Centre at Foster is not currently proposed within the current funding available, based on prioritisation of infrastructure requirements. Requirements at Foster will continue to be monitored, with consideration being given to extending the current facility, or building a stand-alone kindergarten on adjacent land in future years. Funding opportunities available at the time will be considered for future grant applications.

Question 3

Will Council amend the report such that the figures are meaningful and accurate such that they reflect the true need for extra facilities is at Nyora and Foster?

Response

The data presented in the report is a fair and accurate estimation of projected capacity and demand in the Shire and in Leongatha and District. Council has undertaken a review of demand and capacity across the Shire. This has identified Leongatha as the highest priority, followed by Foster and district and then Korumburra and district (including Nyora).

Council coordinates kindergarten enrolments for all kindergarten services in the Shire through the Central Enrolment program. As a result, Council maintains accurate and real-time information about total capacity for kindergarten places.

The data identifies the maximum number of kindergarten places available based on the operational capacity of all kindergarten services. This takes into account kindergartens that provide either single or multiple sessions each day as well as kindergarten services provided through Long Day Care services. The demand estimate for Long Day Care is based on the ABS standard which identifies the average number of children aged 0-5 accessing long day care, adjusted for the number of children attending less than a full week. The ABS standard is based on enrolment data supplied by child care centres and updated annually.

The number of available Long Day Care places in the Shire, utilised in the report, excludes those places dedicated to kindergarten services, and includes the private child care centre at Brown Street, Leongatha.

The projected demand forecasts are based on Australian Bureau of Statistics (ABS) estimates of population growth in the Shire.

Ms Amy Van Kuyk submitted questions and responses are provided in these Minutes.

Question 1

What support and investigations are Council providing to the Committee of Management at other centres such as Foster to meet their community's needs? Forcing long commutes to people in the East to access services at Leongatha is not appropriate.

Response

Council undertook a detailed analysis of demand for early childhood services throughout the Shire in late 2019. This work built on previous work undertaken for specific areas of the Shire in 2017 and 2018, updated to include data for three-year-old kindergarten and population change.

This work, recommended that planning for new infrastructure be undertaken on a district basis, and confirmed that demand for new infrastructure should be prioritised as:

- a. Leongatha and district (Leongatha, Mirboo North, Meeniyan)
- b. Foster and district (Foster, Toora, Welshpool, Fish Creek, Tarwin Lower)
- c. Korumburra and district (Korumburra, Lock, Poowong, Nyora)

The Prom Coast Children's Centre (PCCC) board was briefed on the outcomes of this review, which identified that additional kindergarten capacity at Prom Coast Children's Centre will be required to meet projected demand for kindergarten and free up capacity for Long Day Care at the Centre. Several options are currently being considered to meet future demand, including extending the current facility, or building a stand-alone kindergarten on adjacent land. There are significant challenges associated with both approaches which require detailed assessment.

Council staff work closely with all kindergartens and child care centres in the Shire throughout the year, including Prom Coast Children's Centre (PCCC). Council is in regular contact with services to monitor demand through the Central Enrolment program, identify options to maximise places and support future planning. During the establishment of three-year-old kindergarten, council consulted regularly with PCCC to help identify the best operating model to meet projected demand. Council is also represented at PCCC Board meetings each month.

Question 2

Why has the numbers used to justify the need in Leongatha not included private services such as Brown Street? Excluding these is a false economy.

Response

Brown Street Early Learning Centre has been included in the supply and demand data provided in the report. Brown Street does not currently provide a funded kindergarten program linked to the central enrolment scheme.

Question 3

Why are the numbers based on max places for a centre and not hours of care available across a week. The Committee of Management at PCCC have done a lot of work to maximise the number of children receiving care at Foster. I fear Foster will be penalised due to this good work done by the Committee of Management? Has similar work been done for Leongatha's 4 Kindergartens?

Response

Council coordinates kindergarten enrolments for all kindergarten services in the Shire through the Central Enrolment program. As a result, Council maintains accurate and real-time information about total capacity for kindergarten places, based on the operational model for each service.

The data used in the report identifies the maximum number of kindergarten places available if all kindergarten services were operating at 100% capacity. The capacity data is not based on the number of licenced places but the number of actual kindergarten places available at each stand-alone kindergarten or childcare centre. This takes into account kindergartens that provide either single or multiple sessions each day as well as kindergarten services provided through Long Day Care services.

With the implementation of three-year-old kindergarten in 2020, all early year's services in the Shire have undertaken detailed work with the support of Council to maximise the number of places available. As a result, nearly 90% of all eligible three-year-old children in the Shire were enrolled in kindergarten in 2020, far exceeding initial estimates. While some kindergartens have some spare capacity, there is current and increasing enrolment pressure in Leongatha, Foster, Korumburra, Meeniyah and Mirboo North.

The demand estimate for Long Day Care is based on the ABS standard which identifies the average number of children aged 0-5 accessing long day care, adjusted for the number of children attending less than a full week. The ABS standard is based on enrolment data supplied by child care centres and updated annually. The projected demand forecasts are based on Australian Bureau of Statistics (ABS) estimates of population growth in the Shire.

Ms Janine Mitchell submitted questions and responses are provided in these Minutes.

Question 1

In the Council agenda, it states that the proposed Skate park being considered is to be in Jupiter Park. In the plans emailed to us it is located in the proposed carpark. Where is it being proposed?

Response

The location of the proposed new entry level Skate Park has changed since the plans you received. Initially they were proposed within the overflow car park as a point of discussion. After extensive consultation and further technical assessment it was considered best suited to be within Jupiter Park. This is because it is publicly visible, has access to toilets and other similar facilities for families to use (for example older child skating/scooting and younger child at playground).

Question 2

Why can't the Skate Park remain where it is and be enlarged or renovated? The proposed new location of Jupiter Blv is very close to licensed premises and a bottle shop, not an appropriate location for underage skaters.

Response

The skate park's current location is not considered appropriate as it would require significant removal of vegetation, does not have access to public toilets, is immediately adjacent to a driveway, has no shade and is not provided with sufficient public oversight to ensure that behaviour is tempered.

Council does not consider the proximity to the licensed premises relevant as there are appropriate laws in place to regulate under age consumption of alcohol within the community. In addition, the location at Jupiter Park is a reasonable distance from those locations, behaviour that interferes with other user's enjoyment of the park is prohibited under the General Local Law 2014, clause 43 and the park includes other recreational facilities for families, providing valuable and consistent public oversight to positively influence behaviour.

Question 3

What curfew restrictions will be placed on the Skate Park proceeds? Jupiter Blv is a highly built up residential area and as a resident of Jupiter Blv, I do not want it in that location due to potential of late night skaters, as street lighting is quite good and could encourage late night gatherings?

Response

As part of the works we will erect a sign which states the hours of use which will be limited to daylight hours (dawn to dusk) consistent with other skate parks.

Mr Don Hill submitted questions and responses are provided in these Minutes.

Question 1

Is there an amount of \$30 Million for a line item for this project (Sport & Recreation Infrastructure Strategy) in the current 15 year capital works program?

Response

No

Question 2

Was the money for this project (Sport & Recreation Infrastructure Strategy), put into the budget last year 2019/20 after the s233 process concluded?

Response

An allocation of \$30M was included in the proposed 2019/20 Annual Budget as Unallocated Infrastructure. This was in the Budget before the S.233 consultation process and was exhibited for public feedback. Prior to final adoption the budget line item was clarified to be the Sport and Recreation Infrastructure Strategy. This was not an additional \$30M, just an item with a name change to improve clarity of purpose.

Question 3

Was it possible for ratepayers to see the information for the Sport & Recreation Infrastructure Strategy in the current s233 process recently concluded?

Response

Due to rate capping, competing priorities, and other adjustments and reallocation, there is no amount in the forward projections specifically allocated to Sport and Recreation.

There is no specific allocation in either the proposed or adopted budget for the current financial year to respond to this strategy.

12. CLOSED SESSION

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

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

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

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

RECOMMENDATION

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

1. Per s.3(1)(g) Agenda items 14.1 and 14.2 designated as private commercial information,
 - a. being information provided by a business, commercial or financial undertaking that –
 - i. Relates to trade secrets; or
 - ii. If released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and
 - b. this item is deemed confidential to protect the privacy of the contractors, tender scores, and tendered amounts submitted for consideration;
2. Per s.3(1)(f) Agenda item 14.3, designated as personal information,
 - a. being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
 - b. the grounds for designation is that the discussion of the merits of the matter may unreasonably disclose unintentional bias of personal affairs.

3. Per s.3(1)(a) Agenda item 14.4, designated as Council business information;
 - a. being information that would prejudice the Council's position in commercial negotiations if prematurely released; and
 - b. the grounds for designation being confidential, as the matters discussed are in commercial contractual negotiations.

MOVED: Administrator Brown

SECONDED: Administrator Zahra

THAT COUNCIL PURSUANT TO SECTION 66(5)(A) AND (B) OF THE LOCAL GOVERNMENT ACT 2020 CLOSE THE COUNCIL MEETING TO THE PUBLIC TO CONSIDER THE FOLLOWING CONFIDENTIAL INFORMATION:

1. **PER S.3(1)(G) AGENDA ITEMS 14.1 AND 14.2 DESIGNATED AS PRIVATE COMMERCIAL INFORMATION,**
 - a. **BEING INFORMATION PROVIDED BY A BUSINESS, COMMERCIAL OR FINANCIAL UNDERTAKING THAT –**
 - i. **RELATES TO TRADE SECRETS; OR**
 - ii. **IF RELEASED, WOULD UNREASONABLY EXPOSE THE BUSINESS, COMMERCIAL OR FINANCIAL UNDERTAKING TO DISADVANTAGE; AND**
 - b. **THIS ITEM IS DEEMED CONFIDENTIAL TO PROTECT THE PRIVACY OF THE CONTRACTORS, TENDER SCORES, AND TENDERED AMOUNTS SUBMITTED FOR CONSIDERATION;**
2. **PER S.3(1)(F) AGENDA ITEM 14.3, DESIGNATED AS PERSONAL INFORMATION,**
 - a. **BEING INFORMATION WHICH IF RELEASED WOULD RESULT IN THE UNREASONABLE DISCLOSURE OF INFORMATION ABOUT ANY PERSON OR THEIR PERSONAL AFFAIRS;**
 - b. **THE GROUNDS FOR DESIGNATION IS THAT THE DISCUSSION OF THE MERITS OF THE MATTER MAY UNREASONABLY DISCLOSE UNINTENTIONAL BIAS OF PERSONAL AFFAIRS.**
3. **PER S.3(1)(A) AGENDA ITEM 14.4, DESIGNATED AS COUNCIL BUSINESS INFORMATION;**
 - a. **BEING INFORMATION THAT WOULD PREJUDICE THE COUNCIL'S POSITION IN COMMERCIAL NEGOTIATIONS IF PREMATURELY RELEASED; AND**
 - b. **THE GROUNDS FOR DESIGNATION BEING CONFIDENTIAL, AS THE MATTERS DISCUSSED ARE IN COMMERCIAL CONTRACTUAL NEGOTIATIONS.**

CARRIED UNANIMOUSLY

The Administrator Chair requested that the Council Chambers be prepared for the Confidential Closed Session of the Council Meeting.

14.2. CONTRACT VARIATION CON/100 - PROVISION OF CLEANING SERVICES - VARIOUS OFFICE SITES

THAT COUNCIL:

- 1. APPROVES A VARIATION TO CONTRACT CON/101 – PROVISION OF CLEANING SERVICES – VARIOUS LOCATIONS (ORIGINAL TOTAL CONTRACT VALUE OF \$282,411.89) TO INCLUDE THE FOLLOWING ACTIVITIES (REVISED TOTAL CONTRACT VALUE OF \$297,221.45):**
 - a. CLEANING OF THE PARKS AND GARDENS BUILDING LOCATED AT THE LEONGATHA DEPOT, 80 YARRAGON ROAD FOR THE ANNUAL AMOUNT OF \$3,744 EXCLUDING GST; AND**
 - b. SPOT CLEANING “TOUCH POINTS” OF ALL THE DEPOT FACILITIES AS A RESULT OF COVID-19 FOR THE ANNUAL AMOUNT OF \$11,065.56 EXCLUDING GST.**

13. MEETING CLOSED

NEXT MEETING

The next Council Meeting will be held on Wednesday, 22 July 2020 commencing at 2pm in the Council Chambers, Leongatha.

The Council Meeting closed at 4.09pm.

Confirmed this

22nd of July 2020.

Administrator Chair, Julie Eisenbise