



**South Gippsland**  
*Shire Council*

*Come for the beauty, Stay for the lifestyle*

# COUNCIL MINUTE

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**ORDINARY MEETING NO. 399  
WEDNESDAY 24 FEBRUARY 2016  
COUNCIL CHAMBER, LEONGATHA  
COMMENCED AT 2PM**

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**PRESENT:**

**Mayor:** Cr Robert Newton  
**Deputy Mayor:** Cr Mohya Davies  
**Councillors:** Nigel Hutchinson-Brooks, James Fawcett, Kieran Kennedy,  
Lorraine Brunt, Andrew McEwen, Don Hill and Jeanette Harding.

**APOLOGY:** Nil

**OFFICERS:**

<b>Mr Tim Tamlin</b>	<b>Chief Executive Officer</b>
<b>Anthony Seabrook</b>	<b>Director Sustainability and Infrastructure Services</b>
<b>Bryan Sword</b>	<b>Director Development Services</b>
<b>Jan Martin</b>	<b>Director Community and Corporate Services</b>
<b>June Ernst</b>	<b>Coordinator Corporate Planning and Council Business</b>
<b>Natasha Berry</b>	<b>Corporate and Council Business Officer</b>
<b>Jodi Cumming</b>	<b>Corporate and Council Business Officer</b>
<b>Rick Rutjens</b>	<b>Coordinator Media &amp; Communications</b>
<b>Danny McDonald</b>	<b>Manager Economic Development, Tourism &amp; Customer Service</b>

## **MISSION**

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

# SOUTH GIPPSLAND SHIRE COUNCIL

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**Tim Tamlin**  
**Chief Executive Officer**

## **SECTION A - PRELIMINARY MATTERS**

### **A.1 WELCOME**

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

### **A.2 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

### **A.3 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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

### **A.4 REQUESTS FOR LEAVE OF ABSENCE**

**MOVED: Cr McEwen**

**SECONDED: Cr Kennedy**

**THAT COUNCILLOR MCEWEN REQUEST LEAVE OF ABSENCE FROM COUNCIL FOR 14 - 28 MARCH 2016.**

**CARRIED UNANIMOUSLY**

### **A.5 APOLOGIES**

**Nil**

## **A.6 CONFIRMATION OF MINUTES**

### **RECOMMENDATION**

That the Minutes of the South Gippsland Shire Council:

1. Ordinary Meeting No. 398, held on 16 December 2015 in the Council Chamber, Leongatha be confirmed; and
2. Special Meeting of Council, held on 13 January 2016 in the Council Chamber, Leongatha be confirmed.

**MOVED: Cr Kennedy**

**SECONDED: Cr Davies**

**THAT THE MINUTES OF THE SOUTH GIPPSLAND SHIRE COUNCIL:**

1. **ORDINARY MEETING NO. 398, HELD ON 16 DECEMBER 2015 IN THE COUNCIL CHAMBER, LEONGATHA BE CONFIRMED; AND**
2. **SPECIAL MEETING OF COUNCIL, HELD ON 13 JANUARY 2016 IN THE COUNCIL CHAMBER, LEONGATHA BE CONFIRMED.**

**CARRIED UNANIMOUSLY**

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## A.7 DECLARATION OF CONFLICT OF INTEREST FOR COUNCILLORS

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

If a Councillor or staff member discloses any interest in an item discussed at any Council Meeting (whether they attend or not) they must:

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

The Councillor or staff member will be advised to return to the Council Chamber or Meeting room immediately after the item has been considered and the vote is complete.

Councillors should check the Minutes of the Council Meeting to ensure their disclosure is recorded accurately.

Councillors are not required to disclose conflict of interest in relation to matters only considered at Meetings they do not attend.

Detailed information is available in Conflict of Interest – A Guide for Councillors June 2011.

**Cr Fawcett left the Council Meeting at 4.11pm with a declared indirect conflict of Interest in Council Agenda Item E.3 PRIORITY PROJECTS FOR ADVOCACY, FUNDING AND FOCUS 2016 in that he has a conflicting duty as he is a Director of South Gippsland Water and the Northern Towns Water Security project is part of South Gippsland Water duties.**

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

## Privacy

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

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

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## A.8 DECLARATION OF CONFLICT OF INTEREST FOR STAFF

Sections 80B and 80C of the Local Government Act 1989 require members of Council staff who have delegated functions and /or provide advice to Council or a Special Committee to disclose conflicts of interest. If Council staff have written, provided information/advice or approved a Council Report and have a conflict of interest it is the responsibility of that staff member to disclose the interest. Guidance to identifying and disclosing a conflict of interest is contained in Department of Planning and Community Development in '*Conflict of Interest A Guide for Council staff*', October 2011.

**Nil**

## A.9 PETITIONS

**Petitions** (and Joint letters) are written requests that have been signed by a number of community members. According to the Local Law No.3 2010 petitions may be presented to Council by a Councillor. A petition presented to the Council must lay on the table until the next Ordinary Meeting of the Council and no motion, other than to receive the petition, may be accepted by the Chair unless the Council agrees to deal with it earlier.

The lead petitioner or person organising the petition may in presenting the petition to a Councillor at the Council Meeting speak briefly to its contents. At the same meeting a Councillor would accept the petition and introduce it to Council for formal noting and actioning by Council.

The Councillor presenting the petition is responsible for ensuring that they are familiar with the contents and purpose of the petition and that it is not derogatory or defamatory.

### **Petition Response from Ordinary Council Meeting 16 December 2015**

**At Council Meeting 16 December 2015 Council received a number of petitions on behalf of lead petitioner, Mr Jim Wilson, from the residents of Foster, Fish Creek and Toora regarding the Proposed Sale of Land, 2 Berry Street, Foster.**

**At the Special Committee of Council meeting held 9 February 2016, all petitions relating to the Proposed Sale of Land 2 Berry Street, Foster from lead petitioner Mr Jim Wilson were considered. The Special Committee of Council determined not to sell 2 Berry Street, Foster (refer Section C - Committee Reports).**

**Noted.**



## **Petition 1**

**Councillor Fawcett presented a Petition to Council (prayer outlined below) signed by 14 residents of Miles Lane, Leongatha in support of a request for two (2) street lights.**

### **Petition Prayer**

***'Petition for the installation of 2 lights in Miles Lane at Council expense.'***

## **RECOMMENDATION**

That Council:

1. Receive and note the petition; and,
2. The petition lay on the table until the council meeting of 23 March 2016 to enable officers to prepare a report to council.

**MOVED: Cr Fawcett**

**SECONDED: Cr Hill**

**THAT COUNCIL:**

1. **RECEIVE AND NOTE THE PETITION; AND,**
2. **THE PETITION LAY ON THE TABLE UNTIL THE COUNCIL MEETING OF 23 MARCH 2016 TO ENABLE OFFICERS TO PREPARE A REPORT TO COUNCIL.**

**CARRIED UNANIMOUSLY**

## **Petition 2**

**Councillor Brunt presented a Petition to Council (prayer outlined below) signed by 481 community members from Poowong, Loch, Nyora and Korumburra regarding support for traffic management in respect of the Poowong Consolidated School.**

### **Petition Prayer**

***'We the undersigned petition the responsible authority for the installation of flashing 40 kph speed indicators on all School Zone entries to the Poowong Consolidated school in the town of Poowong.'***

### **RECOMMENDATION**

That Council:

1. Receive and note the petition; and,
2. The petition lay on the table until the council meeting of 23 March 2016 to enable officers to prepare a report to Council.

**MOVED: Cr Brunt**

**SECONDED: Cr Kennedy**

**THAT COUNCIL:**

1. **RECEIVE AND NOTE THE PETITION; AND,**
2. **THE PETITION LAY ON THE TABLE UNTIL THE COUNCIL MEETING OF 23 MARCH 2016 TO ENABLE OFFICERS TO PREPARE A REPORT TO COUNCIL.**

**CARRIED UNANIMOUSLY**

### **Petition 3**

**Councillor Harding presented a Petition to Council (prayer outlined below) signed by approximately 1,664 residents of Toora, Welshpool, Foster, Port Franklin, and some signatures out of the Shire with regard to seeking support for the restoration of the Long Jetty, Port Welshpool.**

#### **Petition Prayer**

***'We are seeking your support with our final endeavour to the restoration for the Long Jetty at Port Welshpool. We are still seeking Federal Government support for this project.'***

#### **RECOMMENDATION**

That Council:

1. Receive and note the petition;
2. Consider and respond to the petition as part of a report before Council E.5 PORT WELSHPOOL LONG JETTY REHABILITATION FUNDING UPDATE 2016; and
3. Inform the lead petitioner of Council's response.

**MOVED: Cr Harding**

**SECONDED: Cr Kennedy**

**THAT COUNCIL:**

1. **RECEIVE AND NOTE THE PETITION;**
2. **CONSIDER AND RESPOND TO THE PETITION AS PART OF A REPORT BEFORE COUNCIL E.5 PORT WELSHPOOL LONG JETTY REHABILITATION FUNDING UPDATE 2016; AND**
3. **INFORM THE LEAD PETITIONER OF COUNCIL'S RESPONSE.**

**CARRIED UNANIMOUSLY**

## **A.10 COUNCILLOR REPORTS**

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**Cr Kennedy addressed Council by making comments on the increased numbers of visitors to the area over the summer season in Venus Bay, and that the Council part sponsored the community bus to run again this year. Cr Kennedy commented that the Venus Bay Summer Bus service was a great success, it serviced 2,100 passengers over 17 days. Cr Kennedy impressed that the service is greatly needed as there is a heavy influx of visitors everyday in the peak season along the coast. Cr Kennedy further highlighted the need for the services of the Surf Lifesaving Club as they made 50 preventative rescues a day and he mentioned concerns that Beach 2, 3, 4 and 5 are not patrolled, there was one unfortunate drowning this season.**

**Cr Kennedy made comment on the positive economic and tourism outcomes for the towns when the popular Unify concert was held again this year in January.**

**Cr Kennedy foreshadowed that he would be working towards investigating with relevant parties a project that would draw more tourists an example he discussed was a coastal board walk.**

**Cr Kennedy made a comment that the Tour de Tarwin event would be held again this year, it is the 10<sup>th</sup> year for the event and raises over \$120,000 for the CFA and other emergency services in the district, he wished the event every success.**

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**Cr Brunt addressed Council regarding attendance at Korumburra Business Association (KBA) meeting and noted the positivity of the association going forward this year. Cr Brunt mentioned some of the recent events that they have supported for the town such as the Korumburra Show and Monster Trucks, and she looks forward to provide ongoing support.**

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**Cr Harding addressed Council regarding attendance at:**

- Italian Festa in Mirboo North, the event was spectacular and congratulations were well deserved for a weekend that was wonderfully organised and the weather superb.**
  - Long Jetty meeting that was well attended by 120 people and expressed thank you for all those who attended. Cr Harding confirmed that there is strong community concern for the Long Jetty as she is still receiving daily phone calls about it.**
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**Cr Davies addressed Council regarding attendance at:**

- **Long Jetty meeting and confirmed the comments from Cr Harding that there is much community concern for the state of the Long Jetty and this has been demonstrated by the tabling of a petition in today's Council Meeting, much interest on social media and letters of support. Cr Davies commented that much work is being done in the community towards the grant application process.**
- **Australia Day events in Leongatha and Foster and commented that they are a great celebration for our sense of community and being an Australian.**
- **Rail Trail project and commented that it is near completion, including the signage project which is about to be rolled out.**
- **Rural Councils Victoria meeting which is working towards advocacy for the conditions being put upon rural councils.**
- **Municipal Association Victoria (MAV) Strategic Planning Days in Traralgon which looked at the issues pertinent to the Gippsland and its local governance.**

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**Cr McEwen addressed Council regarding attendance at:**

- **Long Jetty meeting in Port Welshpool and it was great to see that it was well attended and the passion in the community.**
- **Arts Policy meeting and commented that the outcome of the meeting resulted in the completion of an Arts Policy that will be tabled at a future meeting of Council and that the South Gippsland Arts Alliance was formed. Cr McEwen commented that the formation of the alliance would result in promotion of the arts across the Shire.**
- **Stony Greek Equestrian Centre meeting.**
- **Men's Shed meeting.**

**Cr McEwen addressed Council by making comments that the region is not just focused on the promotion of the Prom and that the existence of Festivals etc demonstrate that people are going to the middle areas of the district as they offer fabulous tourism events.**

**Cr McEwen further commented that he thinks that there is a different type of people entering the Shire, people building second homes and that they work in Melbourne and from their rural home. Cr McEwen commented that he thinks that a strategy is needed on how to invest in tourism equitably across the Shire.**

**Cr McEwen commented that he has been working on the Small Arts Transformation Fund of \$350,000 for small towns and commented that the community of Koonwarra are applying for this.**

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**Cr Hill addressed Council regarding attendance at:**

- **Mirboo North Idol and commented that the volunteers in Mirboo North are amazing.**
  - **Italian Festa in Mirboo North and commented that it was an unbelievable event so professionally put together by volunteers.**
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**Cr Hutchinson-Brooks addressed Council regarding attendance at a rededication of the Avenue of Honor in Leongatha and explained that just inside the main gate at the Leongatha Recreation Reserve is a display of Honour Boards which list the names of all the local people who went to World War 1. Cr Hutchinson-Brooks explained why the avenues were planted across Victoria after the War, and that the original plaques on the trees have been lost over the years and that the research by RSL to restore this information is a valuable providence. He encouraged attendance to view the displays.**

**Cr Fawcett left the Council Meeting at 2.26pm and returned at 2.27pm.**

**Cr Hutchinson-Brooks addressed Council by making comments about the great work of Council staff in ensuring that Risk is eliminated across the Shire and particularly over the summer season. Cr Hutchinson-Brooks commented on a recent example of the parking issues at Mossvale Market and the influx of people and that the second Market did not have the same issues.**

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**Cr Newton addressed Council regarding attendance at the Rededication of Avenue of Honor in Leongatha and commented how moving it was for him as there were four generations of his family at this event.**

**Cr Newton addressed Council by informing them that the Opening of Rail Trail would take place at the Koonwarra Recreation Reserve on 4 March at 3pm, he expects that it will be a great celebration of the 'missing link' that completes the journey of the trail from Leongatha to Port Welshpool.**

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## **SECTION B - NOTICES OF MOTION AND/OR RESCISSION**

**Nil**

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## SECTION C - COMMITTEE REPORTS

### **C.1 OUTCOME OF 9 FEBRUARY 2016 SPECIAL COMMITTEE OF COUNCIL - STRATEGIC LAND REVIEW 2015/2016 - HEAR, CONSIDER & DETERMINE 2015/16 PROPERTIES FOR SALES**

Sustainable Communities & Infrastructure Directorate

#### **EXECUTIVE SUMMARY**

On 9 February 2016, a Special Committee of Council met in a closed session to hear, consider and determine the submissions received in respect to the advertised 2015/16 proposed land sales as part of the Strategic Review of Land Holdings project (the Project).

At this closed session, the Special Committee of Council resolved to make the resolution public at the next appropriate Council meeting. The resolution is shown below.

#### **RESOLUTION 9 FEBRUARY 2016 - SPECIAL COMMITTEE OF COUNCIL**

#### **THAT THE SPECIAL COMMITTEE OF COUNCIL:**

- 1. DETERMINE TO SELL OR NOT TO SELL THE PROPERTIES LISTED IN THE TABLE BELOW:**

<b>PROPERTY NO. <i>as per Att 1</i></b>	<b>PROPERTY &amp; LEGAL DESCRIPTION</b>
2.	<p><b>Roberts Lane, Leongatha</b> (private car parking areas) being the land described in Certificates of Title Volume 8673 Folio 244 being Lot 1 TP412950L and Volume 8892 Folio 258 being Lot 1 &amp; 2 TP559639P to the adjoining land owners of 47, 51 and 51A McCartin Street Leongatha for the same consideration as Council acquired the land on the condition that the purchaser consolidates the certificate of title with its adjoining certificate of title.</p> <p><b>Moved: Cr McEwen, Seconded: Cr Davies</b></p> <p><b>That Council SELL this land.</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>



<b>PROPERTY NO.</b> <i>as per Att 1</i>	<b>PROPERTY &amp; LEGAL DESCRIPTION</b>
3.	<p><b>21 Smith Street, Leongatha</b> being the land described in Certificate of Title Volume 10787 Folio 678 being Lot 1 PS519056E being approximately 746m2 by way of private treaty or by public sale.</p> <p><b>Moved: Cr McEwen, Seconded: Cr Hutchinson-Brooks</b></p> <p><b>That Council NOT SELL this land.</b></p> <p><b>For: Crs McEwen, Hutchinson-Brooks, Kennedy, Newton</b> <b>Against: Crs Fawcett, Harding, Davies, Brunt</b></p> <p><b>Moved: Cr McEwen, Seconded: Cr Hutchinson-Brooks</b></p> <p><b>That the Special Committee refer this matter to Council for decision.</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>
6.	<p><b>2A St Andrews Drive (Sawyer Street Reserve), Leongatha</b> being the land described in Certificate of Title Volume 10838 Folio 813 being Reserve 1 PS431800M and Certificate of Title Volume 10200 Folio 413 being Reserve 4 PS330445T by way of private treaty or public sale subject to removal of the reservation status in accordance with section 24A of the Subdivision Act 1988.</p> <p><b>Conflict of interest:</b> Cr Hutchinson-Brooks declared a conflict of interest in this matter and left the room.</p> <p><b>Moved: Cr Fawcett, Seconded: Cr McEwen</b></p> <p><b>That Council SELL this land.</b></p> <p><b>CARRIED UNANIMOUSLY</b></p> <p>Cr Hutchinson-Brooks returned to the meeting.</p>

PROPERTY NO. <i>as per Att 1</i>	PROPERTY & LEGAL DESCRIPTION
7.	<p><b>372 Jeetho West Road, Jeetho</b> being the land described in Certificate of Title Volume 5852 Folio 251 being Lot 1 TP900051C being approximately 1,011m2 to an adjoining land owner.</p> <p><b>Moved: Cr Brunt, Seconded: Cr Newton</b></p> <p><b>That Council SELL this land</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>
8.	<p><b>166 Baromi Road, Baromi</b> being the land described in Certificate of Title Volume 10284 Folio 481 being Lot 1 &amp; 2 TP211427X being approximately 2,024m2 to the adjoining land owner. (Same submission for 220 Boolarra Mirboo North Road).</p> <p><b>Moved: Cr Hutchinson-Brooks, Seconded: Cr McEwen</b> <b>That Council SELL this land</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>
9.	<p><b>60 &amp; 66 Lawsons Road, Koorooman</b> being the land described in Certificate of Title Volume 8491 Folio 017 being Lot 1 TP512978E (1,399m2) and the land described in Certificate of Title Volume 9568 Folio 379 being Lot 1 TP600497G (815m2) to an adjoining land owner.</p> <p><b>Moved: Cr Hutchinson-Brooks, Seconded: Cr McEwen</b></p> <p><b>That Council SELL this land.</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>
10.	<p><b>220 Boolarra Mirboo North Road, Mirboo North</b> being the land described in Certificate of Title Volume 10298 Folio 096 being Lot 1 TP654403Q being approximately 1,383m2 to an adjoining land owner. (Same submission for 166 Baromi Road).</p> <p><b>Moved: Cr Hutchinson-Brooks, Seconded: Cr McEwen</b> <b>That Council SELL this land.</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>

<b>PROPERTY NO.</b> <i>as per Att 1</i>	<b>PROPERTY &amp; LEGAL DESCRIPTION</b>
11.	<p><b>11-17 Old Waratah Road, Fish Creek</b> being the land described in Certificate of Title Volume 10158 Folio 879 being Lots 1, 2, 3 &amp; 4 TP91540Q and Volume 9715 Folio 636 being Lot 1 TP134962C being total area approximately 4,107m2 once Council has rezoned the land, by way of private treaty or public sale.</p> <p><b>Moved: Cr Davies Seconded: Cr Fawcett</b></p> <p><b>That Council SELL this land.</b></p> <p><b>CARRIED</b></p> <p><b>For: Crs Davies, Brunt, Kennedy, Hutchinson-Brooks, Fawcett, Newton.</b> <b>Against: Crs McEwen, Harding.</b></p>
12.	<p><b>6A Concetta Court, Korumburra</b> being the land described within Certificate of Title Volume 9838 Folio 367 being Reserve 1 PS211337C approximately 443m2 to an adjoining land owner by private treaty subject to removal of the reservation status in accordance with section 24A of the Subdivision Act 1988.</p> <p><b>Moved: Cr Brunt, Seconded: Cr Davies</b></p> <p><b>That Council SELL this land.</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>
14.	<p><b>2 Berry Street, Foster</b> being the land described in Certificate of Title Volume 8697 Folio 715 being Lot 1 TP379426K. approximately 1,124m2 by way of private treaty or public sale.</p> <p><b>Moved: Cr Davies, Seconded: Cr Harding</b></p> <p><b>That Council NOT SELL this land.</b></p> <p><b>CARRIED</b></p> <p><b>For: Crs Harding, Newton, Hutchinson-Brooks, McEwen, Davies.</b> <b>Against: Crs Fawcett, Brunt.</b></p>

<b>PROPERTY NO.</b> <i>as per Att 1</i>	<b>PROPERTY &amp; LEGAL DESCRIPTION</b>
15.	<p><b>26A-42A Juno Road, Venus Bay</b> being the land within the Restructure Overlay allotments described in Certificate of Title Volume 10134 Folio 107 being Lot 4 PS312565K (427m<sup>2</sup>) and Certificate of Title Volume 10134 Folio 108 being Lot 5 PS312565K (448m<sup>2</sup>) and Certificate of Title Volume 10134 Folio 109 being Lot 6 PS312565K (558m<sup>2</sup>) total approximate area 1,433m<sup>2</sup> to the adjoining land owners in accordance with the Restructure Overlay within the Planning Scheme.</p> <p><b>Moved: Cr Davies, Seconded: Cr Kennedy</b></p> <p><b>That Council SELL this land.</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>
16.	<p><b>Sell or not sell 641A Lees Road, Venus Bay</b> being part of the land described within Certificate of Title Volume 9900 Folio 611 being Reserve 3 LP56446 approximately 839m<sup>2</sup> by way of private treaty or public sale subject to removal of the reservation status in accordance with section 24A of the Subdivision Act 1988.</p> <p><b>MOVED: Cr Kennedy, SECONDED: Cr McEwen</b></p> <p><b>THAT COUNCIL NOT SELL THIS LAND.</b></p> <p><b>LOST</b></p> <p><b>For: Crs Kennedy, McEwen</b> <b>Against: Crs Newton, Fawcett, Hutchinson-Brooks, Harding, Davies</b></p> <p><b>MOVED: Cr Fawcett, SECONDED: Cr Davies</b></p> <p><b>THAT COUNCIL SELL THIS LAND.</b></p> <p><b>CARRIED</b></p> <p><b>For: Crs Newton, Fawcett, Hutchinson-Brooks, Brunt, Davies.</b> <b>Against: Crs Kennedy, McEwen, Harding.</b></p>

<b>PROPERTY NO.</b> <i>as per Att 1</i>	<b>PROPERTY &amp; LEGAL DESCRIPTION</b>
18.	<p><b>4A Stockyard Court/Wood Court, Yanakie</b> being the land described within Certificate of Title Volume 9923 Folio 512 being Reserve 1 PS217463P (386m<sup>2</sup>) and Certificate of Title Volume 10051 Folio 306 being Reserve 2 PS305165S (406m<sup>2</sup>) total area approximately 792m<sup>2</sup> by way of private treaty or public sale subject to removal of the reservation status in accordance with section 24A of the Subdivision Act 1988.</p> <p><b>Moved: Cr Fawcett, Seconded: Cr Brunt</b></p> <p><b>That Council SELL this land.</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>
19.	<p><b>1A Canterbury Road, Venus Bay</b> being the land described within Certificate of Title Volume 9900 Folio 603 being Reserve 2 LP54172 approximately 1,270m<sup>2</sup> by way of private treaty or public sale subject to removal of the reservation status in accordance with section 24A of the Subdivision Act 1988.</p> <p><b>Moved: Cr Kennedy, Seconded: Cr McEwen</b></p> <p><b>That Council NOT SELL this land.</b></p> <p><b>For: Crs Kennedy, McEwen, Hutchinson-Brooks, Harding.</b> <b>Against: Crs Brunt, Fawcett, Davies, Newton.</b></p> <p><b>Moved: Cr Kennedy, Seconded: Cr McEwen</b></p> <p><b>That the Special Committee refer this matter to Council for decision.</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>

<b>PROPERTY NO.</b> <i>as per Att 1</i>	<b>PROPERTY &amp; LEGAL DESCRIPTION</b>
20.	<p><b>37A Centre Road, Venus Bay</b> being the land described within Certificate of Title Volume 9900 Folio 606 being Reserve 1 LP54880 approximately 3,602m<sup>2</sup> by way of private treaty or public sale subject to removal of the reservation status in accordance with section 24A of the Subdivision Act 1988.</p> <p><b>Moved: Cr Fawcett, Seconded: Cr Newton</b></p> <p><b>That Council SELL this land.</b></p> <p><b>LOST</b></p> <p><b>For: Crs Fawcett, Davies, Brunt.</b> <b>Against: Crs McEwen, Kennedy, Harding, Hutchinson-Brooks, Newton.</b></p> <p><b>Moved: Cr Hutchinson-Brooks, Seconded Cr Kennedy</b></p> <p><b>That Council NOT SELL this land.</b></p> <p><b>CARRIED</b></p> <p><b>For: Crs McEwen, Kennedy, Harding, Hutchinson-Brooks, Newton.</b> <b>Against: Crs Davies, Brunt, Fawcett.</b></p>
21.	<p><b>1A Noble Street, Venus Bay</b> being the land described within Certificate of Title Volume 10542 Folio 031 being Lot 1 PS439059S approximately 640m<sup>2</sup> by way of private treaty or public sale.</p> <p><b>Moved: Cr Kennedy, Seconded: Cr McEwen</b></p> <p><b>That Council NOT SELL this land.</b></p> <p><b>For: Crs Kennedy, McEwen, Hutchinson-Brooks, Harding.</b> <b>Against: Crs Fawcett, Brunt, Davies, Newton.</b></p> <p><b>Moved: Cr Kennedy, Seconded: Cr McEwen</b></p> <p><b>That the Special Committee refer this matter to Council for decision.</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>

PROPERTY NO. <i>as per Att 1</i>	PROPERTY & LEGAL DESCRIPTION
22.	<p><b>35A Callaway Crescent, Leongatha</b> being the land described within Certificate of Title Volume 9613 Folio 879 being Reserve 1 LP148282B approximately 607.7m2 by way of private treaty or public sale once Council has rezoned the land and the reservation has been removed in accordance with section 24A of the Subdivision Act 1988.</p> <p><b>Moved: Cr Fawcett, Seconded: Cr Hutchinson-Brooks</b></p> <p><b>That Council SELL this land.</b></p> <p><b>CARRIED UNANIMOUSLY</b></p>
23.	<p><b>143A Inlet View Road, Venus Bay</b> being the land described within Certificate of Title Volume 9900 Folio 605 being Reserve 1 LP54175 approximately 3,127m2 by way of private treaty or public sale subject to removal of the reservation status in accordance with section 24A of the Subdivision Act 1988.</p> <p><b>Moved: Cr Kennedy, Seconded: Cr McEwen</b></p> <p><b>That Council NOT SELL this land.</b></p> <p><b>LOST</b></p> <p><b>For: Crs Kennedy, McEwen.</b>  <b>Against: Crs Hutchinson-Brooks, Fawcett, Newton, Davies, Harding.</b></p> <p><b>Moved: Cr Fawcett, Seconded: Cr Brunt</b></p> <p><b>That Council SELL this land.</b></p> <p><b>CARRIED</b></p> <p><b>For: Crs Fawcett, Hutchinson-Brooks, Newton, Davies, Harding, Brunt.</b>  <b>Against: Crs Kennedy, McEwen.</b></p>

2. **AGREE THAT THE REASONS FOR THOSE PROPERTIES AS SO DETERMINED BY THE SPECIAL COMMITTEE ARE AS FOLLOWS:**
  - a. **THAT EACH PROPERTY HAS BEEN THOROUGHLY ASSESSED USING THE EVALUATION MATRIX THAT WAS ADOPTED BY COUNCIL ON 23 JULY 2014.**

- b. **THE EVALUATION MATRIX WAS THE SUBJECT OF PUBLIC CONSULTATION AND THE FEEDBACK RECEIVED FROM THE COMMUNITY WAS USED TO INFORM THE EVALUATION CRITERIA.**
  - c. **THE MATTERS RAISED IN EACH SUBMISSION WERE APPROPRIATELY ADDRESSED IN THE EVALUATION PHASE.**
  - d. **THAT COUNCIL HAS FOLLOWED THE REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 1989 (SECTIONS 189 AND 223).**
  - e. **THE DETERMINATION MADE IS CONSISTENT WITH THE OBJECTIVES OF THE COUNCIL'S LAND OWNERSHIP POLICY.**
3. **AGREE TO NOTIFY EACH SUBMITTER OF THE DETERMINATION AND THE REASONS AS LISTED IN RECOMMENDATION 2(A)-(E) ABOVE.**
  4. **PROVIDE A REPORT OF THE SPECIAL COMMITTEE'S RESOLUTION FOR NOTING AT THE NEXT APPROPRIATE COUNCIL MEETING.**
  5. **AGREE TO COMMENCE THE SALE AND MARKETING PROCESS FOR THOSE PROPERTIES DETERMINED TO BE SOLD.**
  6. **AGREE TO COMMENCE THE STATUTORY PROCEDURES TO REMOVE THE RESERVATION STATUS IN ACCORDANCE WITH SECTION 24A OF THE SUBDIVISION ACT 1988 AND REZONE AS APPROPRIATE FOR THE FOLLOWING PROPERTIES THAT DID NOT ATTRACT SUBMISSIONS:**
    - a. **52 SHELLCOT ROAD, KORUMBURRA BEING THE LAND DESCRIBED IN CERTIFICATE OF TITLE VOLUME 9340 FOLIO 984.**
    - b. **11 MACDONALD STREET, LEONGATHA BEING THE LAND DESCRIBED IN CERTIFICATE OF TITLE VOLUME 9583 FOLIO 577.**
    - c. **6A DAVIS COURT, LEONGATHA BEING THE LAND DESCRIBED IN CERTIFICATE OF TITLE VOLUME 10235 FOLIO 892 AND VOLUME 10077 FOLIO 279.**

**MOVED: Cr Kennedy, SECONDED: Cr McEwen**

**CARRIED UNANIMOUSLY**



**MOVED: Cr Kennedy, SECONDED Cr McEwen**

**THAT THE SPECIAL COMMITTEE MEETING RESUME IN OPEN COUNCIL  
AND THE RESOLUTION OF THE SPECIAL COMMITTEE MEETING BE  
MADE PUBLIC.**

**CARRIED UNANIMOUSLY**

**RECOMMENDATION**

That Council note the outcome of the Special Committee Meeting of Tuesday  
9 February 2016.

**MOVED: Cr Davies**

**SECONDED: Cr Fawcett**

**THAT COUNCIL NOTE THE OUTCOME OF THE SPECIAL COMMITTEE  
MEETING OF TUESDAY 9 FEBRUARY 2016.**

**CARRIED UNANIMOUSLY**

## **SECTION D – PROCEDURAL REPORTS**

### **D.1 QUARTERLY PERFORMANCE REPORT – OCTOBER TO DECEMBER 2015**

Corporate and Community Services Directorate

#### **STAFF DISCLOSURE OF INTEREST**

Nil

#### **EXECUTIVE SUMMARY**

The Organisational Quarterly Performance Report for the period October to December 2015 provides detailed reporting on Council's performance against the 2015-2016 Annual Initiatives, Capital Works Program and Department Budgets.

This covering report outlines the key achievements, issues, updates and events that occurred during this reporting period.

#### **Document/s pertaining to this Council Report**

- **Appendix 1** - Quarterly Performance Report October to December 2015

A copy of **Appendix 1** is available on Council's website:  
[www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au) or by contacting (03) 5662 9200.

#### **LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

Local Government Act 1989, Sections 125, 127 and 223

#### **INTERNAL POLICIES / STRATEGIES / DOCUMENTS**

2015-2016 Annual Budget incorporating 15 year Long Term Financial Plan and Annual Plan Initiatives.

#### **COUNCIL PLAN**

Outcome:	4.0	A Leading Organisation
Objective:	4.2	Pursue best practice in organisational development and operation of the organisation.
Strategy:	4.2.4	We will create an environment for people to be their best, to optimise the performance of the organisation and to deliver quality outcomes for the community.

#### **CONSULTATION**

Each Department has contributed to the report.

## **REPORT**

### **Background**

The 2015-2016 Annual Budget (inclusive of the Annual Initiatives) was adopted by Council on 24 June 2015. It sets the indicators and initiatives/activities which are reported within the Quarterly Performance Report to Council (**Appendix 1**).

The 2013-2017 Council Plan adopted in June 2013 and reviewed annually, includes key strategic Outcomes, Objectives and Strategies. A series of indicators are allocated to the four Outcomes and progress against these indicators is included in the 'Annual Plan 2015/16 Performance Update' section of **Appendix 1**.

### **Discussion**

The report provides Directorate overviews. Where possible, comparisons are made and reflected in graphs.

Significant highlights during the period include:

### **EXECUTIVE OFFICE**

- Exceeded 1,000 Facebook followers for the first time.
- Compiled the Australia Day Awards nominations for consideration of Councillors and representatives of local Australia Day groups.

### **CORPORATE AND COMMUNITY SERVICES**

- "2015 Deadly in Gippsland" Indigenous Conference held – connecting Community, Family, Culture, Land and Youth. Nineteen organisations provided assistance in planning and presenting the event with 250 attendees over three days – over 50% identified as Aboriginal and/or Torres Strait Islander.
- Athol Guy and cast entertained 350 seniors on a journey through the Seekers Story. The free concert for senior citizens was extremely well received.
- Karmai Community Children's Centre official sod turning was held on 20 November with Daniel Mulino MLC, Russell Broadbent MP and Danny O'Brien MLA in attendance. Works on Mair Street, Korumburra progressed with the site cleared and levelled in preparation for construction.
- Over 100 children, parents and carers attended the 'Children Week' event, held at South Gippsland Splash on 26 October 2015.

- External funding applications were submitted for; Leongatha Golf Club Irrigation Project, Nyora Recreation Reserve Upgrade, South Gippsland Rural Cricket Facilities, Poowong Pool Refurbishment, Healthy Connections Project.
- Annual Plan Initiatives for the proposed 2016/2017 Budget were developed with Council including community feedback received from an On-line Forum and a Community Workshop held on 9 October 2015 at Coal Creek.

### **DEVELOPMENT SERVICES**

- The Minister for Planning approved Planning Scheme Amendment C105 Meeniyan Waste Water Treatment Plant rezoning and amenity buffer.
- Planning Scheme Amendment C77 Part 3 Eastern Districts Urban Design Frameworks – final stage approved by Minister for Planning.
- Public exhibition of both the Leongatha and Korumburra Streetscape Masterplans took place.
- The Seasonal Population Impacts in Coastal Towns Plan was endorsed by Council. An implementation plan is being developed for 2016/2017.

### **SUSTAINABLE COMMUNITIES AND INFRASTRUCTURE SERVICES**

- A well-attended Truck Safety Day was held for the local heavy freight industry at the Koonwarra Saleyards on 28 November 2015.
- \$53,863 grant funding was obtained to support the upgrade of 30 public litter bin enclosures in the Leongatha CBD to facilitate public place recycling. The total value of the project is \$72,250.
- Completed the installation of playgrounds at various locations in the Shire. Details are contained in **Appendix 1**.
- Completed the new solar system at the Korumburra Pool and new energy efficient lighting at South Gippsland Splash Leongatha.
- Completed the Walter J. Tuck new tennis / netball courts as well as a new cricket/soccer storage facility, and a new cricket shelter in full consultation with the Committee of Management.
- Completed extensive drainage maintenance works across the Shire. Details are included in **Appendix 1**.
- Completed stabilising works across the Shire. Details are included in **Appendix 1**.
- Completed footpath works at Jupiter Boulevard, Venus Bay and footpath renewals at Shellcot Road, Korumburra.

- Completed the tree removal at Peart Street, Leongatha as part of the Tree Replacement Program (replanting in Autumn) with support from residents; and completed significant tree works at the Korumburra Public Park.

### **FINANCIAL CONSIDERATIONS**

2015-2016 Annual Initiatives and Capital Works programs are funded through the 2015-2016 Budget.

### **RISKS**

The Quarterly Performance Report mitigates the risk of Annual Initiatives and Capital Works activities not being managed, as every Department is required to monitor and report on the progress of their respective responsibilities on a regular basis.

### **CONCLUSION**

Some significant achievements and steady progress overall for the Quarter.

### **RECOMMENDATION**

That Council receive and note the Organisational Performance Report (Appendix 1) for the period October to December 2015.

**MOVED: Cr Brunt**

**SECONDED: Cr Davies**

**THAT COUNCIL RECEIVE AND NOTE THE ORGANISATIONAL PERFORMANCE REPORT (APPENDIX 1) FOR THE PERIOD OCTOBER TO DECEMBER 2015.**

**Cr Fawcett left the Council Meeting at 2.51pm and returned at 2.52pm.**

**CARRIED UNANIMOUSLY**

## **D.2 COUNCILLOR EXPENDITURE REPORT - 31 DECEMBER 2015**

Corporate and Community Services

### **STAFF DISCLOSURE OF INTEREST**

Nil

### **EXECUTIVE SUMMARY**

The Councillor Expenditure Report (**Attachment 1**) provides Council with an update on Councillor Expenditure from 1 July 2015 to 31 December 2015.

#### Document/s pertaining to this Council Report

- **Attachment 1** - Councillor Expenditure Report - 1 July to 31 December 2015

### **LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

- Local Government Act - Section 75 Reimbursement of expenses of Councillors
- Councillor Support and Expenditure Policy

### **COUNCIL PLAN**

Outcome:	4.0	A Leading Organisation
Objective:	4.2	Pursue best practice in organisational development and operations of the organisation
Strategy:	4.2.3	We will make informed decisions and provide opportunities for the community to participate in the decision making process.

### **REPORT**

#### **Background**

The Councillor Expenditure Report (**Attachment 1**) provides Council with an update on Councillor Expenditure from 1 July 2015 to 31 December 2015.

### **FINANCIAL CONSIDERATIONS**

The budget provision year-to-date December 2015 for Councillor Expenses was \$194,858. Actual expenses totalled \$203,544 representing a year-to-date variation of \$8,686. Councillor allowance budgets need to be re-profiled and will then be in line with actuals.

## **RISKS**

Transparency in reporting is a risk management control measure that allows the community and Council to view the financial management and expenditure of Councillors.

## **RECOMMENDATION**

**That Council receive and note the Councillor Expenditure Report for the period 1 July 2015 to 30 December 2015 (refer Attachment 1).**

**MOVED: Cr Hutchinson-Brooks      SECONDED: Cr Kennedy**

**THAT COUNCIL RECEIVE AND NOTE THE COUNCILLOR EXPENDITURE REPORT FOR THE PERIOD 1 JULY 2015 TO 30 DECEMBER 2015 (REFER ATTACHMENT 1).**

**CARRIED UNANIMOUSLY**

**Attachment 1  
Councillor Expenditure Report - 1 July to 31 December 2015**

Councillor Expenditure											
From 1 July 2015 to 31 December 2015											
Councillor	Car	Travel Expenditure					Other Expenditure				Total
		Councillor Car Operating Cost *	Other travel reimbursements **	Mobile Phone	Phone/Fax/Modem	Training & Professional Development ***	Councillor Allowance ****	Remoteness Allowance	Stationery		
Cr. Robert Newton	Council	\$ 2,640	\$ -	\$ 190	\$ -	\$ -	\$ 27,544	\$ -	\$ 67	\$ 30,441	
Cr. Lorraine Brunt	Council	\$ 2,940	\$ -	\$ 267	\$ -	\$ 1,045	\$ 14,924	\$ -	\$ 14	\$ 19,190	
Cr. Andrew McEwen	Personal	\$ -	\$ 4,175	\$ 313	\$ -	\$ 1,120	\$ 14,924	\$ -	\$ 145	\$ 20,677	
Cr. Kieran Kennedy	Council	\$ 3,493	\$ -	\$ 339	\$ -	\$ 2,576	\$ 14,924	\$ -	\$ -	\$ 21,332	
Cr. Mohya Davies	Council	\$ 3,315	\$ -	\$ 432	\$ -	\$ 1,059	\$ 14,924	\$ -	\$ 279	\$ 20,009	
Cr. Jeanette Harding	Council	\$ 3,358	\$ -	\$ 188	\$ -	\$ 958	\$ 34,009	\$ 240	\$ 74	\$ 38,827	
Cr. Nigel Hutchinson Brooks	Council	\$ 3,167	\$ -	\$ 11	\$ -	\$ 885	\$ 14,924	\$ -	\$ -	\$ 18,965	
Cr. Don Hill	Personal	\$ -	\$ 3,478	\$ 260	\$ 234	\$ -	\$ 14,924	\$ -	\$ -	\$ 18,896	
Cr. James Fawcett	Personal	\$ -	\$ -	\$ 283	\$ -	\$ -	\$ 14,924	\$ -	\$ -	\$ 15,207	
<b>Total Actual (Year to date December 2015)</b>		<b>\$ 18,913</b>	<b>\$ 7,653</b>	<b>\$ 2,261</b>	<b>\$ 234</b>	<b>\$ 7,643</b>	<b>\$ 166,021</b>	<b>\$ 240</b>	<b>\$ 579</b>	<b>\$ 203,544</b>	
<b>Total Budget (Year to date December 2015)</b>		<b>\$ 26,550</b>	<b>\$ 6,000</b>	<b>\$ 7,770</b>	<b>\$ 960</b>	<b>\$ 3,584</b>	<b>\$ 146,448</b>	<b>\$ 246</b>	<b>\$ 3,300</b>	<b>\$ 194,858</b>	
<b>Variance</b>		<b>\$ 7,637</b>	<b>-\$ 1,653</b>	<b>\$ 5,509</b>	<b>\$ 726</b>	<b>-\$ 4,059</b>	<b>-\$ 19,573</b>	<b>\$ 6</b>	<b>\$ 2,721</b>	<b>-\$ 8,686</b>	

\*Car operating costs are for the 6 months ended 31 December 2015 and includes depreciation, insurance and notional interest.

\*\* Travelling expenditure for Councillors using private vehicles is at the prescribed rate of reimbursement. Reimbursements also include actual public transport costs.

\*\*\* Training & professional development includes accommodation, conference and parking expenses.

\*\*\*\* Training & professional development expenses of Cr. Kieran Kennedy includes \$2400 for completing a Diploma of Local Government

\*\*\*\*\* Councillor Allowance budgets needs to be re-profiled and will then be in line with actuals.



### **D.3 REPORT ON ASSEMBLY OF COUNCILLORS: 22 NOVEMBER 2015 – 13 JANUARY 2016**

Corporate and Community Services Directorate

#### **STAFF DISCLOSURE OF INTEREST**

Nil

#### **EXECUTIVE SUMMARY**

As part of Council's ongoing efforts to enhance community engagement in Council processes, matters discussed at Councillor Briefing Sessions (other than those matters designated to be of a confidential nature) are reported on at Ordinary Council Meetings.

The matters listed in this report were presented or considered, at either an Advisory Committee Meeting, Councillor Strategic Briefing Session or Public Presentation Session between 22 November 2015 and 13 January 2016.

Copies of responses to written questions presented and asked, that were not answered at the meetings, will be either provided as an attachment to this report or to a subsequent Council Meeting, as is practicable, to enable the development of a proper and informed response.

#### **Document/s pertaining to this Council Report**

- Nil

#### **LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

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

#### **COUNCIL PLAN**

Outcome:	4.0	A Leading Organisation
Objective:	4.2	Pursue best practice in organisational development and operations of the organisation.
Strategy:	4.2.2	We will monitor corporate governance processes, including risk management and skills development with the aim of ongoing improvement.

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## REPORT

<b>Meeting Title</b>	<b>Councillors Attending and Disclosures of Conflict of Interest</b>	<b>Topics Discussed</b>
<b>Wednesday 25 November 2015</b>		
<b>Ordinary Council Agenda Topic Discussion – 25 November 2015</b>	<b>Councillors Attending:</b> Councillors Fawcett, Harding, Newton, Davies, McEwen and Hutchinson-Brooks. <b>Conflict of Interest:</b> Nil disclosed. <b>Topics Discussed:</b> Council agenda topic discussion for Ordinary Council Meeting 25 November 2015.	
<b>Public Presentation</b>  <b>OPEN SESSION</b>	<b>Councillors Attending:</b> Councillors Fawcett, Brunt, Harding, Newton, Davies, McEwen and Hutchinson-Brooks. <b>Conflict of Interest:</b> Nil disclosed.	
<b>Presentations were made to Council by the following community members:</b>  <b>Brett Hamm, Melinda Davies, Paul Norton, Sybil Leris and Chris Cronin</b> regarding concerns for Council Agenda Item E.1 PLANNING APPLICATION – 13 CLARENCE ST LOCH – USE AND DEVELOPMENT OF THE LAND FOR A HOSPITAL.  <b>Neil Smith</b> regarding Council Agenda Item E.3 SOUTH GIPPSLAND PLANNING SCHEME AMENDMENT C81 – LAND SUBJECT TO INUNDATION OVERLAY.		

<b>Meeting Title</b>	<b>Councillors Attending and Disclosures of Conflict of Interest</b>	<b>Topics Discussed</b>
<b>Wednesday 25 November 2015</b>		
<b>Audit Committee Chair – Annual Update</b> <b>OPEN DAY SESSION</b>	<b>Councillors Attending:</b>  Councillors Fawcett, Brunt, Harding, Newton, Hill, Davies, McEwen and Hutchinson-Brooks.  <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>  Councillors were provided a presentation from Council’s Audit Committee Chair, Dr Irene Irvine regarding the Chair’s Annual Report on: <ul style="list-style-type: none"><li>• Summary of the work of the committee performed to discharge its responsibilities.</li><li>• Summary of Council’s progress in addressing the findings and recommendations made in internal, external and Parliamentary Committee reports; and</li><li>• Overall assessment of Council’s risk, control and compliance framework, including details of any significant emerging risks or legislative changes impacting Council.</li></ul>	
<b>Municipal Association Victoria (MAV) Briefing on Local Government Delivery of HACC Services</b>	<b>Councillors Attending:</b>  Councillors Fawcett, Brunt, Harding, Newton, Davies, McEwen and Hutchinson-Brooks.  <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>  Councillors were provided information on the progress of the Home and Community Care (HACC) transition so that Council can continue to consider the impact of the fundamental change in the way HACC services are funded and delivered into the future.	

<b>Meeting Title</b>	<b>Councillors Attending and Disclosures of Conflict of Interest</b>	<b>Topics Discussed</b>
<b>Wednesday 25 November 2015</b>		
<b>Ordinary Council Agenda Topic Discussion – 25 November 2015</b>	<b>Councillors Attending:</b>  Councillors Fawcett, Brunt, Harding, Newton, Davies, McEwen and Hutchinson-Brooks.  <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>  Council agenda topic discussion for Ordinary Council Meeting 25 November 2015.	
<b>Thursday 26 November 2015</b>		
<b>Korumburra Round Table</b>	<b>Councillors Attending:</b>  Councillor Brunt  <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b> <ul style="list-style-type: none"><li>• Community Budgeting Presentation from Council's Coordinator Media &amp; Communications, Rick Rutjens</li><li>• Council Update from Director Development Services, Bryan Sword</li><li>• Round Table Report intended to go to Council in February 2016</li><li>• Office Bearer representation</li><li>• Korumburra School Captain and Vice-Captain to attend meetings in 2016</li><li>• Burra Foods to be invited to join Korumburra Round Table</li><li>• Town signage should be in place before Christmas</li><li>• Discussion on Christmas event</li><li>• Discussion on the maintenance of the murals in Korumburra</li><li>• Discussion on future use of Korumburra Access Centre – options still being explored</li><li>• Discussion on future format of Korumburra Round Table – whether to pursue incorporation</li></ul>	

<b>Meeting Title</b>	<b>Councillors Attending and Disclosures of Conflict of Interest</b>	<b>Topics Discussed</b>
<b>Wednesday 9 December 2015</b>		
<b>Visitor Information Centre Services Review - December 2015</b>	<b>Councillors Attending:</b>  Councillors Hutchinson-Brooks, McEwen, Davies, Newton, Harding and Fawcett.  <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>	    Councillors were provided information on the background for the purpose of reviewing potential future operating models for the Shire's Visitor Information services.
<b>Waratah Bay Caravan Park Review</b>	<b>Councillors Attending:</b>  Councillors Hutchinson-Brooks, McEwen, Kennedy, Davies, Newton, Harding and Fawcett.  <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>	    Councillors were provided information on the the business operations and progress of the development of a strategy around future management options for the Waratah Bay Caravan Park.

<b>Meeting Title</b>	<b>Councillors Attending and Disclosures of Conflict of Interest</b>	<b>Topics Discussed</b>
<b>Wednesday 9 December 2015</b>		
<b>SPLASH Business Plan</b>	<b>Councillors Attending:</b>  Councillors Fawcett, Hill, Harding, Newton, Davies, Kennedy, McEwen, Hutchinson-Brooks. <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>  Councillors were provided information on the progress of the review of the SG SPLASH extension feasibility study and the preparation of a business case.	
<b>2016/17 Recreation Reserve Maintenance Grants</b>	<b>Councillors Attending:</b>  Councillors Fawcett, Harding, Newton, Davies, Kennedy, Hutchinson-Brooks. <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>  Councillors were provided information on the proposed funding allocations to Recreation Reserve Committees.	
<b>Draft Annual Plan Activities and Initiatives</b>	<b>Councillors Attending:</b>  Councillors Fawcett, Harding, Newton, Davies, Kennedy, Hutchinson-Brooks, Hill and McEwen. <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>  Councillors were provided information on the development of the Annual Budget 2016-17, including initiatives generated from the Community Workshop. Councillors deliberated on additional community requests from OurSay, public presentations or other forums.	

<b>Meeting Title</b>	<b>Councillors Attending and Disclosures of Conflict of Interest</b>	<b>Topics Discussed</b>
<b>Wednesday 9 December 2015</b>		
<p><b>Public Presentation</b></p> <p><b>OPEN SESSION</b></p>	<p><b>Councillors Attending:</b></p> <p>Councillors Fawcett, Harding, Newton, Davies, Kennedy, Hutchinson-Brooks, Hill and McEwen.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p>	
<p><b>As there were nil community presentation bookings Tim Tamlin, Chief Executive Officer</b> addressed Council by making a presentation, 'Less talk More Action' that he had previously presented at the Municipal Association of Victoria (MAV) regarding rate capping. Mr Tamlin also presented and displayed photos of a recent visit he made to Cardinia Shire's new municipal offices.</p>		
<p><b>Seasonal Population Impacts in Coastal Towns Plan</b></p>	<p><b>Councillors Attending:</b></p> <p>Councillors Fawcett, Harding, Newton, Davies, Kennedy, Hutchinson-Brooks, Hill and McEwen.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Topics Discussed:</b></p> <p>Councillors were presented information from community member <b>Michael Heal</b> regarding Council Agenda Item E.1 SEASONAL POPULATION IMPACTS IN COASTAL TOWNS PLAN.</p>	
<p><b>Long Jetty Funding Application</b></p>	<p><b>Councillors Attending:</b></p> <p>Councillors Fawcett, Hill, Harding, Newton, Davies, Kennedy, Hutchinson-Brooks and McEwen.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Topics Discussed:</b></p> <p>Council were provided information regarding the Long Jetty Restoration Project Federal Government funding application which was unsuccessful and considered the next action phase.</p>	

<b>Meeting Title</b>	<b>Councillors Attending and Disclosures of Conflict of Interest</b>	<b>Topics Discussed</b>
<b>Wednesday 9 December 2015</b>		
<b>Executive Update</b>	<b>Councillors Attending:</b>  Councillors Fawcett, Hill, Harding, Newton, Davies, Kennedy, Hutchinson-Brooks and McEwen.  <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>	<ul style="list-style-type: none"><li>• Community Budgeting Update – Council Briefing</li><li>• Land Management at Land adjoining Tarwin Lower Community Health Centre (verbal update)</li><li>• Bus Tour 2016 – defer to 2017</li><li>• Writ served on Council re: Walkerville Retarding Basin (ANSVETA) (Cr Kennedy had left room when this was raised)</li></ul>
<b>Ordinary Council Agenda Topics Discussion 16 December 2015</b>	<b>Councillors Attending:</b>  Councillors Fawcett, Hill, Harding, Newton, Davies, Hutchinson-Brooks, and McEwen.  <b>Conflict of Interest:</b>  Cr Nigel Hutchinson-Brooks declared an indirect conflict of interest by past association in item B.2 – NOTICE OF MOTION UNDERTAKE AMENDMENTS TO THE LOCAL PLANNING POLICY FRAMEWORK TO MAKE SPECIFIC REFERENCE TO SUPPORT THE WALKERVILLE COASTAL VILLAGE AT 2075 WALKERVILLE RD WALKERVILLE, in that a company he is a Director has in the past had discussions with the proponents but have not acted for them  The item was subsequently not discussed in the session.  <b>Topics Discussed:</b>	Council agenda topic discussion for Ordinary Council Meeting 16 December 2015.



<b>Meeting Title</b>	<b>Councillors Attending and Disclosures of Conflict of Interest</b>	<b>Topics Discussed</b>
<b>Wednesday 9 December 2015</b>		
<b>Councillor / CEO Session</b>	<b>Councillors Attending:</b>  Councillors Fawcett, Hill, Harding, Newton, Davies, Kennedy, Hutchinson-Brooks, and McEwen. <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b> <ul style="list-style-type: none"><li>• Mossvale Park market and traffic management</li><li>• Recording at briefing sessions</li><li>• Land realisation project</li><li>• Possible Ombudsman enquiry</li></ul>	
<b>Wednesday 16 December 2015</b>		
<b>Ordinary Council Agenda Topics Discussion 16 December 2015</b>	<b>Councillors Attending:</b>  Councillors McEwen, Davies, Newton, Harding and Fawcett. <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>  Council agenda topic discussion for Ordinary Council Meeting 16 December 2015.	

<b>Meeting Title</b>	<b>Councillors Attending and Disclosures of Conflict of Interest</b>	<b>Topics Discussed</b>
<b>Wednesday 16 December 2015</b>		
<p><b>Public Presentation</b></p> <p><b>OPEN SESSION</b></p>	<p><b>Councillors Attending:</b></p> <p>Councillors Brunt, McEwen, Davies, Newton, Harding and Fawcett.</p> <p><b>Conflict of Interest:</b></p> <p>Cr Fawcett left the room with an indirect conflict of interest, as he is a Director of South Gippsland Water, when the item involving South Gippsland Water was presented on by David Amor.</p>	
<p><b>Presentations were made to Council by the following community members:</b></p> <p>A number of community members cancelled their public presentation to Council as Cr McEwen withdrew his Notice of Motion - Council Agenda Notice of Motion – UNDERTAKE AMENDMENTS TO THE LOCAL PLANNING POLICY FRAMEWORK TO SUPPORT THE WALKERVILLE COASTAL VILLAGE.</p> <p><b>Jeremy Rich</b> addressed Council regarding the withdrawn Council Agenda item B.2 Council Agenda Notice of Motion – Undertake amendments to the local planning policy framework to support the Walkerville coastal village.</p> <p><b>David Amor</b> addressed Council regarding cars for sale on the side of road and requested that Council act on these; Streetscape in Korumburra that requires budgeting; Water storage concerns in Korumburra; Car parking concerns being a cost issue for the proposed Municipal building infrastructure; SPLASH swimming pool expansion cost and tree that fell over in Foster- Fish Creek Road.</p> <p>Cr Fawcett left the room with a declared conflict of interest when the item involving South Gippsland Water was presented on by David Amor.</p>		
<p><b>Long Jetty Restoration</b></p> <p><b>Federal Funding</b></p> <p><b>Advocacy Options</b></p>	<p><b>Councillors Attending:</b></p> <p>Councillors Fawcett, Brunt, Harding, Newton, Hill, Davies, McEwen and Hutchinson-Brooks.</p> <p><b>Conflict of Interest:</b> Nil disclosed.</p> <p><b>Topics Discussed:</b></p> <p>Council were provided information regarding the Long Jetty Restoration Project and the Federal Government funding application which was unsuccessful and considered the next action phase.</p>	

<b>Meeting Title</b>	<b>Councillors Attending and Disclosures of Conflict of Interest</b>	<b>Topics Discussed</b>
<b>Wednesday 16 December 2015</b>		
<b>Council Draft Budget 2016/17</b>	<b>Councillors Attending:</b>  Councillors Fawcett, Brunt, Harding, Newton, Davies, McEwen and Hutchinson-Brooks.  <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>	Council were provided information regarding the preparation for the 1 <sup>st</sup> draft Council Budget 2016/17 discussions, including: rate capping, productivity savings, project initiative proposals, employees, internal reserves, fees and charges, capital works program and alternate budget scenarios.
<b>Ordinary Council Agenda Topics Discussion 16 December 2015</b>	<b>Councillors Attending:</b>  Councillors Fawcett, Brunt, Harding, Newton, Davies, McEwen and Hutchinson-Brooks.  <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>	Council agenda topic discussion for Ordinary Council Meeting 16 December 2015.

<b>Meeting Title</b>	<b>Councillors Attending and Disclosures of Conflict of Interest</b>	<b>Topics Discussed</b>
<b>Thursday 17 December 2015</b>		
<b>Korumburra Round Table</b>	<b>Councillors Attending:</b>  Councillors Brunt and McEwen. <b>Conflict of Interest:</b> Nil disclosed.  <b>Topics Discussed:</b>	<ul style="list-style-type: none"><li>• Korumburra Community Group Update:<ul style="list-style-type: none"><li>○ Korumburra Christmas celebrations</li><li>○ Rotary donated \$1,000 to each of 5 local Primary schools from Robyn Holmes Foundation</li><li>○ Bowling Club – opening of new greens</li><li>○ KCDA partnering with KRT on Community and Business App</li><li>○ Query on notification of swimming pool opening times in summer</li><li>○ Arts group considering Korumburra murals and brochure</li></ul></li><li>• Consideration to extend Rail Trail to start at Korumburra</li><li>• Council update</li><li>• Discussion on Korumburra Round Table membership protocols, ages and gender, decision to target underrepresented areas</li><li>• Gateway signage now in place at west entry</li><li>• Ongoing discussions for future use of Korumburra Access Centre</li><li>• Invite Fish Creek community group to Korumburra Round Table meeting</li><li>• Discussion on future model/role of Round Table and secretariat role (currently provided by Council) – to be continued in January 2016 meeting.</li></ul>

## RECOMMENDATION

That Council:

1. Receive and note this report; and
2. Make confidential pursuant to Section 77(2)(b) that all matters considered in Planning Committee is deemed confidential information pursuant to:
  - a. Section 89(2)(e) proposed developments; and
  - b. Section 89(2)(h) matters which the Council considers would prejudice the Council or any person, as provided for in the Local Government Act 1989.
3. Make confidential pursuant to Section 77(2)(b) that all matters considered in Economic Development & Tourism Steering Committee is deemed confidential information pursuant to:
  - a. Section 89(2)(e) proposed developments; and
  - b. Section 89(2)(h) matters which the Council considers would prejudice the Council or any person, as provided for in the Local Government Act 1989.
4. Make confidential pursuant to Section 77(2)(b) that all matters considered in Council Draft Budget 2016/17 is deemed confidential information pursuant to:
  - a. Section 89(2)(h) matters which the Council considers would prejudice the Council or any person, as provided for in the Local Government Act 1989.

**MOVED: Cr Fawcett**

**SECONDED: Cr Davies**

**THAT COUNCIL:**

1. **RECEIVE AND NOTE THIS REPORT;**
2. **RESCIND COUNCIL'S RESOLUTION NO. 2 FROM AGENDA ITEM D2 REPORT ON ASSEMBLIES OF COUNCILLORS 22 OCTOBER – 21 NOVEMBER 2015 AS BELOW:**

**'2. MAKE CONFIDENTIAL PURSUANT TO SECTION 77(2)(B) THAT ALL MATTERS CONSIDERED IN PLANNING COMMITTEE IS DEEMED CONFIDENTIAL INFORMATION PURSUANT TO:  
A. SECTION 89(2)(E) PROPOSED DEVELOPMENTS; AND  
B. SECTION 89(2)(H) MATTERS WHICH THE COUNCIL CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON, AS PROVIDED FOR IN THE LOCAL GOVERNMENT ACT 1989.**

3. **MAKE CONFIDENTIAL PURSUANT TO SECTION 77(2)(B) OF THE LOCAL GOVERNMENT ACT 1989 (ACT) ALL MATTERS CONSIDERED BY THE PLANNING COMMITTEE AT ITS MEETING HELD ON WEDNESDAY 4 NOVEMBER 2015 ON THE BASIS THAT THE MEETING DISCUSSED:**

- a. **PROPOSED DEVELOPMENTS (SECTION 89(2)(E) OF THE ACT); AND**
- b. **MATTERS WHICH THE COUNCIL CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON (SECTION 89(2)(H) OF THE ACT),**

**UNTIL SUCH TIME AS THE COUNCIL'S CHIEF EXECUTIVE OFFICER DETERMINES TO INCLUDE AN INDIVIDUAL MATTER ON AN AGENDA FOR AN ORDINARY OR SPECIAL MEETING OF COUNCIL, OR WHEN REQUIRED TO UNDERTAKE A STATUTORY OBLIGATION, AND THIS CONFIDENTIALITY THEN CEASES TO APPLY ONLY TO THAT INDIVIDUAL MATTER.**

4. **MAKE CONFIDENTIAL PURSUANT TO SECTION 77(2)(B) ALL MATTERS CONSIDERED BY THE COUNCIL AT ITS COUNCILLOR BRIEFING HELD ON WEDNESDAY 9 AND 16 DECEMBER 2015 IN RELATION TO THE COUNCIL'S DRAFT BUDGET 2016/17 AND THE DRAFT ANNUAL PLAN ACTIVITIES AND INITIATIVES ON THE BASIS THAT THE MEETING DISCUSSED:**

- a. **MATTERS WHICH THE COUNCIL CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON, (SECTION 89(2)(H) OF THE ACT),**

**EXCLUDING THE RELEASE OF THE PROPOSED 2016-2017  
BUDGET IN AN AGENDA FOR AN ORDINARY OR SPECIAL  
MEETING OF COUNCIL.**

**MOVED: Cr Hill**

**SECONDED: Cr McEwen**

**THAT THE SPEAKING TIME BE EXTENDED BY 3 MINUTES.**

**CARRIED**

**For: Crs Hutchinson-Brooks, Hill, McEwen, Harding and Kennedy.**

**Against: Crs Davies, Newton, Brunt and Fawcett.**

**Cr Brunt left the council meeting at 3.24pm and returned at 3.27pm.**

**The Motion was CARRIED.**

**For: Crs Fawcett, Brunt, Newton, Davies and Hutchinson-Brooks.**

**Against: Crs Kennedy, Harding, McEwen and Hill.**

**D.4 DOCUMENTS SEALED AND CONTRACTS AWARDED, VARIED OR EXTENDED BY THE CHIEF EXECUTIVE OFFICER - 25 NOVEMBER 2015 TO 22 JANUARY 2016**

Corporate and Community Services

**STAFF DISCLOSURE OF INTEREST**

Nil

**EXECUTIVE SUMMARY**

This document reports to Council the following actions undertaken by the Chief Executive Officer (CEO) which occurred during the period from 25 November to 22 January 2016, as required by the Council's Instrument of Delegation to the Chief Executive Officer and Procurement Policy:

- 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.

**LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

- Local Government Act 1989 - Section 5 and 186 (the Act)
- Local Law No. 3 2010 Processes of Municipal Government (Meeting Procedures and Common Seal)
- South Gippsland Shire Council Procurement Policy
- South Gippsland Shire Council Instrument of Delegation to the Chief Executive Officer

**COUNCIL PLAN**

Outcome:	4.0	A Leading Organisation
Objective:	4.2	Pursue best practice in organisational development and operations of the organisation.
Strategy:	4.2.2	We will monitor corporate governance processes, including risk management and skills development with the aim of ongoing improvement.



## **REPORT**

### **Documents Sealed**

Under the Act, each Council is a body corporate and a legal entity in its own right. Each Council must have a common seal (like any corporate entity) that is an official sanction of that Council.

Sealing a document makes it an official document of Council as a corporate body. Documents that require sealing may include agreements, contracts, leases or any other contractual or legally binding document that binds Council to another party.

Local Law No. 3 2010, Part 9, Section 107(f)(iv) – The Common Seal of Council, states that ‘If the Chief Executive uses the Common Seal in a manner prescribed by sub-clause (c) then he/she must advise Council of such use on a regular basis.’ Council’s Instrument of Delegation to the CEO also delegates to the CEO the power to ‘use the Common Seal of Council subject to that use being reported to Council.

In accordance with the Local Law and Instrument of Delegation, the following are presented to Council as documents sealed during the period from 5 November 2015 to 22 January 2016.

1. S173 Agreement between South Gippsland Shire Council and the owners of 121 Lees Road, Venus Bay in relation to the development of land with a single dwelling – Seal Applied 6 January 2015.
2. Contract CON/87 Reconstruction of Princes and John Streets Korumburra - Seal Applied 4 January 2016.

### **Contracts awarded after a public tender process within the CEO’s delegation**

The CEO's delegation from Council allows the CEO to award contracts up to the value of \$250,000 (inclusive of GST), with the exception of:

- Annual WorkCover and Council insurance premiums; and
- Any contract which complies with Council's Procurement Policy and falls within the allocation in the Council adopted Annual Budget which exceeds the value of \$250,000 (inclusive of GST).

Council’s Procurement Policy requires recording in the Council Minutes all contracts over the statutory threshold set out in the Act (\$150,000 inclusive of GST for goods and services and \$200,000 inclusive of GST for works) for a public tender which shows the contract's purpose (a brief description of the goods, services and works that is being procured), the successful tenderer, contract length and the total contract price.

Further, Council's Procurement Policy requires 'that Council will not disclose information about procurements below the statutory thresholds, however, to ensure compliance with Council's Procurement Policy, it will be noted in this report that a contract awarded below the statutory threshold has been entered into following a public tender.

The following contracts were awarded between 25 November 2015 and 22 January 2016 under the CEO's delegation following a public tender.

1. MAV Vendor Panel Contract NPN04-13 (Trucks NPN) for the Supply and Delivery of One New Truck with Elevated Work Platform awarded on 15 January 2016.

In addition, Council resolved on 26 August 2015 to delegate to the CEO the power to award capital works contracts specified in the resolution, subject to the preferred tenders being within budget and that Council receive a report detailing the contracts awarded. Council is advised that there were no contracts awarded by the CEO during the period from 25 November 2015 to 22 January 2016, which relate to the 26 August 2015 resolution.

#### **Contract variations approved by the CEO**

Council's Procurement Policy authorises the CEO to approve any necessary variations to a contract which exceeds the CEO's delegation, to allow the proper fulfilment of the contract and to ensure delays to key projects are avoided, following consultation with the Mayor and subject to this variation being reported to the next practicable Council Meeting.

There were no contract variations which exceeded the CEO's delegation, made by the CEO during the period from 25 November 2015 to 22 January 2016.

#### **Contract extensions approved by the CEO**

Council's Procurement Policy authorises the CEO to enter into any contract extensions subject to the satisfactory performance of the contractor and the extension being reported to Council for any contracts which in total exceeds the CEO's delegation.

There were no contract extensions which exceeded the CEO's delegation made by the CEO during the period from 25 November 2015 to 22 January 2016.

#### **RECOMMENDATION**

That Council receive and note this report.

**MOVED: Cr Kennedy**

**SECONDED: Cr Davies**

**THAT COUNCIL RECEIVE AND NOTE THIS REPORT.**

**CARRIED UNANIMOUSLY**

## **SECTION E - COUNCIL REPORTS**

### **E.1 RESPONSE TO PETITION - BAN ON COAL MINING IN THE MIRBOO NORTH REGION**

Development Services Directorate

#### **STAFF DISCLOSURE OF INTEREST**

Nil

#### **EXECUTIVE SUMMARY**

The purpose of this report is to consider and respond to a petition received by Council at its meeting of 16 December 2015 seeking a ban on coal mining in the Mirboo North District.

Council resolved at the 16 December 2015 Meeting that it:

1. Receive and note the petition; and
2. The petition lay on the table until the Council meeting of February 2016 to enable officers to prepare a report to Council.

It is recommended that Council provide a copy of the petition to the Minister for Energy and Resources and Mantle Mining and request that Council and the Community receive updates on activities associated with the exploration licence.

#### **Document/s pertaining to this Council Report**

- **Attachment 1** - Department of Primary Industries on 3 August 2012 to register Council's Objection to Mantle Mining Application ELA 5428
- **Attachment 2** - Department of Primary Industries on 6 September 2012 Response to Council's Objection to Mantle Mining Application for Exploration Licence 5428
- **Attachment 3** - Mantle Mining Exploration Licences
- **Confidential Appendix 1** - Copy of Signatories

A copy of **Confidential Appendix 1** has been distributed separately to Councillors and the Executive Leadership Team.

#### **LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

- Mineral Resources (Sustainable Development) Act 1990
- Gippsland Regional Plan

#### **INTERNAL POLICIES / STRATEGIES / DOCUMENTS**

## Economic Development and Tourism Strategy

### **COUNCIL PLAN**

Outcome:	1.0	A Prosperous Shire
Objective:	1.3	Improve the sustainability of the local and regional environment.
Strategy:	1.3.3	We will actively engage businesses, farmers, industries and individuals in creating a clean, green Shire, where environmental sustainability is embraced and practiced.

### **CONSULTATION**

A petition received by Council contained signatures of members of the community.

### **REPORT**

#### **Background**

Council received a petition at its meeting of 16 December 2015 with 1,970 signatures that included the following prayer.

"Petition: to ban coal mining in the Mirboo North region. We, the undersigned, petition South Gippsland Shire Council, Baw Baw Shire Council, Latrobe City Council, and the Victorian Parliament. We respectfully request that the Victorian Parliament rescind the exploration licences (EL5336, EL5338, EL5428, EL5429) issued to Mantle Mining to explore the land for coal. We respectfully request that the South Gippsland Shire Council, Baw Baw Shire Council and the Latrobe City Council refuses to allow exploration or mining for coal in an area which is agricultural and has high tourism potential.

We believe this region to a valuable agricultural resource: please protect the region from coal mining."

#### **Historical context**

Following a resolution passed by Council at the July 2012 ordinary meeting, former Mayor Cr Warren Raabe wrote to the Department of Primary Industries on 3 August 2012 to register Council's Objection to Mantle Mining Application ELA 5428. A copy of this letter is attached in **Attachment 1**.

Council received a response to Cr Raabe's letter from the Department of Primary Industries dated 6 September 2012 advising that Council's comments would be taken into account when considering whether to grant or refuse a licence and, that this process may take 18-24 months. A copy of this letter is attached in **Attachment 2**.

The Minister for Natural Resources issued four exploration licences to Mantle Mining Ltd in Gippsland in 2015 for the purpose of searching for brown and black coal resources with low impact exploration techniques to better determine the extent and depth of black coal at the margins of the Latrobe Valley area.

The land covered by the licences, due to expire between 2018 and 2020, includes areas within South Gippsland Shire (Mirboo North region), Baw Baw Shire, Latrobe City and Wellington Shire. **Attachment 3** shows the location and details of the licences.

Mantle Mining previously released a statement to the Australian Stock Exchange regarding the company's intentions for these tenements. They announced that they intend to determine the extent of deeper black coal resources under the Latrobe Valley with a view to establish underground mining of metallurgical and higher grade thermal coal.

### **Discussion**

The State Government is the regulatory authority with responsibility for considering, granting or refusing mining licences of any nature.

Local Government's role in the determination of mining licence applications is minimal, and will often only involve being consulted as a referral agency or considering specific matters associated with a mining application which may fall within its jurisdiction.

If Mantle Mining—or any other company for that matter—was to seek to proceed to mining of the resources, it would need to firstly establish that the resource is present and then obtain a mining licence. This requires the company to comply with stringent regulatory procedures and triggers opportunities for Council and the community to voice any concerns and object to such proposals.

Often an intermediate step is also required, known as a retention licence. This occurs when the presence of the minerals can only be inferred and also involves considerable regulatory, geological, environmental and community consultation processes.

Applications for retention and/or mining licences involving coal receive heavy scrutiny and must provide details as to the specific location of the mines as distinct from exploration licences, which typically only show a broad area.

The majority of South Gippsland Shire is already covered by mining exploration licences. The fact that a licence exists does not necessarily mean that any commercial quantities of resources actually exist in the tenement or if they do, that a business will proceed to extraction of the resource. Many exploration licences are never acted upon and very few proceed to the granting of a mining licence.

Local government has no powers to refuse mineral exploration for a licence holder. The issuing or revoking of exploration licences is held by the Victorian Government. Mining operations may however trigger the requirement for a Planning Permit which would provide further opportunity for Council and the Community to raise concerns.

Council does however have an important advocacy role to play in representing the community's views and aspirations. It is in this context that Council may consider that South Gippsland's economy is closely linked to agriculture and tourism and it would be of concern if mining were to adversely affect these activities or impact on the liveability and community safety of our towns.

The Gippsland Regional Plan—formally endorsed by Council in 2015—identifies the region's coal reserves and energy generation capacity as regionally strategic assets.

Specifically, the plan identifies the need to undertake "advocacy for government policy with respect to coal that provides a clear signal to potential investors and the identification of regional priorities".

### **Options**

Options Council may choose to consider include:

1. Noting the petition and making the Victorian Government and Mantle Mining aware of the community concerns regarding this issue
2. Developing and adopting a firm, definitive position in respect to the issue of coal mining (either for or against) and advising the Government of its agreed position
3. Noting the petition and deferring any further action until such time that it becomes aware of a mining licence application being lodged

### **Proposal**

That Council note the petition and make the Victorian Government and Mantle Mining aware of the community concerns regarding this issue and request regular updates.

### **FINANCIAL CONSIDERATIONS**

The Gippsland Regional Plan—formally endorsed by Council in 2015—identifies the region's coal reserves and energy generation capacity as regionally strategic assets. Conversely, South Gippsland's economy is closely linked to agriculture and tourism and it would be of concern if mining were to adversely affect these activities or impact on the liveability and community safety of our towns.

It would be appropriate that Council consider the full implications of any application for a mining or retention licence at the time an application is made with the benefit of a fully informed development proposal.

## **RISKS**

In order for a mining or retention licence application to be considered by the Victorian Government, the applicant must meet significant and stringent regulatory requirements which include opportunities for Council and the community to voice any concerns.

If an application is submitted for a mining or retention licence, Council will be better informed about the risks associated with the specific development proposal.

## **CONCLUSION**

The issuing of mining exploration licences near towns and potentially over high value tourism and agricultural land creates understandable community concern.

Prior to proceeding with any mining activity in the tenements near Mirboo North, the holder of these exploration licenses would be required to adhere with considerable regulatory, community consultation, geological and environmental and processes.

Council would have a strong role to play representing the community if Mantle Mining were to progress to an application for a Retention and/or a Mining Licence.

Council may approach this issue by providing a copy of the petition to the Minister for Energy and Resources and Mantle Mining so they understand the community concerns and request updates for the community on activities associated with the tenements.

## **RECOMMENDATION**

That Council:

1. Note the petition;
2. Provide a copy of the petition to the Minister for Energy and Resources and Mantle Mining and request that Council and the Community receive updates on activities associated with the exploration licence or progress towards a retention and/or mining licence; and
3. Inform the lead petitioner of Council's response.

**MOVED: Cr Hutchinson-Brooks    SECONDED: Cr Kennedy**

**THAT COUNCIL:**

- 1.    NOTE THE PETITION;**
- 2.    PROVIDE A COPY OF THE PETITION TO THE MINISTER FOR ENERGY AND RESOURCES AND MANTLE MINING AND REQUEST THAT COUNCIL AND THE COMMUNITY RECEIVE UPDATES ON ACTIVITIES ASSOCIATED WITH THE EXPLORATION LICENCE OR PROGRESS TOWARDS A RETENTION AND/OR MINING LICENCE;**
- 3.    ADVISE THE MINISTER THAT COUNCIL HAS A FIRM VIEW AGAINST COAL EXPLORATION AND COAL MINING IN THE MIRBOO NORTH REGION AND ADVISE MANTLE MINING OF THIS POSITION; AND**
- 4.    INFORM THE LEAD PETITIONER OF COUNCIL'S RESPONSE.**

**Cr Fawcett left the Council Meeting at 3.36pm and returned at 3.38pm.**

**CARRIED UNANIMOUSLY**



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**Attachment 1**  
**Department of Primary Industries on 3 August 2012 to register Council's**  
**Objection to Mantle Mining Application ELA 5428**

*Our Ref: D2669612*

3 August 2012

Manager  
Earth Resources Tenements  
Department of Primary Industries  
GPO Box 4440  
Melbourne VIC 3001

Dear Sir/Madam

**Objection to Mantle Mining Application ELA 5428**

I write on behalf of South Gippsland Shire Council as a direct result of a resolution of Council.

During 2012 the Council has been approached by many members of its community who are very strongly opposed to the prospect of coal seam gas exploration licences being granted within the South Gippsland Shire. As a result the Council unanimously resolved at its June 2012 Meeting to call on the State Government for a moratorium on coal seam gas exploration and mining/extraction until it can be shown to be safe.

Since that time, community concern has been heightened by a coal exploration licence application (ELA 5428) by Mantle Mining that covers the township of Mirboo North and adjacent rural areas. At the Council Meeting of 25 July 2012 the Council unanimously resolved that:

**Prior to 8 August 2012 lodge a written objection to the granting of a mining exploration licence under Mantle Mining's Application No. ELA 5428, as advertised on Pg 11 of the Mirboo North Times dated 18 July 2012, based on the following grounds:**

- 1. The applied licence area includes the entire township of Mirboo North. The prospect of mining exploration and the potential for coal mining within the town is unacceptable.**
- 2. The applied licence area includes critical town and agricultural water supplies. The prospect of these being threatened by exploration and potentially coal mining is unacceptable.**

- 3. The application licence area contains important dairying, grazing and potato growing operations. The economic value and food security of these industries far outweighs any short term gain from exploration and mining and is therefore unacceptable.**
- 4. To Council's knowledge, Mantle Mining has not undertaken community consultation in relation to its intentions on previously granted exploration licences in adjacent agricultural areas, as referenced in the DPI's exploration licence application kit.**
- 5. The advertisement for the exploration licence is not suitably presented being too small in both print size and map presentation to enable reasonable notice to citizens. The application should be readvertised as was the recent case for Leichardt Resources Application EL5416.**

Council registers its strong objection, on behalf of the community we represent, to ELA5428 as per the above resolution.

If you have any questions, please do not hesitate to contact me directly on 5662 9204.

Yours sincerely

Cr. Warren Raabe  
Mayor

**Attachment 2**  
**Department of Primary Industries on 6 September 2012 Response to**  
**Council's Objection to Mantle Mining Application for**  
**Exploration Licence 5428**




**Department of Primary Industries**

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6 September 2012

Cr Warren Raabe  
Mayor  
South Gippsland Shire Council  
Private Bag 4  
LEONGATHA VIC 3953



55 Grey Street  
Traralgon Victoria 3844  
Australia  
Telephone: 03 5160 9000  
Facsimile: 03 5160 9055  
ABN 42 579 412 233

Dear Mayor

**OBJECTION - APPLICATION FOR EXPLORATION LICENCE 5428  
MANTLE MINING CORPORATION LTD**

The Manager Earth Resources Tenements, as Delegate of the Minister, has asked me to acknowledge your correspondence received on 6 August 2012 in relation to the above application.

As part of the assessment process, your comments will be taken into account when considering whether to grant or refuse a licence.


An application containing Crown land, as is the case with this application, may need to address requirements of the *Native Title Act 1993*. Subsequently, it may take approximately 18-24 months before a decision is made. When the application is determined you will be advised of the outcome.

The *Mineral Resources (Sustainable Development) Act 1990* requires objections be made available for inspection at the Earth Resources Business Centre, Level 16, 1 Spring Street, Melbourne VIC 3000 by any person, on request and free of charge, during office hours, until the application is granted or refused.

I enclose a "Landholder information booklet" for your reference.

Please note, should a licence be granted, the holder of an exploration licence may only explore for minerals and is not permitted to engage in mining.

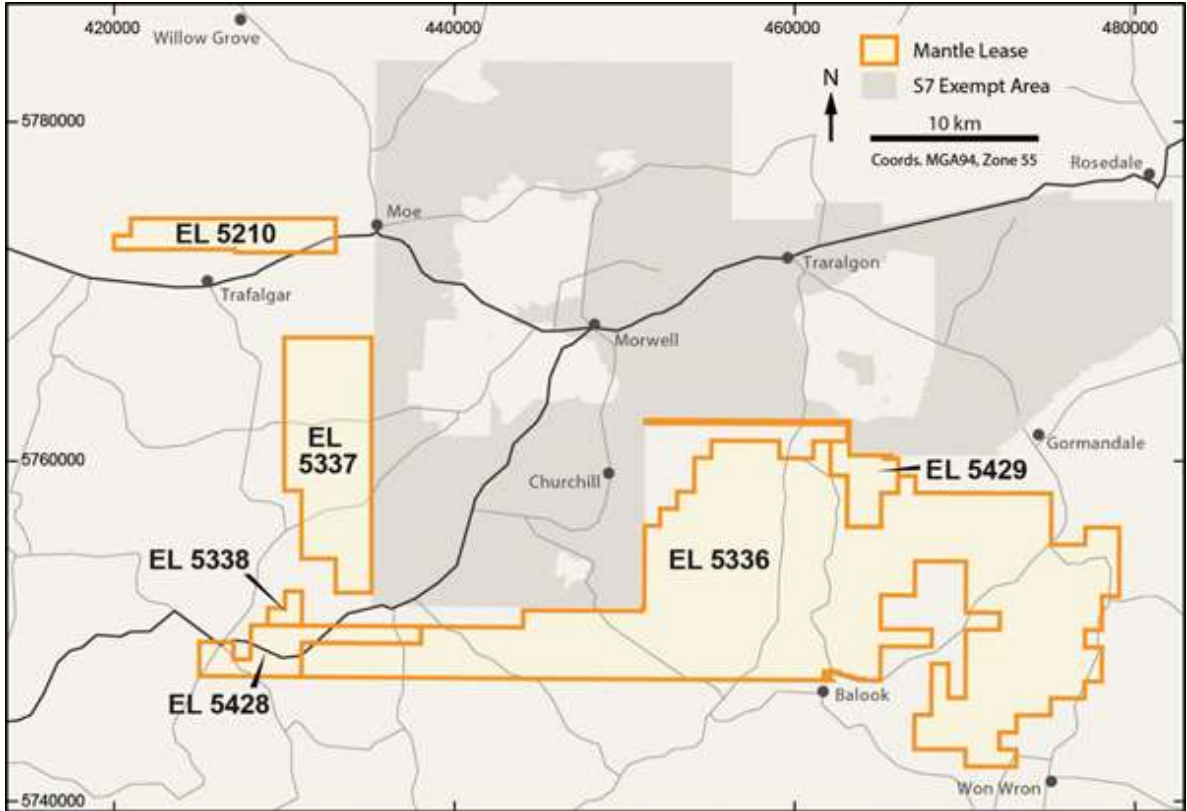
Yours sincerely

  
**Joanne Wood**  
Tenements Officer  
Earth Resources Tenements Unit - Gippsland

Enc.:  
*Minerals Exploration and Mining in Victoria: Landholder information booklet*

### Attachment 3 Mantle Mining Exploration Licences

Map of Mantle Mining Leases in the Mirboo North District



Licence No	Commodity	Date Granted	Expiry Date
EL5336	Black Coal, Brown Coal	30/04/2015	29/04/2020
EL5338	Black Coal, Brown Coal	30/04/2015	29/04/2018
EL5428	Black Coal, Brown Coal	1/06/2015	31/05/2020
EL5429	Black Coal, Brown Coal	1/06/2015	31/05/2020

The company also has two existing licences in the district:

Licence No	Commodity	Date Granted	Expiry Date
EL5210	Black Coal, Brown Coal	3/06/2009	02/06/2009
EL5337	Black Coal, Brown Coal, Coal Bed Methane	20/04/2011	19/04/2016

## **E.2 RESPONSE TO PETITION - RETURN OF THE LEONGATHA TO MELBOURNE RAIL PASSENGER SERVICES**

Development Services Directorate

### **STAFF DISCLOSURE OF INTEREST**

Nil

### **EXECUTIVE SUMMARY**

The purpose of this report is to consider and respond to a petition received by Council on 16 December 2016 regarding the Return of the Leongatha to Melbourne passenger trains on the South Gippsland Corridor.

Council resolved at the 16 December 2015 Meeting that Council;

1. Receive and note the petition; and
2. The petition lay on the table until the Council meeting of February 2016 to enable officers to prepare a report to Council.

Following recent public consultation Public Transport Victoria (PTV) is developing its first Regional Network Development Plan to set out priorities for regional public transport services, infrastructure and investment across the state over the next 20 to 30 years.

It is recommended that Council provide a copy of the petition to PTV and consider the petition as community input to its response to the PTV's draft Regional Development Network Plan.

#### **Document/s pertaining to this Council Report**

- **Confidential Appendix 1** - Copy of Signatories

A copy of **Confidential Appendix 1** has been distributed separately to Councillors and the Executive Leadership Team.

### **LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

Public Transport Victoria Regional Network Development Plan

### **INTERNAL POLICIES / STRATEGIES / DOCUMENTS**

Economic Development and Tourism Strategy

## **COUNCIL PLAN**

Outcome:	1.0	A Prosperous Shire
Objective:	1.2	Raise the awareness of local and regional issues with State and Federal decision makers
Strategy:	1.2.1	We will advocate for effective integrated transport connectivity for people and freight

## **CONSULTATION**

A petition received by Council contained approximately 2,420 signatures of members of the community.

## **REPORT**

### **Background**

Council received a petition at its meeting of 16 December 2015 with approximately 2,420 signatures that included the following prayer.

"This petition that has been signed by 2,420 people calls on the South Gippsland Shire Council to make a commitment to a plan that will see the South Gippsland railway line from Cranbourne to Leongatha reopened and rail passenger services reintroduced between Melbourne and Leongatha after its withdrawal on July 24, 1993. This campaign has been backed by the South and West Gippsland Transport Group, who established in 2011 and are continuing to campaign for improved public transport services and upgrades to essential infrastructure in the South East region of Victoria that includes South Gippsland and neighbouring municipalities."

### **Discussion**

The rail connection to Melbourne from South Gippsland ceased operation in 1993, at a time when many rail lines were being closed across Victoria.

Since that time, Council has advocated for improved public transport services for South Gippsland, including the return of rail services and the retention of the rail corridor in order to facilitate the future return of rail services.

In 1999, the incoming State Government made a commitment to the return of rail services to Leongatha but later commissioned a study which subsequently recommended against it.

Following advocacy from Council and the local community, the Victorian Government increased funding which effectively doubled the South Gippsland to Melbourne bus services and provided a regular Wonthaggi to Traralgon bus service.

Through the Gippsland Local Government Network, Council advocated for the development of a South West Gippsland Integrated Transport Strategy. This would build on previous work, such as the Gippsland Freight Strategy, to investigate public and freight transport needs through the growing South West Gippsland transport corridor.

Public Transport Victoria (PTV) is currently developing its first Regional Network Development Plan to set out priorities for regional public transport services, infrastructure and investment across the state over the next 20 to 30 years.

Input into the plan's development was gathered at public consultation sessions across the state including two well-attended South Gippsland sessions held in Leongatha. Community feedback at these sessions included the desire for return of rail services.

The Regional Network Development Plan is due to be released within the next three months and Council will have an opportunity to consider and respond to the draft plan. This petition could be considered in that response.

### **Proposal**

That Council provide a copy of this petition to PTV and consider the petition as community input to its response to the PTV's draft Regional Development Network Plan when released for public comment.

### **FINANCIAL CONSIDERATIONS**

Improved freight and passenger transport services provide greater economic opportunity and social equity for the region.

### **CONCLUSION**

Public transport is an important issue in South Gippsland as demonstrated by the petition and strong interest by the community in the public information sessions conducted for the development of the PTV Regional Network Development Plan.

When this plan is released Council will provide a response to PTV and continue to advocate for enhanced public transport services in South Gippsland.

## **RECOMMENDATION**

That Council:

1. Note the petition and provide a copy of the petition to Public Transport Victoria.
2. Consider the petition as community input when responding to Public Transport Victoria Regional Network Development Plan once released for public comment.
3. Inform the lead petitioner of Council's response.

**MOVED: Cr McEwen**

**SECONDED: Cr Hill**

**THAT COUNCIL:**

1. **NOTE THE PETITION AND PROVIDE A COPY OF THE PETITION TO PUBLIC TRANSPORT VICTORIA.**
2. **CONSIDER THE PETITION AS COMMUNITY INPUT WHEN RESPONDING TO PUBLIC TRANSPORT VICTORIA REGIONAL NETWORK DEVELOPMENT PLAN ONCE RELEASED FOR PUBLIC COMMENT.**
3. **INFORM THE LEAD PETITIONER OF COUNCIL'S RESPONSE.**

**Cr Brunt left the Council Meeting at 4.05pm and returned at 4.06pm.**

**CARRIED UNANIMOUSLY**



**Cr Fawcett left the Council Meeting at 4.11pm with a declared indirect conflict of Interest in Council Agenda Item E.3 PRIORITY PROJECTS FOR ADVOCACY, FUNDING AND FOCUS 2016 in that he has a conflicting duty as he is a Director of South Gippsland Water and the Northern Towns Water Security project is part of South Gippsland Water duties.**

### **E.3 PRIORITY PROJECTS FOR ADVOCACY, FUNDING AND FOCUS 2016**

Development Services Directorate

#### **STAFF DISCLOSURE OF INTEREST**

Nil

#### **EXECUTIVE SUMMARY**

Council performs an important role in identifying and advocating for government funding and/or commitments needed to deliver priority projects of local significance, with the objective of enhancing economic prosperity and liveability of the shire.

In recent years Council has successfully obtained government funding and advocated support for a number of key projects including the Korumburra Integrated Children's Centre, Leongatha Heavy Vehicle Alternate Route and the Great Southern Rail Trail.

At the beginning of each calendar year Council typically reviews, updates and confirms its list of annual priorities for the year ahead to reflect progress made during the previous 12 months; the contemporary environment and other issues arising that may impact on the success or otherwise of each project.

The purpose of this report is to provide an update on the projects selected for advocacy in 2015 and to outline a recommended approach for the remainder of 2016.

#### **LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

- Gippsland Regional Plan 2015
- Gippsland Freight Strategy 2013
- Gippsland Regional Growth Plan 2014
- South East Australian Transport Strategy priority project

#### **INTERNAL POLICIES / STRATEGIES / DOCUMENTS**

- Corner Inlet Tourism Development Project Economic Impact Study
- Economic Development and Tourism Strategy November 2014

## **COUNCIL PLAN**

Outcome:	1.0	A Prosperous Shire
Objective:	1.1	Raise the awareness of local and regional issues with the state and federal decision makers
Strategy:	1.1.1	We will advocate for priority projects that assist in stimulating economic growth, agricultural development, tourism infrastructure and community facilities

## **CONSULTATION**

The proponents of each of the projects identified in this report have been thoroughly consulted at key stages during the life of each project. These include Gippsland Ports, Parks Victoria, VicRoads and South Gippsland Water.

Other government departments and bodies consulted include Visit Victoria (formerly Tourism Victoria), Regional Development Victoria and Regional Development Australia Gippsland.

## **REPORT**

### **Background**

In February 2015, Council endorsed three priority projects for advocacy during the calendar year.

These included the Korumburra Integrated Children's Centre; South Gippsland Highway Koonwarra 'Black Spur Bends' road realignment and the Corner Inlet Tourism Development suite of projects.

The Corner Inlet Tourism Development Project consists of five components, being the Great Southern Rail Trail, restoration of Long Jetty; feasibility study/detailed design of the Port Welshpool Marina development; dredging of Toora Boat Ramp and Agnes Falls Scenic Reserve.

A further five projects were considered by Council at the time and identified as requiring further scoping and design work before being considered 'shovel ready' and by extension, suitable for advocacy.

These were the Foster Streetscape Main Street improvements; Leongatha Bair Street Streetscape masterplan; Korumburra Town Centre Streetscape masterplan; SPLASH development - stages 2 & 3 and sealing of the Grand Ridge Road Tourist Route.

In December 2015, Council endorsed the Northern Towns Water Security project as one of local significance. Council's role in pursuing this priority will be to support the efforts of the project proponent, South Gippsland Water in its endeavour to secure the required project funding through the 2016/17 Victorian budget.

*Status of 2015 priority projects*

- Funding for the \$5.2m Korumburra Integrated Children's Centre has been secured and construction is underway.
- Significant progress has been made in respect to the Corner Inlet Tourism Development Project (CITDP) during the last twelve months. This includes:
  - Funding secured to complete the 'Black Spur Missing Link' section of the Great Southern Rail Trail project with a commitment of \$1.3m from the Victorian Government in October 2014. This project is nearing completion.
  - A fourth application was submitted to Commonwealth Government via the National Stronger Regions Fund (NSRF) seeking \$4.6m towards the Long Jetty restoration. Council was advised in December 2015 that its NSRF submission was unsuccessful and is now preparing a fifth application, which is due to be lodged by 15 March 2016.

To help inform the application, Council officers are seeking updated project costings from the project proponent, Gippsland Ports.

- Council is now preparing to commence the preliminary planning process for the proposed Port Welshpool Marina, through the development of a Port Welshpool Marina Precinct Plan. Council has secured \$90k funding to complete the project.

This work will help inform the potential nature and location of the proposed marina, which to this point has been placed on hold pending the outcome of the Long Jetty restoration funding submission.

With this in mind, it is fair to suggest that the marina concept is not shovel ready and is not likely to reach this stage before the end of 2016.

- Funding applications have been made to deliver the Toora Boat Ramp Improvements component of the CITDP with \$350k being sought from the State and Federal Governments towards an overall project cost of \$600k. An update on the outcome of these submissions is expected in the coming months.
- Council is pursuing \$300k of the total \$600k needed to deliver the Agnes Falls Scenic Reserve project through State Government funding streams, and officers are preparing to lodge a submission prior to the end of the financial year

- Council has continued to work closely with VicRoads over the last 12 months in supporting both the detailed design process and community engagement associated with the South Gippsland Highway Koonwarra Black Spur road realignment.

It is understood that this project will be considered for potential funding in the 2016/17 Victorian Budget.

#### *Other projects under development*

- The community and stakeholder engagement process is continuing for the Bair Street Leongatha and Korumburra Town Centre projects.

Given the detailed design for the latter is yet to commence, it would be premature to nominate an overall project delivery cost and by extension, too early to quantify any ask of government.

Opportunities may exist however, to cluster and repackage a number of interrelated projects occurring in and around the Leongatha commercial centre including the Anderson Street redevelopment and redevelopment of the railway land behind Bair Street.

- Foster Streetscape project has advanced to the point that detailed designs have been developed and the process of seeking government funding has commenced.
- Planning for the Stages 2 and 3 of the Splash masterplan implementation has advanced with detailed designs expected to be developed later in the 2016 calendar year.
- Sealing of Grand Ridge Road Tourist Route has been funded via Council's allocation from the Federal Government Roads to Recovery program. Works have commenced.

#### **Discussion**

As Council enters the final calendar year of its current term, there are a number of existing advocacy priorities from 2015 that remain unfunded.

Taking into account the late stage of both the Federal and Local Government election terms and the considerable amount of time and effort required to fully evaluate and scope alternatives, Council may wish to continue to pursue commitments for its existing unfunded advocacy priorities for the remainder of 2016.

In doing so, consideration should be given to the relative chances of success and suitability of each. In determining which projects should be included on this list, factors to consider include:

- Alignment with the Council Plan

- Readiness to proceed to construction/implementation
- Alignment with contemporary state and federal policy directions (where appropriate)
- Breadth of municipal and preferably, regional impact
- Extent of confirmed regional support for the project

#### *Advocacy strategy development*

In recent years, Council has been successful in securing funding for priority projects.

Examples include commitments secured towards the Korumburra Integrated Children's Centre, Great Southern Rail Trail and Leongatha Heavy Vehicle Alternate Route.

Despite this success, a number of changes have occurred in the last 12 to 24 months that may require Council to reconsider and potentially adjust its advocacy approach.

These include the election and subsequent policy implementation of a new State Government; changes in leadership and policy direction at the Federal level and perhaps most significantly, a considerable reduction in senior State Government representation in the Gippsland region.

Given the competitive nature of seeking funding for priority projects, Council should consider refining its annual priorities to a short and concise list to provide clear focus.

Consideration should also be given to the timing of this year's expected Federal election and opportunities that this may present in terms of pre-election commitments.

#### **Proposal**

That council endorses the following priority projects for advocacy during the 2016 calendar year.

#### *Long Jetty rehabilitation*

During the last 12 months, the level of urgency for securing the remaining funds to deliver the Long Jetty rehabilitation project has escalated.

Taking into account the progress that has been made on other priorities listed within the CITDP cluster of projects, Council has the opportunity to sharpen its focus and elevate the Long Jetty project as a priority in its own right for the remainder of its term.

It is important to note that this does not preclude Council from continuing to pursue the funding required for the other remaining CITDP priorities which include the Toora Boat Ramp project, Agnes Falls scenic reserve and Port Welshpool Marina development through the usual channels.

Council has already committed \$1m towards the Long Jetty rehabilitation project and a further \$5m has been conditionally committed by the State Government. It is estimated that \$4.6m or more is needed for the project to proceed. Work has commenced preparing an application to Round 3 of the Commonwealth Government's National Stronger Regions Fund to secure this shortfall.

#### *Leongatha revitalisation project*

Council has the option of bundling the Bair Street, Anderson Street and former railway precinct redevelopment projects together to form distinct stages of an overarching Leongatha revitalisation cluster of projects.

One potential benefit of adopting this approach may be to increase the significance and cumulative impact of the projects combined, all of which can be seen to be contributing to the common objective of revitalising Leongatha's central business district.

The concept of clustering these projects may also help to reduce any potential confusion within the community about the various works being undertaken in the town.

Early estimated costs for these projects are \$1.8m for Bair Street and \$1.4m for Anderson Street. With regards to the railway land, a masterplan is under development which will help to inform any future project scope and associated costings.

The three components of this cluster can be ordered in terms of their respective shovel readiness and in this context, it is suggested that Anderson Street be referred to as stage 1, Bair Street as stage 2 and the railway land redevelopment as stage 3.

#### *Foster streetscape project*

Economic analysis recently undertaken for the Foster streetscape project suggests the project will have a direct beneficial impact of \$8.9m over the next 20 years including supporting the creation of 41 new ongoing retail jobs and 7 short-term construction jobs.

With the project now in the advanced stages of detailed design, officers have commenced the process of seeking a government commitment of around \$500k towards an overall project cost of \$1.2m.

### *Northern towns water security project*

The Northern Towns Water Security Project aims to provide the townships of Korumburra and the shire's northern towns with a more secure water supply and support the ongoing growth and development of Burra Foods.

While no financial commitment from Council is required towards the project, its support in advocating for a funding commitment in 2016/17 State Budget will add significant weight to South Gippsland Water's budget bid.

### *South Gippsland Highway Koonwarra Black Spur road realignment*

While no financial commitment from Council is required towards the proposed South Gippsland Highway Koonwarra Black Spur road realignment project, its support in advocating for a funding commitment in 2016/17 State Budget will add significant weight to VicRoads' budget bid.

## **Projects requiring further development during 2016**

In endorsing the above priorities, Council can continue to support the ongoing development of other emerging priorities which could be considered for advocacy in the future, but which require further planning and development.

These include the Korumburra streetscape project—expected to proceed to the detailed design phase in 2017 - and implementing stages 2 and 3 of the Splash masterplan which is scheduled in future years of the capital works program.

Council should also acknowledge the significance of the Bena-Kongwak Bridge project, which will provide more secure access through a very significant dairy and livestock farming route, and is expected to result in improved productivity and safety outcomes.

Funding is currently being sought for this project with approximately \$500k already committed by VicTrack towards an overall cost of around \$2.1m.

## **FINANCIAL CONSIDERATIONS**

Council's anticipated financial contributions towards each of the proposed 2016 priority projects has already been accounted for in the long-term financial plan.

Any decision to increase or alteration to the amounts already committed will need to be accounted for elsewhere in the budget and would have a direct impact on the organisation's ability to deliver its agreed capital works program.

Further, any variation to existing financial commitments would need to be formally accounted for and adopted through Council's statutory budget process.

## **RISKS**

In determining the highest order priority projects for advocacy during the 2016 calendar year, Council should be aware that the chances of success could be considerably reduced by including excessive amounts of projects on the list.

Councillors are also encouraged to consider the potential financial risk associated with varying its existing contributions towards each of the recommended priority projects, or with adding additional projects.

Should Council wish to develop additional priorities for advocacy during 2016, consideration should be given to the potential time and resourcing impacts of doing so in the context of the limited timeframes until the local government general elections caretaker provisions are enacted.

## **CONCLUSION**

Council has made good progress in pursuing the necessary funding for its priority projects during recent years. Despite this success, there are still a number of remaining priorities which remain unfunded.

Council has the opportunity to pursue these remaining commitments during the 2016 calendar year and in the lead-up to the 2016 local and federal elections.

To maximise the prospect of success, Council should consider focussing on a short list of long-standing and existing priorities, and directing further resourcing into the development of a more sophisticated advocacy approach.

## **RECOMMENDATION**

That Council:

1. Adopt the following priority projects for advocacy, support and funding from other levels of government during the 2016 calendar year:
  - a. Long Jetty rehabilitation project
  - b. Leongatha revitalisation project
  - c. Foster streetscape development project
  - d. Northern towns water security project
  - e. South Gippsland Highway Koonwarra Black Spur road realignment



**MOVED: Cr Hill**

**SECONDED: Cr Davies**

**THAT COUNCIL:**

- 1. ADOPT THE FOLLOWING PRIORITY PROJECTS FOR ADVOCACY, SUPPORT AND FUNDING FROM OTHER LEVELS OF GOVERNMENT DURING THE 2016 CALENDAR YEAR:**
  - a. LONG JETTY REHABILITATION PROJECT**
  - b. LEONGATHA REVITALISATION PROJECT**
  - c. FOSTER STREETScape DEVELOPMENT PROJECT**
  - d. NORTHERN TOWNS WATER SECURITY PROJECT**
  - e. SOUTH GIPPSLAND HIGHWAY KOONWARRA BLACK SPUR ROAD REALIGNMENT.**

**Cr McEwen left the Council Meeting at 4.10pm.**

**Cr Fawcett left the Council Meeting at 4.11pm with a declared indirect conflict of Interest in Council Agenda Item E.3 PRIORITY PROJECTS FOR ADVOCACY, FUNDING AND FOCUS 2016 in that he has a conflicting duty as he is a Director of South Gippsland Water and the Northern Towns Water Security project is part of South Gippsland Water duties.**

**Cr McEwen returned to the Council Meeting at 4.13pm.**

**Cr Hutchinson-Brooks left the Council Meeting at 4.17pm and returned at 4.19pm.**

**The Mayor, Cr Newton left the Council Meeting at 4.19pm and returned at 4.21pm.**

**The Motion was CARRIED UNANIMOUSLY.**

## **E.4 PARLIAMENTARY INQUIRY INTO UNCONVENTIONAL GAS IN VICTORIA - FINAL REPORT**

Development Services Directorate

### **STAFF DISCLOSURE OF INTEREST**

Nil

### **EXECUTIVE SUMMARY**

Council has maintained a consistent position on the issue of unconventional gas for the past three years. Council's position - most recently reaffirmed at its 26 August 2015 Ordinary Meeting - is to continue to support the moratorium on all forms of unconventional gas, until it can be demonstrated that the impacts will not adversely affect the environment, economy or community. This position has been communicated to the State Government and the community.

This position has been taken with regard for a number of community representations on the issue, which in general, have emphasised the importance of agriculture and tourism to our economy and have sought Council's support for a moratorium/ban on unconventional gas exploration in South Gippsland.

The Parliament of Victoria Inquiry into Unconventional Gas, established by the current State Government in May 2015, has recently concluded its deliberations and tabled its final report in the Victorian Parliament on 8 December 2015.

Following release of the final report it is recommended that Council endorse the key recommendations of the Victorian Parliamentary Inquiry into Unconventional Gas and support a ban on the unconventional gas industry in Victoria for all forms of unconventional gas until it can be demonstrated that the impacts will not adversely affect the environment, economy or community.

### **LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

- Petroleum Act 1998 (Petroleum Act)
- Mineral Resources (Sustainable Development) Act 1990

### **INTERNAL POLICIES / STRATEGIES / DOCUMENTS**

Economic Development and Tourism Strategy

## **COUNCIL PLAN**

Outcome:	1.0	A Prosperous Shire
Objective:	1.3	Improve the sustainability of the local and regional environment
Strategy:	1.3.1	We will actively engage businesses, farmers, industries and individuals in creating a clean, green Shire, where environmental sustainability is embraced and practiced.

## **CONSULTATION**

The Parliament of Victoria's Inquiry into Unconventional Gas in Victoria, established by the Victorian Government in May 2015, delivered its final report on 8 December 2015.

This was preceded by an interim report released in September 2015, which took into account 1,942 written or verbal submissions. The Municipal Association of Victoria made a submission on behalf of Victorian Councils which included South Gippsland Shire Council's resolution calling for a moratorium on coal seam gas exploration and extraction mining in South Gippsland pending full public disclosure of all process chemicals used and all other features of coal seam gas exploration/mining being shown to be safe.

The Committee held public hearings in Sale on 30 June and 1 July 2015. Council presented at the hearing.

Prior to this process, the former Victorian Government commissioned an independent facilitator to undertake an extensive community engagement process in respect to community and stakeholder attitudes towards onshore and unconventional gas.

The resulting *Report on community and stakeholder attitudes to onshore natural gas in Victoria* provided insights into the aggregated views of those for and against unconventional gas activity in the state of Victoria, profiling the characteristics of each. This report is available on Council's website.

## **REPORT**

### **Background**

A number of community representations have been made to Council on the issue of unconventional gas.

Some have sought clarification of Council's position, while others have advocated strongly that Council either bans or seeks a moratorium on unconventional gas in the shire.

In response to these representations, Council has considered previous reports and passed the following resolutions.

Council Motion – Ordinary Council Meeting 27 June 2012

Council resolved to:

1. Write to the Victorian State Government calling for a moratorium on coal seam gas exploration and extraction/ mining in South Gippsland pending full public disclosure of all process chemicals used and all other features of coal seam gas exploration/mining being shown to be safe.
2. Seek further information on regulations and controls in place in respect of coal seam gas exploration and extraction in the state of Victoria and how those regulations and controls compare to other states where coal seam gas exploration and operations are in progress.
3. Ensure the community is kept up to date with all relevant information as it becomes available through our website, council reports and contact with concerned community groups and Bass Coast Shire Council.
4. That Council opposes coal seam gas exploration or mining/extraction on land it owns or manages until it is shown to be safe.

Council Motion - Ordinary Council Meeting 25 July 2012

Council resolved to:

Prior to 8 August 2012, lodge a written objection to the granting of a mining exploration licence under Mantle Mining's application no. ELA 5428, as advertised on p11 of the Mirboo North Times dated 18 July 2012, based on the following grounds:

1. The applied licence area includes the entire township of Mirboo North. The prospect of mining exploration and the potential for coal mining within the town is unacceptable.
  2. The applied licence area includes critical town and agricultural water supplies. The prospect of these being threatened by exploration and potentially coal mining is unacceptable.
  3. The application licence area contains important dairying, grazing and potato growing operations. The economic value and food security of these industries far outweighs any short-term gain from exploration and mining and is therefore unacceptable.
  4. To Council's knowledge, Mantle Mining has not undertaken community consultation in relation to its intentions on previously granted exploration licences in adjacent agricultural areas, as referenced in the DPI's exploration licence application kit.
  5. The advertisement for the exploration licence is not suitably presented, being too small in both print size and map presentation to enable reasonable notice to
-

citizens. The application should be readvertised as was the recent case for Leichhardt's Resources application e15416."

6. Inform all property owners through 'South Gippsland Matters' of council resolutions carried in respect of coal seam gas or coal exploration and/or mining licences in June and July 2012 Council meetings and include any correspondence sent by Council to the State Government, following those resolutions.

On 26 August 2015, Council considered the preliminary findings outlined in the Interim Report of the Parliament of Victoria Inquiry into Unconventional Gas and resolved to:

1. Note the significant economic contributions made by the agricultural, food manufacturing and tourism sectors to the South Gippsland Economy.
2. Continue to support the moratorium on all forms of unconventional gas, until it can be demonstrated that the impacts will not adversely affect the environment, economy or community.
3. Place a copy of the following reports on Council's website
  - a. Interim and final Victorian Parliamentary Report into unconventional gas;
  - b. Victorian Auditor-General's office (VAGO) report - Managing the risks and impacts of unconventional gas; and
  - c. The report on community and stakeholder attitudes to onshore natural gas in Victoria.
4. Receive a report which reviews the above mentioned reports and their implications for South Gippsland
5. Provide a written response to the government which considers community feedback.

### **Discussion**

The prosperity of the South Gippsland economy and lifestyle is predicated on strong agricultural and tourism sectors.

Gippsland holds a competitive agricultural advantage due to productive soils and high and reliable rainfalls.

There is a significant level of investment in associated infrastructure, and agriculture is estimated to contribute \$900m per annum to the economy.

Future tourism growth is closely linked with this sector and it is critical for our economic prosperity that these sectors are protected without compromise.

### *Unconventional gas*

Unconventional gas can include the exploration, extraction and production of onshore natural gas. It includes terms such as onshore gas, coal seam gas, shale gas and tight gas.

Legislative and administrative decision making on unconventional gas, including decisions on exploration and extraction licenses, is vested with the Victorian Government.

Most of South Gippsland Shire is currently covered by mining exploration licences, many of which include potential for unconventional gas.

It is unknown at this stage if South Gippsland has any commercial quantities of unconventional gas.

Council has previously objected to the Victorian Government in response to notification of an application for an exploration licence in Mirboo North.

The Victorian Government has previously established, and continues to maintain the following measures regarding unconventional gas in Victoria:

- A hold on granting new exploration licences for all types of onshore gas
- A hold on approvals for hydraulic fracturing
- A hold on exploration drilling activities
- A ban on the use of BTEX (benzene, toluene, ethylbenzene, xylene) chemicals, which has been enshrined in legislation
- Scientific studies to understand the possible impacts of a potential onshore gas industry on Victoria's surface water and groundwater

### *Unconventional gas in South Gippsland*

Key findings of the "Gippsland region synthesis report, overview of the assessment of potential impacts on water resources" were;

- At present there is no active onshore natural gas development in Victoria.
- As far as it is known at present, there is no significant onshore conventional gas potential in the Gippsland region.
- Tight gas, shale gas and coal seam gas are the three main types of prospective onshore natural gas in Gippsland.
- Overall, the potential impacts on water users and ecosystems from possible onshore natural gas developments in Gippsland was found to be low for tight and shale gas (with some exceptions) and moderate to high for coal seam gas.

Key findings of "A review of gas prospectivity: Gippsland region" were;

- No conventional gas accumulations have been found to date in the onshore Gippsland region.
- The Strzelecki Group, found across Gippsland, is the primary target for tight gas. Gas could be irregularly distributed throughout the formation or trapped in discrete areas. Whether gas is distributed throughout the Strzelecki Group in quantities that may prove to be commercial is unknown.
- There have been no discoveries of coal seam gas to date and knowledge of the resource potential in Gippsland is extremely limited.

South Gippsland is recognised as one of the key food production areas of Australia with the sector worth around \$900m per annum. Much of this is export focussed and trades off our clean environment.

*Victorian Parliament Inquiry into Unconventional Gas Final Report - December 2015*

The Victorian Parliament Inquiry into Unconventional Gas' Final Report contains 15 recommendations, primarily suggesting that further research be undertaken and risk mitigation controls put in place to address the potential impacts of any prospective unconventional gas activities in Victoria, should they come to fruition. A copy of the final report is available of Council's website.

The recommendations are as follows:

1. That the precursor internal submissions from Victorian departments and agencies that informed the whole-of-government inter-departmental submission to this Inquiry into unconventional gas be made public to inform the community of the different positions of departments and agencies.
2. That the Chief Health Officer commissions a full review and report to the Victorian Government on the possible human health impacts of an unconventional gas industry.
3. That the Victorian Government undertake a significant program to collect baseline data prior to any unconventional gas industry going ahead, including:
  - a. further sampling of groundwater monitoring bores; and
  - b. locating groundwater monitoring bores in areas of potential gas extraction.
4. That the Victorian Government establishes an independent water science committee chaired by an eminent scientist to oversee a water

science and monitoring program, and provide independent advice on water quality and other environmental issues.

5. That the Victorian Government:
    - a. increase the resources available to monitor the integrity and condition of wells, and identify and decommission these where necessary; and
    - b. clarify the roles and responsibilities of the Department of Environment, Land, Water and Planning, the Environment Protection Authority, water authorities and other agencies in regard to the decommissioning of wells.
  6. That the Victorian Government provide easier online access to information about exploration licences targeting coal seam gas and petroleum exploration permits targeting tight and shale gas, and in particular:
    - a. update and improve the relevant sections of the Department of Economic Development, Jobs, Transport and Resources website to reflect machinery of government changes to departments;
    - b. provide a simplified, more user-friendly interface and more effective search tools; and
    - c. display the 'Mining Licences Near Me Tool' more prominently on the website.
  7. That, noting that the Committee is not in a position to determine whether a single Act or improvements to the *Mineral Resources (Sustainable Development) Act 1990* and the *Petroleum Act 1998* would result in better regulation, the Victorian Government should look to individual improvements in both Acts and should ensure that:
    - a. community consultation and effective dispute resolution processes are improved; and
    - b. landholder rights are strengthened and an equitable balance and process between the rights of landholders and mining companies in relation to land access, compensation, and the rehabilitation of land is achieved, noting the Crown owns all mineral resources.
  8. That mandatory environmental impact assessments be required for any coal seam gas, shale and tight gas projects.
  9. That the Victorian Government examine improved consultation with relevant water authorities to enable a more comprehensive assessment of risk to water sources.
-



- 10.** That the Victorian Government amend section 32 of the *Sale of Land Act 1962* to ensure that when a person buys land they are made aware of any exploration licences or petroleum exploration permits or retention leases that the land is subject to, by having the licences, permits or leases listed in the section 32 document. Disclosure of any such licences, permits or leases should be accompanied by a plain English explanation.
- 11.** That the Victorian Government, in consultation with stakeholders, develop an industry-wide code of practice for the exploration, production, and impact management of unconventional gas activities that specifically includes requirements for best practice in:

  - a.** well integrity;
  - b.** hydraulic fracturing activities;
  - c.** produced water;
  - d.** fugitive emissions;
  - e.** well decommissioning and rehabilitation obligations; and
  - f.** baseline and ongoing monitoring.
- 12.** That in relation to chemicals and additives used in hydraulic fracturing, the Victorian Government should:

  - a.** commission research and advice on chemicals, including research to assess the impacts of chemical mixtures used in hydraulic fracturing;
  - b.** require companies to seek approval for all chemicals proposed to be used; and
  - c.** require full, public disclosure of chemicals approved for use.
- 13.** That the Victorian Government examine the Queensland GasFields Commission model and other independent bodies in other jurisdictions, to consider establishing a wholly independent, appropriately resourced statutory body that may facilitate information sharing and stronger relationships between landholders, local communities and industry.
- 14.** That the Minister for Energy and Resources meet with Victorian manufacturers to understand their concerns regarding the supply and increasing cost of gas, and the impact on their businesses.
- 15.** That the Victorian Government take note and consider the findings of the Australian Competition and Consumer Commission Inquiry into the East Coast Gas Market, which are due to be reported in April 2016.

It is important to note that while the committee considered two proposed overarching recommendations being either (a) a ban on the unconventional gas industry in Victoria, or (b) a five year extension of the current moratorium, it could not reach a majority decision.

It is also important to note that at this point in time, the Victorian Government has not responded to the recommendations outlined in the committee's final report and as such, the existing 'hold' measures remain in place.

Standing Order 23.30 requires the Government to respond to any recommendations directed to it within six months of the report being tabled.

The parliamentary inquiry final report highlights that Victoria is clearly not in a position to support an unconventional gas industry. Our current regulatory framework is not compatible and a greater understanding of the social, economic and environmental implications of an unconventional gas industry is required.

The Victorian Government is now furnished with enough information to inform its position on unconventional gas and must provide a response to the parliamentary inquiry within 60 days of the report being tabled.

Council has maintained a balanced approach to supporting the moratorium, seeking to understand the issues, keeping the community informed and hearing the communities concerns. Now that the final report has been delivered to the Victorian Government Council should review its position on unconventional gas.

### **Strategic Context**

Council's Economic Development and Tourism Strategy 2014 places a strong emphasis on supporting and developing our food and tourism sectors.

The strategy seeks to "ensure that coal seam gas and other mining does not adversely impact on farming and our clean food image" by "actively engage businesses, farmers, industries and individuals in creating a clean, green shire, where environmental sustainability is embraced and practiced".

While the Gippsland Regional Plan 2015 is silent on the issue of unconventional gas, the Gippsland Regional Growth Plan 2014 proposes that "it will be important to ensure that new earth resources industries such as coal seam gas, or onshore oil and gas, are developed in a way that is environmentally sustainable and compatible with existing and developing industries".

Having formally endorsed each of these three key policy documents, Council is encouraged to consider their strategic intent when assessing these issues.

## **FINANCIAL CONSIDERATIONS**

The prosperity of the South Gippsland economy and lifestyle relies heavily on the continued strength of our agricultural and tourism sectors.

There is a significant level of investment in associated infrastructure and agriculture is estimated to contribute \$900m per annum to the economy.

Future tourism growth is also closely linked with this sector and it is critical for our economic prosperity that these sectors are protected without compromise.

## **OPTIONS**

Council may consider the following positional options:

1. Advise the Victorian Government that it endorses the key recommendations of the Victorian Parliamentary Inquiry into Unconventional Gas Final Report - December 2015.
2. Advise the Victorian Government that it continues to maintain its current position of supporting the moratorium on unconventional gas until such time it is proven to be safe.
3. Develop an alternative position being to either support a ban on unconventional gas activity in Victoria or otherwise;

## **RISKS**

Council's existing position to support the moratorium on all forms of unconventional gas until such time that it can be proven safe seeks to mitigate the potential risks that may or may not be associated with coal seam gas activity in terms of the environment, economy or community.

## **CONCLUSION**

The issue of unconventional gas is contentious and it remains unknown at this stage as to whether South Gippsland has any commercial quantities of gas.

While the final report of the Victorian Parliament Inquiry into Unconventional Gas does not provide a definitive recommendation as to whether the Government should either introduce a ban on the unconventional gas industry in Victoria or a five-year extension of the current moratorium, it does provide a series of recommendations relating to research and regulation of any future unconventional gas industry in Victoria, if it was to ever occur.

It is not yet clear as to how the Victorian Government will choose to respond to the recommendations contained in the final report.

From South Gippsland's perspective, it is important for Council and the community to fully understand any potential adverse impacts for the shire if

an unconventional gas industry was to eventuate, particularly given our critical role in food production in maintaining our clean image.

In the absence of any new and definitive scientific information of this nature, and taking into account the recommendations outlined in the committee's final report tabled on 8 December 2015, Council should advise the Victorian Government that it supports a ban on unconventional gas until such time it is proven to be safe.

### **RECOMMENDATION**

That Council:

1. Advise the Victorian Government that it endorses the key recommendations of the Victorian Parliamentary Inquiry into Unconventional Gas Final Report - December 2015.
2. Advise the Victorian Government it supports a ban on the unconventional gas industry in Victoria for all forms of unconventional gas until it can be demonstrated that the impacts will not adversely affect the environment, economy or community.
3. Place a link to the Final Victorian Parliamentary Report into Unconventional Gas on Council's website.

**MOVED: Cr Hill**

**SECONDED: Cr McEwen**

**THAT COUNCIL:**

1. **ADVISE THE VICTORIAN GOVERNMENT THAT IT ENDORSES THE KEY RECOMMENDATIONS OF THE VICTORIAN PARLIAMENTARY INQUIRY INTO UNCONVENTIONAL GAS FINAL REPORT - DECEMBER 2015.**
2. **ADVISE THE VICTORIAN GOVERNMENT IT SUPPORTS A BAN ON THE UNCONVENTIONAL GAS INDUSTRY IN VICTORIA FOR ALL FORMS OF UNCONVENTIONAL GAS UNTIL IT CAN BE DEMONSTRATED THAT THE IMPACTS WILL NOT ADVERSELY AFFECT THE ENVIRONMENT, ECONOMY OR COMMUNITY.**
3. **PLACE A LINK TO THE FINAL VICTORIAN PARLIAMENTARY REPORT INTO UNCONVENTIONAL GAS ON COUNCIL'S WEBSITE.**

**Cr Fawcett returned to the Council Meeting at 4.25pm.**

**CARRIED UNANIMOUSLY**

## **E.5 PORT WELSHPOOL LONG JETTY REHABILITATION FUNDING UPDATE 2016**

Development Services Directorate

### **STAFF DISCLOSURE OF INTEREST**

Nil

### **EXECUTIVE SUMMARY**

The purpose of this report is to provide Council with an update on the status of the Port Welshpool Long Jetty rehabilitation project and to outline the proposed approach for securing the remaining funds required for the project to commence.

#### **Document/s pertaining to this Council Report**

- **Attachment 1** - Correspondence from Gippsland Ports, Port Welshpool Long Jetty Rehabilitation - National Stronger Regions Fund Application.

### **INTERNAL POLICIES / STRATEGIES / DOCUMENTS**

- Corner Inlet Tourism Development Project Economic Impact Study
- Economic Development and Tourism Strategy November 2014

### **COUNCIL PLAN**

Outcome:	1.0	A Prosperous Shire
Objective:	1.1	Raise the awareness of local and regional issues with the state and federal decision makers
Strategy:	1.1.1	We will advocate for priority projects that assist in stimulating economic growth, agricultural development, tourism infrastructure and community facilities

### **CONSULTATION**

Council has engaged extensively with the South Gippsland community, project proponent Gippsland Ports, Regional Development Victoria and the Commonwealth Government in relation to the proposed rehabilitation of the Port Welshpool Long Jetty throughout the life of the project.

## **REPORT**

### **Background**

The Long Jetty is a Crown asset managed under delegation by the Gippsland Ports Committee of Management.

The proposed redevelopment of the Jetty is one of Council's long-standing priority projects.

The project is a fundamental component of the broader Corner Inlet Tourism Development suite of projects which also includes the Agnes Falls Scenic Reserve; Port Welshpool Marina and Toora Boating and Environmental project.

Council has advocated for these projects to be funded for the collective benefit of increasing tourism yield and dispersal within the region, which is ultimately expected to result in significant economic benefit for the Shire.

Gippsland Ports has secured commitments of \$5m from the State Government and Council has committed \$1m towards the rehabilitation of the Long Jetty, leaving an unfunded balance of approximately \$4.6m.

### **Discussion**

Council has applied for the balance of funding through the Commonwealth Government's National Stronger Regions Fund (NSRF) or equivalent four times, without success.

While the Victorian Government's commitment of \$5m is contingent on securing Federal funding to cover the project balance, indications from senior State Government representatives advise that the Government is likely to leave its contribution on the table in order allow Council to submit another NSRF application.

Over the last 12 months, the level of urgency for securing the remaining funds to deliver the Long Jetty rehabilitation project has escalated. Council has commenced preparing another application to the NSRF which closes on 15 March 2016.

Gippsland Ports, as the project proponent wrote to Council on 4 January 2016 advising that it supports Council lodging an application to round 3 of the NSRF on the condition that immediate, additional funding is provided to undertake risk mitigation works and a detailed condition assessment which combined, is estimated to cost \$310k.

(Refer **Attachment 1** - Correspondence from Gippsland Ports, Port Welshpool Long Jetty Rehabilitation - National Stronger Regions Fund Application)

Gippsland Ports have also advised that a condition assessment needs to be undertaken to determine any cost escalation due to further deterioration since the last application was submitted. It is therefore likely that the grant ask from the NSRF will increase from the previous \$4.6m once costs have been revised.

A commitment for any project cost over runs is required to be obtained prior to an application being submitted to the NSRF. The Department of Economic Development, Jobs, Transport and Resources (DEDJTR) provided the commitment for the previous application and a recommitment must be secured prior to making another application to the NSRF which closes on 15 March 2016. Council is working with Gippsland Ports to secure this commitment.

### **FINANCIAL CONSIDERATIONS**

Council has already committed \$1m towards the Long Jetty rehabilitation project and a further \$5m has been conditionally committed by the State Government.

In 2015, it was estimated that a further \$4.6m would be needed for the project to proceed. It is important to understand that this may have since increased to reflect asset deterioration and indexation of project costs.

Gippsland Ports have also advised that a condition assessment needs to be undertaken to determine any cost escalation due to further deterioration since the last application was submitted. It is therefore likely that the grant ask from the NSRF will increase from the previous \$4.6m once costs have been revised.

Any decision to increase or alter Council's \$1m commitment will need to be accounted for elsewhere in the budget and would have a direct impact on the organisation's ability to deliver its agreed capital works program. Any variation to existing financial commitments would need to be formally considered and accounted for through Council's statutory budget process.

### **RISKS**

The State Government's contribution of \$5m towards the Long Jetty rehabilitation is conditional on Federal funding being secured. The State Government's commitment to the project is not in perpetuity and there is a risk that these funds will be withdrawn if Federal funding is not secured via, Round 3 of the Commonwealth Government's National Stronger Regions Fund.

### **CONCLUSION**

The rehabilitation of the Port Welshpool Long Jetty is a long-standing commitment of Council.

Council has already conditionally committed \$1m towards the project and a further \$5m has been conditionally committed by the Victorian Government.

In order for the project to proceed, a further \$4.6m or more is needed.

Council has the opportunity to apply for these funds through Round 3 of the Commonwealth Government's National Stronger Regions Fund, which has now opened and is due to close on 15 March 2016.

A commitment for any project cost over runs is required to be obtained prior to an application being submitted to the NSRF. The Department of Economic Development, Jobs, Transport and Resources (DEDJTR) provided the commitment for the previous application and a recommitment must be secured prior to making another application to the NSRF. Council is working with Gippsland Ports to secure this commitment.

### **RECOMMENDATION**

That Council:

1. Restate its commitment to support the rehabilitation of the Port Welshpool Long Jetty project, including its existing conditional contribution of \$1m.
2. Work in partnership with Gippsland Ports to provide the required information (including an updated project cost and a commitment for any project cost over runs) and proceed in lodging an application to Round 3 of the Commonwealth Government's National Stronger Regions Fund seeking the balance of funding needed to deliver the project.



**MOVED: Cr Davies**

**SECONDED: Cr Harding**

**THAT COUNCIL:**

- 1. RESTATE ITS COMMITMENT TO SUPPORT THE REHABILITATION OF THE PORT WELSHPOOL LONG JETTY PROJECT, INCLUDING ITS EXISTING CONDITIONAL CONTRIBUTION OF \$1M.**
- 2. WORK IN PARTNERSHIP WITH GIPPSLAND PORTS TO PROVIDE THE REQUIRED INFORMATION (INCLUDING AN UPDATED PROJECT COST AND A COMMITMENT FOR ANY PROJECT COST OVER RUNS) AND PROCEED IN LODGING AN APPLICATION TO ROUND 3 OF THE COMMONWEALTH GOVERNMENT'S NATIONAL STRONGER REGIONS FUND SEEKING THE BALANCE OF FUNDING NEEDED TO DELIVER THE PROJECT.**
- 3. FORWARD A COPY OF THE PETITION – LONG JETTY RESTORATION TABLED IN SECTION A.9 PETITIONS TO THE FEDERAL MEMBER OF MCMILLAN.**

**Cr McEwen left the Council Meeting at 4.30pm and returned at 4.36pm.**

**Cr Hill left the Council Meeting at 4.40pm and returned at 4.43pm.**

**CARRIED**

**For: Crs Fawcett, Kennedy, Harding, Newton, Davies, McEwen, Hill and Hutchinson-Brooks.**

**Against: Cr Brunt**

**Attachment 1**  
**Correspondence from Gippsland Ports, Port Welshpool Long Jetty**  
**Rehabilitation - National Stronger Regions Fund Application**

Ref: 23-962

4 January 2016

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

Dear Tim

**Re: Port Welshpool Long Jetty Rehabilitation - National Stronger Regions (NSR) Fund Application**

Further to our brief discussion at the RMF held at Ellinbank just prior to Christmas, I thought it appropriate that I formally advise of the Gippsland Ports' Board position on the Port Welshpool Long Jetty.

Gippsland Ports understands that subject to receipt of feedback on the unsuccessful Round 2 bid, that South Gippsland Shire Council has resolved to progress a Round 3 bid in 2016, and that this position has been supported by Regional Development Victoria.

Gippsland Ports' Board considered this matter at length at its 14 December Board Meeting and understands South Gippsland Shire Council direction however it is extremely concerned that ongoing delays and no action to mitigate the ever present risks simply compound Gippsland Ports' and Government's risk exposure both from the public and waterway safety, and financial perspectives.


The Gippsland Ports Board resolved to provide its support for South Gippsland Shire Council's NRS Round 3 bid for the rehabilitation of the jetty for pedestrian access, on the following conditions:

- 1) Funding being provided now to remove deck, transoms and at risk elements from the outer end of the structure; and
- 2) Funding being provided now to carry out a current detailed condition assessment to better inform direction after Round 3, irrespective of the outcome.
- 3) Any new application must include an increment over previous applications to provide for the increased costs associated with inflation subsequent to the last comprehensive estimate and the impact of further deterioration during that time.


Gippsland Ports is available to brief Council on its position however will in the interim progress required bid information, particular a review of estimated costs which should bring to account inflation and any obvious recent deterioration.

A jetty inspection has been scheduled for 18 February 2016 and a representative of South Gippsland Shire Council is welcome to attend. Paul Stampton has indicated his attendance

Yours sincerely

  
Nick Murray  
Chief Executive Officer

CC Jo Connellan (DEDJTR), Brad Ostermeyer, Nicole Orriss (RDV)



ABN 98 943 634 870  
[www.gippslandports.vic.gov.au](http://www.gippslandports.vic.gov.au)  
[feedback@gippslandports.vic.gov.au](mailto:feedback@gippslandports.vic.gov.au)

**Port Managers**  
Anderson Inlet  
Corner Inlet & Port Albert  
Gippsland Lakes  
Snowy River  
Mallacoota Inlet

**Waterway Manager**  
Shallow Inlet  
Lake Tyers

**Head Office**  
PO Box 388  
(97 Main Street)  
Bairnsdale Vic 3875  
Ph 03 5150 0500  
Fax 03 5150 0501

**Depots**  
Bullock Island  
Lakes Entrance Vic 3909  
Ph 03 5155 6900  
Fax 03 5155 6901

Lewis Street  
Port Welshpool Vic 3965  
Ph 03 5688 1303  
Fax 03 5688 1658

**Boatyards**  
Slip Road  
Paynesville Vic 3880  
Ph 03 5156 6352  
Fax 03 5156 6816

Bullock Island  
Lakes Entrance Vic 3909  
Ph 03 5155 6950  
Fax 03 5155 6951



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## **E.6 COUNCIL SUPPORT TO REFUGEE CRISIS**

Development Services Directorate

### **STAFF DISCLOSURE OF INTEREST**

Nil

### **EXECUTIVE SUMMARY**

This report provides advice in response to a resolution of the 28 October 2015 Ordinary Council meeting which required a report on how Council could support and or assist the Federal and State Governments in responding to the Syrian refugee crisis.

In September 2015 the Australian Government announced that 12,000 additional humanitarian places would be made available to people displaced as a result of conflicts in Syria and Iraq. South Gippsland has not been identified to receive refugees directly from this intake; however there are opportunities for Council to demonstrate support for refugees.

This report recommends Council declare the South Gippsland Shire a Refugee Welcome Zone by signing the declaration of commitment in the spirit to uphold human rights of refugees, welcome refugees into the community, demonstrate compassion for refugees and enhancing cultural diversity in the community. There are currently 124 Refugee Welcome Zones in Australia.

#### **Document/s pertaining to this Council Report**

- **Attachment 1** - Refugee Welcome Zone Information for Councils

### **LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

- Charter of Human Rights and Responsibilities Act 2005
- Local Government Act 1989

### **INTERNAL POLICIES / STRATEGIES / DOCUMENTS**

- Human Rights Policy
- Home and Community Care (HACC) Diversity Plan

## **COUNCIL PLAN**

Outcome:	2.0	Closely Connected Communities
Objective:	2.1	Engage and work collaboratively with our community.
Strategy:	2.1.3	We aim to minimise barriers and find ways to support our volunteers, community groups and committees to provide services beyond those that Council, by itself, can provide.

## **CONSULTATION**

### **External Consultation**

In preparing this report, Council consulted with a range of stakeholders including:

- Municipal Association of Victoria (MAV)
- Latrobe Community Health Service
- South Gippsland Rural Australians for Refugees
- Bass Coast Shire Council

## **REPORT**

### **Background**

On 9 September 2015 the Australian Government announced that it will make an extra 12,000 Humanitarian Programme places available in response to the conflicts in Syria and Iraq. Successful resettlement of such a large number of refugees will be contingent on the goodwill and willingness of communities across Australia to welcome new residents to their towns and cities.

Most of the 4,000 refugees expected in Victoria are expected to be accepted through applications from existing family members in Hume and then in rural areas to the North West of Melbourne.

South Gippsland Shire Council may also provide support to the refugee crisis through support to State and Federal Government; local service providers and community organisations; and through recognition of diversity in Council planning and service provision.

### **Discussion**

Council's role allows access to the local community not experienced by State and Federal Governments and is often the first contact for many new residents. Council's services are delivered across the whole of life of a community member, from maternal and child health and family services

through to aged care. Council connects many residents to these services including recent arrivals from culturally and linguistically diverse backgrounds.

The current refugee crisis is unlikely to directly impact South Gippsland in the first instance. At least 60% of the 4,000 refugees expected in Victoria under the September 2015 Australian Government announcement will be sponsored by family members and are expected to settle in areas north of Melbourne. Following that, the remainder are expected to be settled in rural areas North West of Melbourne.

In the five years to 31 March 2015 South Gippsland received a total of 211 migrants comprised of: 98 families, 8 humanitarian entrants, and 105 skilled workers. Services are provided within the Shire in settlement support, migrant English and direct support from community members and groups.

Organisations working with refugees in the South Gippsland area include Milpara Community House, Latrobe Community Health Service, South Gippsland Rural Australians for Refugees and Gippsland Multicultural Resource Centre. There are many community groups and individuals also involved in refugee support both locally and more broadly through fundraising, awareness events and direct assistance to new arrivals to help connect them to services and activities in the community.

South Gippsland Shire council can offer support to the current and future refugee crisis through a range of actions:

- Raise awareness of and cater for diversity in the South Gippsland community through planning and services that cater for the needs of all residents
- Liaise with organisations and community groups in South Gippsland that provide services and assistance to refugees to ensure up to date information that can be provided to the community and suitable assistance readily identified by those wishing to offer it.
- Keep the community informed of the current status of State and Federal policy and actions relating to the current refugee crisis. Provide information about what the community can do to help refugees on Council's website by providing links to current Government and welfare organisation websites.
- A Local Government Area may become a 'Refugee Welcome Zone'. More than 120 Councils have now declared their area a Refugee Welcome Zone. Signing the declaration can promote harmony, social cohesion and respect for human rights. A council making this declaration does not need to have a large refugee population and are not required to undertake particular activities. Becoming a Refugee Welcome Zone helps connect local governments with the issues facing refugees and asylum seekers and provides acknowledgement to the community of Council's support for community diversity.

(Refer **Attachment 1** - Refugee Welcome Zone Information for Councils)

### **Proposal**

It is proposed that Council become a Refugee Welcome Zone.

### **FINANCIAL CONSIDERATIONS**

There are no inherent costs associated with declaring Council a Refugee Welcome Zone.

### **RISKS**

Support by Council may lead the community to think South Gippsland is expecting a large influx of Syrian and Iraqi refugees. Immigration policy is determined by the Federal Government and Council will keep the community informed on the status of State and Federal policy and actions on the refugee crisis by providing links on Council's website to government departments and relevant welfare groups.

### **CONCLUSION**

Becoming a Refugee Welcome Zone helps connect local governments with the issues facing refugees and asylum seekers and provides acknowledgement to the community of Council's support for community diversity.

### **RECOMMENDATION**

That Council:

1. Sign up as a Refugee Welcome Zone; and
2. Keep the community informed on the status of State and Federal policy and actions on the refugee crisis by providing links on Council's website to government departments and relevant welfare groups.

**MOVED: Cr Davies**

**SECONDED: Cr Fawcett**

**THAT COUNCIL:**

- 1. SIGN UP AS A REFUGEE WELCOME ZONE; AND**
- 2. KEEP THE COMMUNITY INFORMED ON THE STATUS OF STATE AND FEDERAL POLICY AND ACTIONS ON THE REFUGEE CRISIS BY PROVIDING LINKS ON COUNCIL'S WEBSITE TO GOVERNMENT DEPARTMENTS AND RELEVANT WELFARE GROUPS.**

**Cr Brunt left the Council Meeting at 4.46pm and returned at 4.49pm.**

**Cr Hutchinson-Brooks left the Council Meeting at 4.46pm and returned at 4.49pm.**

**CARRIED UNANIMOUSLY**

## Attachment 1 Refugee Welcome Zones - Information for Councils



**Refugee Council  
of Australia**

### **REFUGEE WELCOME ZONES**

**An initiative of the Refugee Council of Australia**

**Who is the Refugee Council of Australia?**

The Refugee Council of Australia (RCOA) is the national peak body for refugees and the organisations and individuals who support them. RCOA promotes the adoption of flexible, humane and constructive policies towards refugees and asylum seekers through conducting policy analysis, research, advocacy and public education on refugee issues.

**What is a Refugee Welcome Zone?**

A Refugee Welcome Zone is a Local Government Area which has made a commitment in spirit to welcoming refugees into the community, upholding the human rights of refugees, demonstrating compassion for refugees and enhancing cultural and religious diversity in the community.

This public commitment is also an acknowledgment of the tremendous contributions refugees have made to Australian society in the fields of medicine, science, engineering, sport, education and the arts. By making this Declaration it is hoped that local government will be encouraged in their continuing efforts to support the men, women and children who make the difficult journey to Australia to seek our protection.

The Refugee Welcome Zone initiative began in June 2002 as part of Refugee Week celebrations. At the time, 15 local Councils in Victoria, New South Wales and South Australia were declared Refugee Welcome Zones. Today, with more than 120 Local Government Areas having declaring themselves Refugee Welcome Zones, the initiative has proven to be a great success in connecting local governments with the issues facing refugees and asylum seekers.

**What is the process for becoming a Refugee Welcome Zone?**

The process for becoming a Refugee Welcome Zone is very straightforward. It simply involves the Council signing the Refugee Welcome Zone Declaration, which is "a commitment in Spirit to welcoming refugees into our community, upholding the human rights of refugees, demonstrating compassion for refugees and enhancing cultural and religious diversity in our community". An example of the Declaration is included at the end of this document.

To mark the occasion of becoming a Refugee Welcome Zone, many Councils choose to hold public signing ceremonies. These provide an opportunity to highlight the initiative and acknowledge the work of local groups and individuals that support refugees and asylum seekers. If possible, a representative from the Refugee Council of Australia will attend the ceremony to present a Certificate of Appreciation.

**Why become a Refugee Welcome Zone?**

Local Government has historically played an important role in assisting refugee settlement and promoting community harmony. Since Federation in 1901, Australia has become home to over 800,000 refugees and we have a proud history of settling refugees from all over the world who have gone on to make an

**Sydney office:**  
Suite 4A6, 410 Elizabeth Street  
Surry Hills NSW 2010 Australia  
Phone: (02) 9211 9333 • Fax: (02) 9211 9288  
admin@refugeecouncil.org.au  
Web: [www.refugeecouncil.org.au](http://www.refugeecouncil.org.au) • Twitter: @OzRefugeeCouncil

**Melbourne office:**  
Level 2, 313-315 Flinders Lane  
Melbourne VIC 3000 Australia  
Phone: (03) 9600 3302  
melbourne@refugeecouncil.org.au  
Incorporated in ACT • ABN 87 956 673 083



enormous contribution to our economic, social and cultural life. Becoming a Refugee Welcome Zone is a way to continue this proud tradition of supporting the settlement of refugees.

Signing the Declaration can also promote harmony, social cohesion and respect for human rights in your local community. It is a great way to demonstrate support for refugees and take a strong stand against racism and discrimination. It can help to raise awareness about the issues affecting refugees, foster a culture of mutual respect and promote an appreciation of cultural diversity.

Becoming a Refugee Welcome Zone can also encourage the development of a more coordinated approach to supporting refugee settlement. It can motivate Local Government and local organisations and support groups to work together more effectively so as to improve settlement outcomes for refugees.

#### **What are the obligations and responsibilities of Refugee Welcome Zones?**

The Refugee Welcome Zone Declaration does not confer any formal obligations and Refugee Welcome Zones are not required to uphold any statutory responsibilities or financial commitments. The signing of the Declaration is simply a way of demonstrating broad support for the principles it contains. Any actions or activities undertaken by Refugee Welcome Zones to implement the Declaration are voluntary.

However, while signatories to the Refugee Welcome Zone Declaration are not required to undertake any specific activities, any initiatives which help to create a welcoming atmosphere and assist the settlement of refugees and their communities are welcomed and encouraged.

#### **How can Refugee Welcome Zones support refugees?**

There are many simple things that your Local Government Area can do to welcome refugees to your community:

- Develop a Local Government policy relating to refugees and asylum seekers or review existing policies.
- Offer funding for community-based projects which support the settlement of refugees.
- Hold community picnics and gatherings to encourage families from different backgrounds and community organisations to meet.
- Build partnerships and work collaboratively with local community groups and service providers to enhance support for refugees settling in your area.
- Organise an event during Refugee Week, such as a street fair or festival.
- Host a community meeting with newly arrived refugees and guest speakers from refugee support organisations to find out how your Council can best support refugees in your community.
- Hold a multicultural film festival.
- Coordinate with local libraries in the area to develop an English tutoring program for newly arrived refugees.
- Liaise with the Red Cross to run information sessions for newly arrived refugees who have been separated from family members and relatives.
- Hold a public forum to enable guest speakers from refugee backgrounds to share their stories.

*How has your organisation, community or council welcomed refugees?*

*Send in your past and upcoming events and initiatives to [media@refugeecouncil.org.au](mailto:media@refugeecouncil.org.au)*

*We'd like to hear about program or event, big or small!*

### **Current Refugee Welcome Zones**

There are currently 124 Refugee Welcome Zones in Australia.

#### Australian Capital Territory: ACT government

New South Wales: Albury City Council, Armidale Dumaresq Council, Ashfield Council, Auburn City Council, Ballina Shire Council, Bankstown City Council, Bathurst Regional Council, Bega Valley Shire Council, Blacktown City Council, Blue Mountains City Council, Burwood Council, Byron Shire Council, Campbelltown City Council, City of Canterbury, Coffs Harbour City Council, Cowra Council, Dubbo City Council, Fairfield City Council, Gosford City Council, Goulburn Mulwaree Council, Griffith City Council, Hawkesbury City Council, Hornsby Shire Council, Kiama Municipal Council, Kogarah City Council, Ku-ring-gai Council, City of Lake Macquarie, Leeton Shire Council, Leichhardt Council, Lismore City Council, Liverpool City Council, Manly Council, Murrumbidgee Council, Murrumbidgee Regional Council, Murrumbidgee Shire Council, Murrumbidgee Regional Council, Mosman Council, North Sydney Council, Palerang Council, Parkes Shire Council, Penrith City Council, Port Macquarie-Hastings Council, Randwick City Council, Rockdale City Council, City of Ryde, Shellharbour City Council, Sutherland Shire Council, City of Sydney, Wagga Wagga City Council, Warringah Council, Waverley Council, Willoughby City Council, Wollongong City Council

#### Northern Territory: City of Palmerston

Victoria: Ararat Rural City Council, City of Ballarat, Banyule City Council, Bass Coast Shire Council, Brimbank City Council, Shire of Campaspe, Cardinia Shire Council, City of Casey, City of Darebin, City of Greater Bendigo, Colac Otway Shire, City of Greater Dandenong, Greater City of Greater Geelong, Hepburn Shire Council, Hindmarsh Shire Council, Hobsons Bay City Council, Horsham Rural City Council, Hume City Council, La Trobe City Council, Manningham City Council, Maribyrnong City Council, Maroondah City Council, City of Melbourne, Mildura Rural City Council, Moira Shire Council, City of Monash, City of Moonee Valley, Moreland City Council, Mornington Peninsula Shire, Mount Alexander Shire Council, City of Port Phillip, Borough of Queenscliffe, Greater Shepparton City Council, Surf Coast Shire, Swan Hill Rural City Council, City of Whittlesea, Wyndham City, City of Yarra, Yarra Ranges Council

South Australia: Adelaide City Council, Adelaide Hills Council, Campbelltown City Council, Town of Gawler, City of Marion, City of Mitcham, City of Mount Gambier, Rural City of Murray Bridge, City of Norwood, Payneham and St Peters, City of Onkaparinga, City of Port Adelaide Enfield, City of Prospect, City of West Torrens

Queensland: Brisbane City Council, Diamantina Shire Council, Flinders Shire Council, Toowoomba Regional Council, Townsville City Council

Tasmania: Break O'Day Council, Clarence City Council, Derwent Valley Council, Hobart City Council, Kingborough Council, La Trobe Council, Launceston City Council, West Tamar Council

Western Australia: City of Fremantle, Shire of Katanning, Shire of Augusta-Margaret River, City of Subiaco, Town of Victoria Park, City of Vincent.

*Map of Refugee Welcome Zones in Australia*



## The Refugee Welcome Zone Declaration

(Council crest/logo)

The \_\_\_\_\_ Council,

Declares the Council of \_\_\_\_\_ a

### **Refugee Welcome Zone**

*This Declaration is a Commitment in Spirit to*

**Welcoming** refugees into our community,

**Upholding the Human Rights** of refugees,

**Demonstrating Compassion** for refugees and

**Enhancing cultural and religious Diversity** in our community.

\_\_\_\_\_  
[name and title of signatory]

Date: \_\_\_\_\_

*This Declaration is proudly supported and endorsed by the*



**Refugee Council  
of Australia**

The Refugee Council of Australia is a national umbrella organisation representing over 1,000 organisational and individual members. The aim of the Refugee Council is to promote the adoption of flexible, humane and constructive policies toward refugees and asylum seekers by the Australian and other Governments and their communities.

**To obtain an editable copy of the Declaration for signing by your Council, please contact us on (02) 9211 9333 or [media@refugeecouncil.org.au](mailto:media@refugeecouncil.org.au)**

## **E.7 KORUMBURRA ROUNDTABLE - PROGRESS REPORT**

Development Services Directorate

### **STAFF DISCLOSURE OF INTEREST**

Nil

### **EXECUTIVE SUMMARY**

In March 2013, Council unanimously resolved to commence supporting an integrated community group for Korumburra, called the Korumburra Community Roundtable (later shortened to Korumburra Roundtable - KRT). It was decided by Council that the KRT be 'a self-driven community leadership group, comprising representatives of community members and groups of Korumburra, Ward Councillors and a member of the Executive Leadership Team.'

Since its inception the KRT has continued to refine its purpose, develop community priorities and has provided Council with strong community linkages to communicate and consult on local projects of significance.

At the June 2014 Council Ordinary meeting, Council resolved to approve the continuation of the KRT and the provision of secretariat and officer support for a further 12 months.

The KRT is the only community group of its kind which Council supports with regular administrative and executive support. Whilst it is acknowledged that the KRT was to be considered a pilot project, two years on, it is appropriate that Council review its decision and ongoing involvement.

This report recommends that Council continue to support the KRT for the remainder of the 2015/16 financial year to facilitate a transition to the 'self-driven' community leadership group as identified during inception.

#### **Document/s pertaining to this Council Report**

- **Attachment 1** - Korumburra Roundtable - Submission to Council
- **Attachment 2** - Extract from minutes of Ordinary Council Meeting, 27 March 2013
- **Attachment 3** - Extract from minutes of Ordinary Council Meeting, 25 June 2014
- **Attachment 4** - Korumburra Roundtable Terms of Reference

### **INTERNAL POLICIES / STRATEGIES / DOCUMENTS**

Communication and Community Engagement Policy

## **COUNCIL PLAN**

Outcome:	1.0	Closely Connected Communities
Objective:	1.1	Engage and work collaboratively with our community.
Strategy:	1.3.3	We will develop a continually evolving Vision for the Shire that encourages community participation in defining what it wants, needs and can afford to guide rationalisation, consolidation and achievement of desired community outcomes.

## **CONSULTATION**

In March 2013, Council unanimously resolved to commence supporting an integrated community group for Korumburra, called the Korumburra Community Roundtable (later shortened to Korumburra Roundtable - KRT).

The KRT has been well supported by the Community with approximately 20 people regularly attending the monthly meetings since the wider group was appointed.

The KRT held two futures workshops facilitated by an external presenter which were well attended by the Korumburra community.

The KRT have provided a submission to Council that considers their future role and proposed Council involvement.

(refer **Attachment 1** - Korumburra Roundtable - Submission to Council)

### **Background**

In March 2013, Council unanimously resolved to commence supporting an integrated community group for Korumburra, called the Korumburra Community Roundtable (later shortened to Korumburra Roundtable - KRT). It was decided by Council that the KRT be "a self-driven community leadership group, comprising representatives of community members and groups of Korumburra, Ward Councillors and a member of the Executive Leadership Team" (refer **Attachment 2** - Extract from minutes of Ordinary Council Meeting, 27 March 2013).

Following consideration of a Korumburra Roundtable progress report at the June 2014 Council Ordinary meeting Council resolved to approve the continuation of the Korumburra Roundtable and the provision of secretariat and officer support for a further 12 months (refer **Attachment 3** - Extract from minutes of Ordinary Council Meeting, 25 June 2014).

(Refer **Attachment 4** - Korumburra Roundtable Terms of Reference)

## **Discussion**

The KRT was first conceived as a pilot project to establish a partnership between Council and the community. It was intended that the group comprise community leaders willing to take on the role of "community champions"; representing a broad cross-section of the Korumburra community.

The KRT is the only community group of its kind which Council supports with regular administrative and executive support. Whilst it is acknowledged that the KRT was to be considered a pilot project, two years on, it is appropriate that Council review its decision and ongoing involvement.

Since its inception the KRT has continued to refine its purpose, develop community priorities and has provided Council with strong community linkages to communicate and consult on local priority projects. The KRT has been engaged to identify priorities within the Korumburra Town Centre Framework Plan and feedback has been sought on the draft Korumburra streetscape masterplan.

The mandate from Council was to establish a 'unified voice' for Korumburra, however there are differing views on the KRT as to whether the group can be most effective as a 'sounding board' to Council or alternatively as an 'action group', delivering projects on behalf of the community.

The futures workshops held with the community identified a number of small and large projects to improve the liveability and economic viability of Korumburra. The group is investigating the development of a Korumburra events and tourism application, has coordinated Christmas in Korumburra main street and designed and installed new town entry signage.

A number of community actions and projects are successfully undertaken by many community driven groups across the Shire and does not require Council administration and support. Council continues to support community groups through the development of community direction statements and community plans.

Korumburra does not have a current community plan or directions statement and the work undertaken by the KRT to date provides the necessary platform to finalise a draft community plan for consultation.

## **Options**

As the KRT was resolved by Council to be a 'pilot', Council has the option to continue providing direct administrative support or alternatively facilitating a transition to the 'self-driven' community leadership group as identified during inception.

## **Proposal**

That Council continue to support the KRT for the remainder of the 2015/16 financial year and assist the KRT to transition to a community driven group. Council would also continue to support the KRT to the same level as it does for other community groups.

## **FINANCIAL CONSIDERATIONS**

The KRT was provided with \$20k seed funding to develop new town entry signage and to cover associated running costs. The KRT is not provided with an ongoing operational budget.

Council has resolved to allocate resources previously used for community directions projects in Korumburra into supporting the KRT. Council's investment in the administration of the KRT is significantly greater than those allocated in the development of community direction statements.

If Council wish to pursue a Council appointed model appropriate budgetary allocation must be provided to support the model.

The KRT are seeking annual financial support of \$1,500 to cover insurance and ancillary costs. Council may consider this request or alternatively the KRT could investigate opportunities for private sponsorship.

## **RISKS**

Removal of secretariat support may be seen as removing Council support for the KRT. However, the KRT in their own submission acknowledge a future plan to provide their own secretariat services.

The Roundtable will need to manage the membership of the group closely and provide maximum tenures, or similar controls, to ensure comprehensive community representation and encourage participation. This will help ensure the ongoing success of the KRT.

## **CONCLUSION**

Since its inception, the KRT has continued to refine its purpose, develop community priorities and has provided Council with strong community linkages to communicate and consult on local priority projects. The KRT has been engaged to identify priorities within the Korumburra Town Centre Framework Plan and feedback has been sought on the draft Korumburra streetscape masterplan.

Unlike most other towns in South Gippsland, Korumburra does not have a current community plan or directions statement. The KRT was formed in part to address this deficiency and the KRT has facilitated two futures workshops which provide the necessary information to complete a draft community direction statement for consultation.

It is appropriate that Council assist the KRT to finalise a community direction statement and allow the KRT to continue to define its own existence without the influence of Council. The KRT can continue to provide a conduit between Council and the community and Council should attend any meetings, by invitation, as required to discuss matters of local significance.

### **RECOMMENDATION**

That Council:

1. Provide ongoing support to the Korumburra Roundtable for the remainder of the 2015/16 financial year.
2. Assist the Korumburra Roundtable to transition to a community driven group.
3. Continue to support the Korumburra Roundtable to the same level Council supports other community groups, through the development of Community Direction Statements and Community Plans.

**MOVED: Cr McEwen**

**SECONDED: Cr Hill**

**THAT COUNCIL:**

1. **PROVIDE SECRETARIAT SUPPORT TO THE KORUMBURRA ROUNDTABLE FOR THE REMAINDER OF 2016.**
2. **ASSIST THE KORUMBURRA ROUNDTABLE TO TRANSITION TO A COMMUNITY DRIVEN GROUP.**
3. **CONTINUE TO SUPPORT THE KORUMBURRA ROUNDTABLE IN THE DEVELOPMENT OF A COMMUNITY DIRECTIONS STATEMENT AND COMMUNITY PLAN.**

**Cr Fawcett left the Council Meeting at 4.58pm and returned at 4.59pm.**

**Cr Davies left the Council Meeting at 5.08pm and returned at 5.08pm.**

**CARRIED**

**For: Crs Kennedy, Harding, Hill, Hutchinson-Brooks and McEwen.**

**Against: Crs Fawcett, Davies, Brunt and Newton.**



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## Attachment 1 Korumburra Roundtable - Submission to Council

### Introduction

The Korumburra Round Table (KRT) has been operating for just over eighteen months with support from the South Gippsland Shire Council. That support has consisted of:

- Three ward Councillors being part of the KRT.
- A Director attending KRT Meetings and providing reports to the meeting.
- Various members of Council staff attending KRT meetings to provide information and reports from time to time when relevant.
- The KRT's secretariat being provided by a member of the Council's Community Strengthening Team who takes and publishes minutes, agendas and is the conduit for communication between the Council and KRT members.
- Provision of meeting space at Coal Creek with refreshments.

Our role has been:

- to liaise with Council, providing an effective pipeline for two-way communication and consultation to the mutual benefit of both the Council and the Korumburra community, and
- to lead and co-ordinate the Korumburra community in carrying out projects that strengthen the social and economic fabric of Korumburra.
- *to provide a forum to help improve the social cohesion, connectivity and health of the community.*

Over the past 18 months the KRT has achieved a number of successful outcomes.

- Provision of a representative forum to provide feedback to Council concerning issues affecting the Korumburra community. One example is the collaboration with Council on the colour and placement of new garbage/recycling bins in the main street.
- *Provision of a forum for representatives of various groups to share with each other and coordinate together in their service of the Korumburra community.*
- The Town Signage project which is nearing completion.
- The running of two Futures Workshops out of which came the establishment of several working groups looking at diverse topics such as Events, New Residents and Volunteers, Arts, Culture & Food and Communication & Marketing.

Apart from continuing to provide feedback to Council there are currently a number of initiatives underway

1. Korumburra new logo, tag line and entrance sign
2. Development of a Korumburra and District Arts Network
3. Korumburra Christmas promotion and celebrations
4. Development of a brochure on the mural Arts in Korumburra
5. Development of a welcoming and publicity group, which is currently working on a grant application for submission in the next round of community grants, in order to

establish a Township App to promote businesses, services, events, and to act as a link between all App users in Korumburra.

6. A heritage trail brochure
7. Exploring a mini arts precinct near the library/art gallery
8. Establishment of an active Facebook site, updated weekly, with a current weekly 'post reach' of over 1000 people.

### **Consensus**

The consensus of the KRT is that:

- KRT has been effective in developing its new role in the community and can point to some successful and potentially successful outcomes as noted above.
- KRT's effectiveness is due to it not being associated with any particular group or association but representative of the community generally. We will strive to make sure that KRT continues to be representative of the Korumburra community.

### **Submission**

In order to maintain and improve KRT's usefulness to Council and the Korumburra community we propose the following:

- The presence of a Director at our meetings has been of great benefit to the KRT and (presumably) to Council and we would like to see this continue although the frequency and duration of attendance could be reviewed and, where relevant, briefings from other Council members or staff could be requested given sufficient notice.
- One of the most successful aspects of the KRT has been the support provided by Barbara Look from the Community Strengthening Team. Her knowledge of the community and Council has proved invaluable. KRT at some time will provide its own secretariat, preparing minutes, agendas etc. but request that Barbara Look continue to represent Council in her role as a Community Strengthening Officer.
- In order to undertake our roles as outlined above, we need to become an incorporated body and we request Council to provide \$1500 p.a. for insurance and ancillary costs.

We trust that Council will be able to continue to provide as much support as is practically possible to allow KRT to continue to operate in an effective way, to the mutual benefit of both Council and the Korumburra community.

Brian Hess  
Chair  
Korumburra Round Table

**Attachment 2**  
**Extract from minutes of Ordinary Council Meeting, 27 March 2013**

South Gippsland Shire Council  
Minutes without In-Committee

27 March 2013  
Council Chambers, Leongatha

**MOVED: Cr McEwen**

**SECONDED: Cr Brunt**

**THAT COUNCIL:**

- 1. ESTABLISH A KORUMBURRA COMMUNITY ROUNDTABLE COMPRISING 15 - 17 MEMBERS OF THE KORUMBURRA COMMUNITY, CONSISTING OF:**
  - a. STRZELECKI WARD COUNCILLORS**
  - b. DIRECTOR, DEVELOPMENT SERVICES**
  - c. A "CORE GROUP" OF SIX ADDITIONAL COMMUNITY MEMBERS THAT WILL IDENTIFY OTHER KEY REPRESENTATIVES FROM THE COMMUNITY TO FILL THE REMAINING POSITIONS.**
  
- 2. REQUEST NOMINATIONS FROM THE FOLLOWING GROUPS TO FORM THE 'CORE GROUP':**
  - a. KORUMBURRA SENIOR CITIZENS**
  - b. MILPARA COMMUNITY HOUSE**
  - c. A KORUMBURRA SERVICE CLUB SUCH AS LIONS, ROTARY OR KARINGAL WOMEN'S**
  - d. KORUMBURRA INTEGRATED CHILDREN'S CENTRE**
  - e. KORUMBURRA BUSINESS ASSOCIATION**
  - f. KORUMBURRA COMMUNITY DEVELOPMENT ASSOCIATION;  
AND**
  
- 3. ALLOCATE RESOURCES PREVIOUSLY USED FOR COMMUNITY DIRECTIONS PROJECTS IN KORUMBURRA INTO SUPPORTING THE KORUMBURRA COMMUNITY ROUNDTABLE.**

**CARRIED UNANIMOUSLY**

**Attachment 3**  
**Extract from Minutes of Ordinary Council Meeting, 25 June 2014**

**MOVED: Cr McEwen**

**SECONDED: Cr Brunt**

**THAT COUNCIL:**

- 1. RECEIVE AND NOTE THE REPORT OF THE KORUMBURRA ROUNDTABLE CHAIR AND THE SUCCESS OF THE PROJECT THUS FAR,**
- 2. APPROVE THE CONTINUATION OF THE KORUMBURRA ROUNDTABLE AND THE PROVISION OF SECRETARIAT AND OFFICER SUPPORT FOR A FURTHER 12 MONTHS, AND**
- 3. RECEIVE A REPORT DETAILING OPTIONS FOR CONSIDERATION FOR FUTURE COMMUNITY GROUPS USING THE 'ROUND TABLE' MODEL.**

**CARRIED UNANIMOUSLY**

## Attachment 4 Korumburra Roundtable Terms of Reference



South Gippsland Shire Council

19/03/2014

### Terms of Reference

#### 1. Goal

To advocate for and express the needs and aspirations of the Korumburra community.

##### 1.1 Mission Statement

To provide a collective voice representative of community groups that serves the needs of the Korumburra community.

#### 2. Role of Committee

Korumburra Round Table is a representative committee working in partnership with South Gippsland Shire Council and the Korumburra community.

Korumburra Round Table will be a conduit of information between Council and the Korumburra community.

The Korumburra Round Table will maintain a strong commitment to the following:

- The Social and Economic development of Korumburra & District.
- From time to time issues and opportunities outside these Terms of Reference may arise.

#### 3. Role of Council

South Gippsland Shire Council will:

- a) Provide resources allowing Korumburra Round Table to carry out its role;
- b) Actively engage with the Korumburra Round Table when seeking community input to planning, strategies, policy and program decisions;
- c) Provide Korumburra Round Table with the information required to fulfil its role;
- d) Work collaboratively with Korumburra Round Table to pursue relevant grant funding opportunities through its Grants Officer; and
- e) Acknowledge and respond to formal recommendations made by the Korumburra Round Table

#### 4. Membership

- a) Korumburra Round Table will have a minimum of 11 and a maximum of 21 people including:
  - i. 17 Community Representatives drawn from community groups, whose primary focus is Korumburra.



*South Gippsland Shire Council*

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- ii. 3 Ward Councillors (**non-voting members**)
- iii. 1 Council Officer (**non-voting member**)

Additional Council Officers may be invited to the Advisory committee as required, as a guest, to provide their expertise in a specialist area.

- b) Application for Membership as a community representative (as defined in point 4a i) is made by self-nomination. Nominees will require endorsement from two other members of the South Gippsland community; If representing a Korumburra group, then a substitute can also be nominated.
- c) Council may call for a review of the membership of the Korumburra Round Table where it does not appear to equitably represent the overall needs or interests of Korumburra in the South Gippsland Shire;
- d) Community members can serve for a term of 2 years; after which they will need to reapply;
- e) In the case of the Community Representatives, at a particular time, being less than the minimum number of 7; a new member or members shall be sought by the existing Community Representatives. If the number of Community Representatives remains less than 7 after a 30 day period, the Chair will appoint new members for a term not exceeding the date set down for the expiry of the term of office of the retiring member or members.
- f) Where the number of applicants at a particular time is greater than the number of vacancies then the initial core membership (7 community representatives, 3 ward Councillors and one Council Director) will select the most suitable applicants for appointment.
- g) Councillor Representatives will be appointed or reappointed as soon as practicable after Council elections and on an biannual basis at the Special (Statutory) Council Meeting;
- h) Members may be granted Leave of Absence and replaced by secondment for the period of absence with the agreement of the Chairperson;
- i) If an appointed member of the Korumburra Round Table is absent for 3 consecutive meetings without leave (apology) of the committee given prior to the meeting, that member may forfeit his/her membership;
- j) A member may have his or her term of office revoked by Council upon request by the Korumburra Round Table following a resolution carried by a two thirds majority vote of members of the committee;
- k) Council may at its discretion, revoke the membership of any member or the entire Korumburra Round Table at any time;
- l) Council has the power to terminate the services of the Korumburra Round Table at any time.



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**5. Committee Operations**

- a) The Korumburra Round Table will appoint a Chairperson at the first meeting for an interim period of six months and thereafter on an annual basis; and
- b) The Korumburra Round Table does not have the power to direct any Council Officer to undertake any work but may make recommendations to Council, which may be the body of Councillors or the Chief Executive Officer as delegate.

**6. Proceedings**

**6.1 Meetings**

- a) The Korumburra Round Table will meet monthly for the first six months, then to be reviewed. The Korumburra Round Table may meet more frequently as the need arises. From time to time issues may arise in between meetings that require attention by Korumburra Round Table an extraordinary meeting may be called.
- b) Korumburra Round Table meetings will normally be held in the evenings on the fourth Thursday of each month
- c) Council offices in Korumburra will be available for meetings, meetings can be held in other areas of the Shire if more appropriate;
- d) Meetings will follow standard meeting procedures. Council's Meeting Procedure Local Law will be used as a basis for determining these standards;
- e) The Secretary will prepare and distribute an Agenda at least 5 days prior to the meeting. All members will have the opportunity to contribute matters for consideration through the Secretary.
- f) Minutes from each meeting will be recorded by the Secretary or if he or she is unavailable for a meeting then by another Council appointed person. Minutes will be distributed to all members and appropriate staff within the following fortnight and will be stored in a minute folder maintained by the Secretary. A copy of all minutes should be formally provided to Council via its Governance Services Department.

**6.2 Quorum**

- a) A majority (is a half of the formal members plus one) of members constitutes a quorum; and
- b) If at any meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting will not be able to make any binding decisions. The notes from this meeting can be ratified at the next meeting, provided of course a quorum is present at that meeting.



### **6.3 Voting**

- a) The Korumburra Round Table will make every effort to arrive at its decisions by consensus; and
- b) If consensus is not possible matters can be resolved by a majority of the votes of members present. The Chairperson shall have the casting vote if the votes are equal.

### **7. Reporting**

- a) In reporting to Council, recommendations should, where possible, reflect a consensus view. Where a consensus cannot be reached, reports will clearly outline differing points of view;
- b) Meeting minutes of Korumburra Round Table will be sent to Governance Service Department for distribution to Councillors on production of minutes as per 6.1.f;
- c) The Korumburra Round Table will disseminate information about its activities to the broader community on a regular basis.

### **8. Communication**

- a) Effective communication via a number of means including: meetings, forums, written, verbal and active use of social media.
- b) **All information distributed to the members is be directed via the secretariat.**

### **9. Evaluation**

In order to monitor and evaluate the effectiveness of the Korumburra Round Table there will be an annual evaluation process undertaken by the Korumburra Round Table members with assistance from Council Officers. The results of the evaluation will be submitted to the committee for comment before being reported to Council via Governance Services Department.

### **10. Council Review**

Council will undertake a review of the operations and Terms of Reference of the Korumburra Round Table every two years.

### **11. Conflicts of Interest**

Korumburra Round Table members are to disclose any conflict of interest to the nominated Council Officer. The conflict of interest may be of a direct or indirect





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nature. Any committee member can seek the advice of the nominated Council Officer on any perceived conflict of interest.

The disclosure must be made at the beginning of the meeting and the member should leave the meeting when the matter is being considered. The member may return to the meeting immediately after the matter is decided.

Korumburra Round Table members should be guided by the Conflict of Interest legislation and guidelines as they apply to Councillors. A copy of this legislation and guidelines can be obtained from Council's Governance Officer.

**12. Confidentiality**

On some occasions the Korumburra Round Table may deal with items of a confidential nature. Members are to deal with all such items and issues with confidentiality, discretion and sensitivity. If there are members of the public in attendance (that are not official members of the Korumburra Round Table), they should be asked to leave during such discussions.

**13. Misconduct**

Council retains the right to withdraw the membership of any person found to be acting outside the interests of the South Gippsland Shire Council.

**14. Dispute Resolution**

Should a dispute or grievance arise in the operation of the Korumburra Round Table, the Committee in the first instance should attempt to resolve the matter. If unable to resolve the matter it should refer the matter to Council's Director Development Services who will arrange guidance and an appropriate dispute resolution process if necessary.

**15. Assembly of Councillors**

If one Councillor or more is present at the meeting the meeting is deemed an Assembly of Councillors. Council will provide the Committee with a template for and advice about reporting back to Council that will enable the Chief Executive Officer to keep a written record of the meeting if it is an Assembly of Councillors.

**Membership for 2013/14:**

See attached list

## **E.8 COUNCILLOR DISCRETIONARY FUND POLICY REVOCATION AND ALLOCATION REPORT**

Corporate and Community Services

### **EXECUTIVE SUMMARY**

This report notes and addresses the Local Government (Improved Governance) Act 2015, No 53/2015 which contains new legislation for the prohibition of Councillor Discretionary Funds and revokes the Councillor Discretionary Fund Policy 2014. Council received notification of the new legislation on 11 December 2015.

This report details Councillors allocations for the period between 23 November 2015 and prior to the prohibition of the Councillor Discretionary Funds on 11 December 2015.

#### **Document/s pertaining to this Council Report**

- **Attachment 1** - Councillor Discretionary Fund Policy 2014

### **LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

Local Government (Improved Governance) Act 2015, No 53/2015

"195A Prohibition of Councillor discretionary funds

A Council must not adopt or implement a policy under which a Councillor is allocated a fixed or other amount of funds for the purpose of enabling the Councillor to nominate:

- (a) a particular person, body or organisation to whom the funds are to be paid; or
- (b) a particular fund in respect of which the funds are to be applied."

### **INTERNAL POLICIES / STRATEGIES / DOCUMENTS**

Councillor Discretionary Fund Policy 2014

### **COUNCIL PLAN**

Outcome:	2.0	Closely Connected Communities
Objective:	2.1	Engage and work collaboratively with our community
Strategy:	2.1.3	We aim to minimise barriers and find ways to support our volunteers, community groups and committees to provide services beyond those that Council, by itself, can provide.

## **CONSULTATION**

On the 15 December 2015, Councillors were formally advised by email of new legislation prohibiting Councillor Discretionary Funds effective from the 10 December 2015.

This new State Government legislation was informed by the findings of the Local Government Investigations and Compliance Inspectorate's Review of Councillor Discretionary Funds in October 2013.

While South Gippsland Shire Council was acknowledged in the Inspectorate's Report as one of only four Victorian councils that demonstrated accountable Councillor Discretionary Fund practices the Report stated that there were inherent risks associated with continuing to operate this program across the State.

## **REPORT**

The following applications have been allocated funding from the Councillor's 2015/2016 Discretionary Fund for the period between 23 November 2015 and prior to the prohibition of the Councillor Discretionary Funds on 11 December 2015.

- Port Welshpool Coast Guard: to assist with the purchase of a range of rescue and first aid equipment  
Cr Mohya Davies - \$600
- Prom Coast Arts Inc: To contribute in the making of Ghost Horse Gallery stands for the Horse Arts Anzac Project.  
Cr Mohya Davies - \$100  
Cr Jeanette Harding - \$300  
Cr Lorraine Brunt - \$100  
Cr Robert Newton - \$100  
Cr Andrew McEwen - \$100
- Cancer Council Victoria - South Gippsland Relay for Life: To assist with hire equipment for Relay for Life - March 2015.  
Cr Mohya Davies - \$100  
Cr Jeanette Harding - \$200  
Cr Kieran Kennedy - \$100  
Cr Robert Newton - \$100

Cr Andrew McEwen - \$100

Cr James Fawcett - \$100

Cr Don Hill - \$100

Cr Nigel Hutchinson-Brooks - \$100

- Foster War Memorial Arts Centre: Hall rental for Christmas Carols.

Cr Jeanette Harding - \$114

- Nyora Men's Shed Association: to assist with the costs of providing an upgrade to their electrical power supply.

Cr Lorraine Brunt - \$200

Cr Robert Newton - \$200

Cr Andrew McEwen - \$200

- Meeniyan Progress Association: to assist with the development of a new community website.

Cr Lorraine Brunt - \$333

Cr Robert Newton - \$333

Cr Andrew McEwen - \$334

- Meeniyan Golf Club: To assist with provisions of courtesy bus, face painting, jumping castle, and advertising for their New Year's Eve Event.

Cr Lorraine Brunt - \$250

Cr Robert Newton - \$250

Cr Andrew McEwen - \$500

- Korumburra & District Agricultural & Pastoral Society: To purchase 3 x truckloads of sand medium to assist in the Fly ball Competitions.

Cr Lorraine Brunt - \$400

Cr Robert Newton - \$300

Cr Andrew McEwen - \$300

- SportsFirst Leongatha: to assist in the running of the 'Fun Run in Leongatha' for the Royal Childrens Hospital Good Friday Appeal in March 2016.

Cr James Fawcett - \$100

Cr Don Hill - \$100

Cr Nigel Hutchinson-Brooks - \$100

- Leongatha Croquet Club Inc: To purchase a perpetual trophy for the annual Leongatha vs Korumburra Croquet Challenge.

Cr James Fawcett - \$60

Cr Don Hill - \$50

Cr Nigel Hutchinson-Brooks - \$60

- Korumburra Community Development & Action Inc: To assist with the coordination of the Christmas Street Celebrations in Korumburra.

Mayoral (Cr Robert Newton) - \$500

## **FINANCIAL CONSIDERATIONS**

Each Councillor was allocated \$4,000 from the Councillor Discretionary Fund in the 2015/2016 Financial Budget. An additional \$2,000 was allocated to the Mayor to cover a broader focus across the entire Municipality.

A collective amount of \$9327 remains unspent for this Financial Year.

## **CONCLUSION**

The Councillor Discretionary Fund program provided Council the opportunity to assist community groups and/or Shire individuals with minor funding allocations in accordance with the guidelines developed for this purpose.

The objectives of the Councillor Discretionary Fund will be considered during the review of the 2016/2017 Community Grants Program.

## **RECOMMENDATION**

That Council:

1. Receive and note the allocations for the period between 23 November 2015 and prior to the prohibition of the Councillor Discretionary Funds on 11 December 2015;
2. Revoke the C13 - Councillor Discretionary Fund Policy as directed by amendments made to the Local Government (Improved Governance) Act 2015; and
3. Consider the objectives of the Councillor Discretionary Fund Program during the review of the 2016/2017 Community Grants Program.

**MOVED: Cr Hutchinson-Brooks    SECONDED: Cr Kennedy**

**THAT COUNCIL:**

- 1.    RECEIVE AND NOTE THE ALLOCATIONS FOR THE PERIOD BETWEEN 23 NOVEMBER 2015 AND PRIOR TO THE PROHIBITION OF THE COUNCILLOR DISCRETIONARY FUNDS ON 11 DECEMBER 2015;**
- 2.    REVOKE THE C13 - COUNCILLOR DISCRETIONARY FUND POLICY AS DIRECTED BY AMENDMENTS MADE TO THE LOCAL GOVERNMENT (IMPROVED GOVERNANCE) ACT 2015; AND**
- 3.    CONSIDER THE OBJECTIVES OF THE COUNCILLOR DISCRETIONARY FUND PROGRAM DURING THE REVIEW OF THE 2016/2017 COMMUNITY GRANTS PROGRAM.**

**Cr Brunt left the Council Meeting at 5.13pm.**

**Cr McEwen left the Council Meeting at 5.14pm and returned at 5.14pm.**

**CARRIED UNANIMOUSLY**

## Attachment 1 Councillor Discretionary Fund Policy 2014



South Gippsland Shire Council

### COUNCILLOR DISCRETIONARY FUND

Policy Number	C13	Directorate	Corporate Services
Council Item No.	TBA	Department	Governance Services
Council Adoption Date	19 March 2014	Primary Author	Penni Ellicott
Revision Date	19 March 2017	Secondary Author	David Roche

COUNCIL POLICY

#### POLICY OBJECTIVE

Council strives to facilitate, plan, and provide programs, services and opportunities that increase the viability of its communities.

Funding will contribute to obtaining the outcomes of Council's Strategic Goals as outlined in the Council Plan.

#### LEGISLATIVE PROVISIONS

- Council Plan
- Local Government Act 1989; and
- Victorian Local Government Code of Good Governance.

#### DEFINITIONS

**Beneficial Project/Activities** – elements of beneficial projects/activities are likely to give rise to sustainable outcomes for the community of South Gippsland Shire, are consistent with Council's broader strategic aspirations, and do not promote dependence upon Council.

**Discretionary Fund** - is a set budget that Council provides annually to each Councillor for distribution to the community of South Gippsland in accordance with this Policy and guidelines.

**Guidelines** – is a supporting document that outlines the eligibility criteria and requirements for applicants and details the processes for administering and allocating funds.

#### POLICY STATEMENT

Each Councillor, subject to an annual budget and in accordance with the guidelines referred to by this policy, will have the discretion to nominate Council funds to community groups and/or Shire individuals in accordance with the guidelines developed for this purpose.

Funds allocated will need to result in beneficial projects and activities for the Shire.

Council will set the Councillor Discretionary Fund allocation each year when formulating the annual budget.

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Because of the broader focus of the Mayor across the entire Municipality, supplementary funds may be allocated in addition to his/her Councillor allocated fund. The additional funds can be allocated for any project or activity which the Mayor believes is of significant local or regional importance.

The CEO shall verify that all requests for funding meet the policy guidelines and process the payment within ten working days of receipt of the application. The CEO may delegate this function to another nominated member of staff.

A Council Report will be provided at each subsequent Council meeting listing all successful and unsuccessful applications.

Council acknowledges that this policy and associated guidelines forms strong integrity processes as identified by the Local Government Investigations and Compliance Inspectorate (refer letter from LGICI dated 3 June 2013).

In making this policy, Council is cognisant, that the Councillor Discretionary Fund may give rise to a perception of Councillors having the ability to make funding available only to certain members of the community or as an opportunity for self-promotion. However, Council chooses to maintain an alternative and separate Community Grants Fund because the prime purpose of this Fund is to provide funding for initiatives that support the achievement of the strategic objectives of the Council and that provide significant leverage for additional external support. The Discretionary fund is targeted to smaller initiatives of value to local communities that are important but not strategic and do not offer opportunities for significant leverage.

#### **RISK ASSESSMENT**

Ensure optimal use of Council funds outside the annual budget cycle through use of comprehensive guidelines.

Councillors are aware that a breach of the Local Government Act 1989 may occur if a nomination for allocation of funding under this policy reflects a Councillor's failure to:

- Impartially exercise his or her responsibilities in the interests of the local community; and/or
- Avoid a conflict between his or her public duties as a Councillor and his or her personal interests and obligations.

#### **IMPLEMENTATION STATEMENT**

The policy will be implemented through:

- Education of Councillors and relevant staff of their responsibilities for the allocation of Discretionary Funds;
- Guidelines and application forms will be available from the Councillors, Council website and main office reception; and
- Information regarding the Discretionary Funds will be promoted through means identified in the Community and Engagement Plan and Toolkit.



**E.9 REVIEW OF POLICIES: C49 USE OF COUNCIL TERM 'MAYORAL'; C50 USE OF COUNCIL LOGO; AND C56 CIVIC AND MAYORAL RECEPTION POLICY**

Office of Chief Executive Officer

**STAFF DISCLOSURE OF INTEREST**

Nil

**EXECUTIVE SUMMARY**

To have Council formally update three policies pertaining to use of the Council logo, use of the term 'Mayoral', and the conduct of civic and Mayoral receptions.

There is no substantial change to these policies; they are coming to Council to ratify their ongoing application.

*Document/s pertaining to this Council Report*

- **Attachment 1** - C49: Use of Council Term 'Mayoral' Policy
- **Attachment 2** - C50: Use of Council Logo Policy
- **Attachment 3** - C56: Civic and Mayoral Reception Policy

**COUNCIL PLAN**

Outcome:	4.0	A Leading Organisation
Objective:	4.2	Pursue best practice in organisation development and operations of the organisation.
Strategy:	4.2.2	We will monitor corporate governance processes, including risk management and skills development with the aim of ongoing improvement.

**Background**

It is important that Council maintains a level of control over use of its logo, the term 'Mayoral' and the consistency of Civic and Mayoral receptions to ensure that they are applied and conducted in a manner befitting the organisation as a whole and the office of Mayor in particular.

All three policies were due for review. Other than being amended to recognise shifts in responsibility due to the changed structure of the organisation, there are few alterations to these policies.

### **Options**

1. To adopt the policies as attached.
2. To suggest amendments to the attached policies.

### **RECOMMENDATION**

That Council adopt:

1. Policy C49 Use of the Council term 'Mayoral' in Attachment 1;
2. Policy C50 Use of the Council Logo in Attachment 2; and
3. Policy C56 Civic and Mayoral Reception Policy in Attachment 3.

**MOVED: Cr Fawcett**


**SECONDED: Cr Kennedy**

**THAT COUNCIL ADOPT:**

1. **POLICY C49 USE OF THE COUNCIL TERM 'MAYORAL' IN ATTACHMENT 1;**
2. **POLICY C50 USE OF THE COUNCIL LOGO IN ATTACHMENT 2; AND**
3. **POLICY C56 CIVIC AND MAYORAL RECEPTION POLICY IN ATTACHMENT 3.**

**CARRIED UNANIMOUSLY**

## Attachment 1 Use of Council Term 'Mayoral' Policy



*South Gippsland Shire Council*

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### USE OF COUNCIL TERM 'MAYORAL'

Policy Number	C49	Directorate	Executive Office
Council Item No.	E.4	Department	Media & Communications
Council Adoption Date	24 October 2012	Primary Author	Media & Communications Coordinator
Revision Date	24 October 2015	Secondary Author	Communications Officer

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#### POLICY OBJECTIVE

The objective of this policy is to establish guidelines for the use of the term 'Mayoral' by Council, external groups or organisations. The existence of this policy will assist to ensure that Council, and specifically the role and image of the Mayor in the community, is clearly recognised and that the reputation is protected and used in a consistent way.

#### LEGISLATIVE PROVISIONS

There is no legislative requirement for Council to have a policy relating to this area. Council's public liability insurers, legal advisors and the State Ombudsman have all in recent years provided comment that it is appropriate and good management to establish some formal arrangements for the use of Council's logo. Council is encouraged to apply the same methodology to the use of the term 'Mayoral'.

#### Other references

- Council's Communication and Consultation Policy
- Council's Corporate Style Guide
- Council's Community Grants Policy

#### DEFINITIONS

**Logo** – refers to Council's logo as a component of Council's branding, including references to Council's website [www.southingippsland.vic.gov.au](http://www.southingippsland.vic.gov.au), document templates, corporate colours, corporate designs and any other insignia or signs that would make it recognisable to the community as potentially created, promoted or supported by the South Gippsland Shire Council.

**Mayoral** – refers to the office and/or title of the Mayor of South Gippsland Shire Council, including all associated roles, responsibilities associated with this position of Council and community leadership.

**Media and Communications**– refers to the Council Department responsible for overseeing the approval of Council's marketing and promotional material and managing risks associated with protection of Council's image for all Council or community requested events.

**Innovation and Council Business** – refers to the Council Department responsible for coordinating Council's good governance and decision making activities, risk management and recommendations pertaining to Council's discretionary grants and community grants.

*Use of Council term 'Mayoral' Policy*

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## **POLICY STATEMENT**

Council recognises that it is important to establish a framework for the use of the term 'Mayoral' to ensure a consistent and professional image of Council and the role of the Mayor is promoted appropriately in public. This also minimises Council's exposure to poor publicity through inappropriate use of the term 'Mayoral'.

The Council term 'Mayoral' may be used by Council or external groups as a means to raise the profile and prestige of events. Often this gives an event a sense of credibility and endorsement by Council.

This may be predominantly associated with fundraising and promotion of events. In these regards, they assist in enabling greater community engagement, promote goodwill and present a positive image and branding of Council. These activities should increase awareness of and pride in our Shire.

The policy will ensure that there are clear guidelines around the use of the term 'Mayoral' and to maximise opportunities to promote the Council's image through appropriate use of the term 'Mayoral'.

### **Use of 'Mayoral' Title by Council**

The use of the term 'Mayoral' by Council will require approval, delegated through the Chief Executive Officer, signing off on:

- The reasons given for the request will result in valuable, positive outcomes for the Council and/or the Shire and will not have a detrimental impact on the Council and/or the Mayor;
- That the Mayor be advised of whom the recipients of any fundraising activity will be prior to any agreement being confirmed;
- Events utilising the 'Mayoral' title will require that the Mayor be invited to and 'featured' in the event, including the opportunity to make a speech; and
- Council's Media and Communications Department approve all marketing material and press releases associated with events organised by community groups.

### **Use of 'Mayoral' Title by External (Non-Council) Groups**

#### **With no funding provided by Council**

The use of the term 'Mayoral' without funding will be subject to Council approval, delegated through the Chief Executive Officer, signing off on:

- The reasons given for the request will result in valuable, positive outcomes for the Council and/or the Shire and will not have a detrimental impact on the Council and/or the Mayor;



- That the Mayor be advised of whom the recipients of any fundraising activity will be prior to any agreement being confirmed;
- Events utilising the 'Mayoral' title will require that the Mayor be invited to and 'featured' in the event, including the opportunity to make a speech; and
- Council's Media and Communications Department approve all marketing material and press releases associated with events organised by community groups.

#### **With funding provided by Council**

The use of the term 'Mayoral' and associated funding will be subject to Council approval, delegated through the Chief Executive Officer, signing off on:

- A 'partnership agreement' completed and signed off by both/all parties;
- All marketing material and press releases;
- A full event plan (detailing roles and responsibilities of Council and of partner organisations);
- A full event program;
- Detailed timeframe and schedule of the event or program; and
- A full event/activity budget detailing all anticipated income and expenses, which is to be provided prior to signing of the agreement and commitment of funds being reached.

#### **Other Requirements**

- A community event or activity/promotion must be auspiced by a local non-profit organisation and funding would be provided through a community grant (in accordance with the Council Discretionary Fund or Community Grant Fund requirements);
- A post event reconciliation of all expenditure and income and amounts donated to charity/local non-profit groups to be provided to Council within four weeks of the event taking place;
- Clear details be provided on expectations of the Mayor's involvement;
- That the Mayor and/or Council be featured in all associated marketing and promotional material, as part of a pre-approved media plan;
- That, where deemed relevant, a small internal (Council) working party be set up to assist or oversee each event or activity; and
- A post media event be organised for the announcement and handover of funds raised, where the purpose of the event was to raise funds for a charity organisation.

#### **RISK ASSESSMENT**



Inappropriate or unapproved use of the Council term 'Mayoral' may result in damaging publicity to the image of Council. Protecting Council's image is one of Council's highest rated risks. Misuse leads to confusion and may damage the integrity of Council's brand and the role of the Mayor.

The image and perception of Council within the community and to its stakeholders could also face risk of being compromised. Appropriate, approved and well-considered use of the Council term 'Mayoral' is likely to result in positive outcomes for Council.

#### **IMPLEMENTATION STATEMENT**

The policy will predominantly be implemented through Council's Innovation and Council Business Department and its Media and Communications Department.

Council's Corporate Style Guide will be updated to include the information from the Policy Statement.

Councillors and Council staff will be informed of the policy through Council's induction process, all staff communications including email and intranet postings. It will be encouraged for Directorates to inform their staff members through team meetings. The Communications Officer will also update staff through newsletters and as they utilise the Communications team's services for proofing and approving media releases, publications and advertising.

The broader community will be notified by a media release and placement of the policy on Council's website.

The relevant Department will notify the Chief Executive Office of events or activities deemed suitable, or requested by an external group or organisation, with a brief outline of the proposal. The Chief Executive Officer will liaise with the Mayor regarding any event or activity seeking use of the 'Mayoral' title.

The Chief Executive Officer will provide notification, or a report where funding is requested, to Council indicating the level of support for the event or activity. The relevant Department will work with the group/organisation to formulate a full proposal for Council's approval.

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## Attachment 2 Use of Council Logo



South Gippsland Shire Council

### USE OF COUNCIL LOGO

Policy Number	C50	Directorate	Executive Office
Council Item No.	E.4	Department	Media & Communications
Council Adoption Date	24 October 2012	Primary Author	Media & Communications Coordinator
Revision Date	24 October 2015	Secondary Author	Communications Officer

#### POLICY OBJECTIVE

The objective of this policy is to establish guidelines for the use of the South Gippsland Shire Council logo. The existence of this policy aims to ensure that Council's role in the community is clearly recognised and that its reputation is protected and enhanced through accurate, consistent and high quality reproduction of its logo in all applications, including its use by approved external groups and organisations.

#### LEGISLATIVE PROVISIONS

There is no legislative requirement for Council to have a policy relating to this area. Council's public liability insurers, legal advisors and the State Ombudsman have all in recent years provided comment that it is appropriate and good management to establish some formal arrangements for the use of Council's logo.

#### Other references

Council's Communication and Consultation Policy  
Council's Use of Council term 'Mayoral' Policy  
Council's Corporate Style Guide  
Council's Community Grants Policy

#### DEFINITIONS

**Logo** – refers to Council's logo as a component of Council's branding, including references to Council's website [www.southingippsland.vic.gov.au](http://www.southingippsland.vic.gov.au), document templates, corporate colours, corporate designs and any other insignia or signs that would make it recognisable to the community as potentially created, promoted or supported by the South Gippsland Shire Council.

**Media and Communications Department** – refers to the Council Department responsible for overseeing the approval of Council's marketing and promotional material and managing risks associated with protection of Council's image for all Council or community requested events.

#### POLICY STATEMENT

Council recognises that it is important to establish a framework for the use of its logo to ensure a consistent and professional image of Council is promoted publicly. This also minimises Council's exposure to poor publicity through inappropriate use of Council's logo. Any approved use of the logo will be in accordance with Council's Corporate Style Guide.



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### **Use of Council Logo by External (Non-Council) Groups**

Where an external group requests permission from Council to use the logo on printed and other materials, the following conditions will apply:

1. Applications to use the logo should be addressed to the Media and Communications Coordinator. This must include details of the reason and application for its use and where possible the inclusion of a draft publication;
2. Where approved an electronic logo will be supplied and will be accompanied by instruction for its reproduction taken from the Corporate Style Guide;
3. No fees will be charged but eligible groups will be responsible for any costs associated with artwork, design and production;
4. The use of Council's logo must not in any way bring discredit or disrepute upon Council;
5. Council may exercise its right to withdraw any authorisation at any time if the approved user is deemed to be not complying with the conditions as set out in this policy; and
6. Any other reasonable condition may be applied.

### **Use of Council Logo by Councillors**

The Council logo shall only be used in publications by Councillors such as on documents from individual Councillors to constituents i.e. Councillor letterheads, flyers for Ward meetings and matters promoting an event which is promoted by the broader Council.

Ward Councillor(s) use of logo is permitted for:

- The use on a Councillor letterhead for responding to constituents on Council business, where the views expressed are consistent and representative of Council's operational, and corporate policies, procedures and ethos; and
- The use in documentation when undertaking specific public lobbying and campaigns where approved by Council.

Ward Councillor(s) Masthead for non-approved Council uses:

- An alternative Masthead is available for Councillors to use in place of the Council logo for activities that have not been endorsed by Council. The masthead will be unique to each Councillor, featuring the Councillor name, Ward and contact details.

Any unauthorised use of any Council logo is a breach of copyright and any application that is not consistent with this policy can only be approved by Council at a formal meeting of Council.





Candidates at elections are to be expressly advised that the Council logo is not authorised to be used for electoral purposes.

#### **RISK ASSESSMENT**

Inappropriate, unapproved or misuse use of the Council logo may result in damaging publicity to the image of Council. Protecting Council's image is one of Council's highest rated risks. Misuse leads to confusion and may damage the integrity of Council's brand.

The perception of Council within the community and to its stakeholders could also face risk of being compromised. Appropriate, approved and well-considered use of the Council logo is likely to result in positive outcomes for Council.

#### **IMPLEMENTATION STATEMENT**

Council's Corporate Style Guide will be updated to include the information from the Policy Statement and will apply use of the logo as referenced in the Guide.

Councillors and Council staff will be informed of the policy through Council's induction process, all staff communications including email and intranet postings. Directorates will inform their staff members through team meetings. The Media and Communications team will also update staff through newsletters and as they utilise the team's services for proofing and approving media releases, publications and advertising.

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### Attachment 3 Civic and Mayoral Reception Policy



South Gippsland Shire Council

## CIVIC AND MAYORAL RECEPTION POLICY

Policy Number	C56	Directorate	Executive Office
Council Item No.	E.14	Department	NA
Council Adoption Date	18 December 2013	Primary Author	Chief Executive Officer
Revision Date	18 December 2015	Secondary Author	Executive Support Staff

### POLICY OBJECTIVE

To provide guidelines to assist in the consideration of, and where appropriate, the provision of Council funded Civic and Mayoral Receptions.

### LEGISLATIVE PROVISIONS

Nil

### DEFINITIONS

- Civic Reception: Formal Council event to recognise dignitaries or significant achievements as determined by the Council.
- Mayoral Reception: Less formal event not involving a major function or presentation. Mayoral Receptions are provided for persons/organisations where recognition is considered appropriate but where a Civic Reception is not deemed suitable.

### POLICY STATEMENT

A Council funded (in whole or part) and organised Civic or Mayoral Reception may be considered for:

- Interstate or overseas visiting dignitaries as part of an official visit to the Shire
- Interstate or overseas official delegations to the Shire
- Exceptional achievement and contribution in sport, the arts, charitable endeavours, community service or similar
- Visitors of national significance
- Others as determined by the Mayor in conjunction with the Chief Executive Officer.

A resolution of Council will be required to endorse the holding of a Civic or Mayoral Reception in accordance with this Policy. This resolution must include a budget allocation required for the event to cover administrative, venue and catering costs.

The Chief Executive Officer shall be authorised to determine the format and all other administrative arrangements associated with the organisation and conduct of the Civic and Mayoral Reception.



### RISK ASSESSMENT

Limited risk. This Policy helps to avoid confusion both for Council and the community regarding eligibility requirements to hold a civic reception. It also outlines the authorisation process necessary to approve a civic reception which clarifies the expectations and requirements for such an event to be held.

### IMPLEMENTATION STATEMENT

Implementation of this Policy will be via:

- Distribution of Policy to all Councillors
- Publication of the Policy on Council's website
- Distribution of Policy to key internal teams including Media and Communications and Governance.

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## SECTION F - URGENT OR OTHER BUSINESS

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

### 1. Urgent Business

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

The Meeting Procedure Local Law No.3 (Clause 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 Councillor wishing to raise a matter of urgent business to raise a motion similar to the following: 'That consideration of (*the issue*) be dealt with as a matter of urgent business and Councillor ....be allowed a 'short period' to indicate the reason(s) why the matter should be considered as a matter of urgent business". If the Chairperson accepts the motion as meeting the urgent business criteria, normal meeting procedures in Local law 3 will apply.

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

### 2. Other Business

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

**Nil**

## **SECTION G – GENERAL QUESTION TIME**

### **G.1 QUESTION TIME**

**Mr Paul Norton lodged written questions with Council.**

**Mr Paul Richardson addressed Council by reading out and submitting written questions.**

**The questions were to be taken on notice and will be answered at the next appropriate Council Meeting.**

**Cr McEwen returned to the Council Meeting at 5.19pm and returned at 5.25pm.**

**Cr Brunt returned to the Council Meeting at 5.19pm.**

**Cr McEwen left the Council Meeting at 5.30pm.**

### **G.2 ANSWERS TO PREVIOUS QUESTIONS ON NOTICE**

**Nil**

## **CLOSED SESSION**

### **Consideration of confidential matters under the Local Government Act 1989, Section 89(2).**

According to Section 89 of the Local Government Act 1989 (the Act), Council may consider items in closed session. There must be a resolution to move 'In Committee' stating the reasons why the matter(s) need to be considered in this way. The reasons provided for within the Act are matters concerning personnel, personal hardship, industrial issues, contracts, proposed developments, legal advice or any other matter that Council considers would be prejudicial, to it or any other person.

Once 'In Committee' discussions and debate have concluded, a further resolution to resume open Council is required.

**ITEM 1     2015/2016 COMMUNITY GRANTS PROGRAM ROUND TWO - EARLY ASSESSMENT OF AN APPLICATION TO THE FESTIVALS, CELEBRATIONS AND EVENTS CATEGORY**

**ITEM 2     STRATEGIC REVIEW OF LANDHOLDINGS 2015/16 - REFERRAL OF 3 PROPERTIES FOR COUNCIL DECISION FROM SPECIAL COMMITTEE HELD 9 FEBRUARY 2016**

### **RECOMMENDATION**

That Council close the meeting to the public to allow for consideration of:

1. 2015/2016 COMMUNITY GRANTS PROGRAM ROUND TWO - EARLY ASSESSMENT OF AN APPLICATION TO THE FESTIVALS, CELEBRATIONS AND EVENTS CATEGORY pursuant to section 89(2)(h) a matter which Council considers would prejudice the Council or any person as provided for by the Local Government Act 1989; and
2. STRATEGIC REVIEW OF LANDHOLDINGS 2015/16 - REFERRAL OF 3 PROPERTIES FOR COUNCIL DECISION FROM SPECIAL COMMITTEE HELD 9 FEBRUARY 2016 pursuant to section 89(2)(h) a matter which Council considers would prejudice the Council or any person as provided for by the Local Government Act 1989.

**MOVED: Cr Kennedy**

**SECONDED: Cr Davies**

**THAT COUNCIL CLOSE THE MEETING TO THE PUBLIC TO ALLOW FOR CONSIDERATION OF:**

- 1. 2015/2016 COMMUNITY GRANTS PROGRAM ROUND TWO - EARLY ASSESSMENT OF AN APPLICATION TO THE FESTIVALS, CELEBRATIONS AND EVENTS CATEGORY PURSUANT TO SECTION 89(2)(H) A MATTER WHICH COUNCIL CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON AS PROVIDED FOR BY THE LOCAL GOVERNMENT ACT 1989; AND**
- 2. STRATEGIC REVIEW OF LANDHOLDINGS 2015/16 - REFERRAL OF 3 PROPERTIES FOR COUNCIL DECISION FROM SPECIAL COMMITTEE HELD 9 FEBRUARY 2016 PURSUANT TO SECTION 89(2)(H) A MATTER WHICH COUNCIL CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON AS PROVIDED FOR BY THE LOCAL GOVERNMENT ACT 1989.**

**CARRIED**

**For: Crs Fawcett, Kennedy, Brunt, Harding, Newton, Davies and Hutchinson-Brooks.**

**Against: Cr Hill**

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**ITEM 2   STRATEGIC REVIEW OF LANDHOLDINGS 2015/16 - REFERRAL OF  
3 PROPERTIES FOR COUNCIL DECISION FROM SPECIAL  
COMMITTEE HELD 9 FEBRUARY 2016**

<b>PROPERTY NO.</b>	<b>PROPERTY &amp; LEGAL DESCRIPTION</b>
<b>3.</b>	<p><b>21 Smith Street, Leongatha</b> being the land described in Certificate of Title Volume 10787 Folio 678 being Lot 1 PS519056E being approximately 746m<sup>2</sup> by way of private treaty or by public sale.</p> <p><b>MOVED: Cr Kennedy                      SECONDED: Cr McEwen</b></p> <p><b>THAT COUNCIL NOT SELL.</b></p> <p><b>CARRIED</b></p> <p><b>For:            Crs Kennedy, Harding, Newton, Hill, McEwen and Hutchinson-Brooks.</b></p> <p><b>Against: Crs Fawcett, Brunt and Davies.</b></p>



<p><b>19.</b></p>	<p><b>1A Canterbury Road, Venus Bay</b> being the land described within Certificate of Title Volume 9900 Folio 603 being Reserve 2 LP54172 approximately 1,270m2 by way of private treaty or public sale subject to removal of the reservation status in accordance with section 24A of the Subdivision Act 1988.</p> <p><b>MOVED: Cr Kennedy      SECONDED: Cr McEwen</b></p> <p><b>THAT COUNCIL NOT SELL.</b></p> <p><b>LOST</b></p> <p><b>For:            Crs Kennedy, Hill, McEwen and Hutchinson-Brooks.</b></p> <p><b>Against:      Crs Brunt, Fawcett, Harding, Newton and Davies.</b></p> <p><b>MOVED: Cr Fawcett                      SECONDED: Cr Davies</b></p> <p><b>THAT COUNCIL SELL.</b></p> <p><b>CARRIED</b></p> <p><b>For:            Crs Fawcett, Brunt, Newton, Davies and Harding.</b></p> <p><b>Against:      Crs Kennedy, McEwen, Hill and Hutchinson-Brooks.</b></p>
<p><b>21.</b></p>	<p><b>1A Noble Street, Venus Bay</b> being the land described within Certificate of Title Volume 10542 Folio 031 being Lot 1 PS439059S approximately 640m2 by way of private treaty or public sale.</p> <p><b>MOVED: Cr Kennedy      SECONDED: Cr McEwen</b></p> <p><b>THAT COUNCIL NOT SELL.</b></p> <p><b>CARRIED</b></p> <p><b>For:            Crs Hutchinson-Brooks, Hill, McEwen, Harding and Kennedy.</b></p> <p><b>Against:      Crs Davies, Newton, Brunt and Fawcett.</b></p>

## **SECTION H - MEETING CLOSED**

### **NEXT MEETING**

The next Ordinary Council Meeting open to the public will be held on Wednesday, 23 March 2016 commencing at 2pm in the Council Chamber, Leongatha.

**The Meeting closed at 5.58pm.**

**CONFIRMED:.....**

**COUNCILLOR ROBERT NEWTON – MAYOR**

**Date:.....**