



South Gippsland
Shire Council

Come for the beauty, Stay for the lifestyle

COUNCIL MINUTES

**ORDINARY MEETING NO. 346
WEDNESDAY 27 APRIL 2011
COUNCIL CHAMBERS, LEONGATHA
COMMENCED AT 7.02PM**

PRESENT:

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

OFFICERS:

Tim Tamlin	Chief Executive Officer
Jan Martin	Director Community Services
Anthony Seabrook	Director Engineering Services
Phil Stone	Director Development Services
David Roche	Governance Coordinator
Natasha Berry	Governance Officer
Penni Ellicott	Grants Officer
Paul Stampton	Acting Planning Manager
Geoff McKinnon	Waste Management Coordinator

MISSION

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

SOUTH GIPPSLAND SHIRE COUNCIL

ORDINARY MEETING NO. 346 WEDNESDAY 27 APRIL 2011 COUNCIL CHAMBERS, LEONGATHA COMMENCED AT 7.02PM

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Tim Tamlin
Chief Executive Officer

SECTION A - PRELIMINARY MATTERS

A.1 Opening Prayer – Deputy Mayor

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

Amen

A.2 Acknowledgement of Traditional Custodians – The Mayor

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

A.3 Apologies

Nil

A.4 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council Ordinary Meeting No. 345, held on 23 March 2011 in the Council Chambers, Leongatha be confirmed.

MOVED: Cr Lewis

SECONDED: Cr Jackson

THAT THE MINUTES OF THE SOUTH GIPPSLAND SHIRE COUNCIL ORDINARY MEETING NO. 345, HELD ON 23 MARCH 2011 IN THE COUNCIL CHAMBERS, LEONGATHA BE CONFIRMED WITH THE FOLLOWING AMENDMENTS:

- 1. REFER TO SECTION A.6 DECLARATION OF CONFLICT OF INTEREST SECTION - COUNCILLOR JACKSON DECLARED AN INDIRECT INTEREST BY ASSOCIATION IN SECTION E - COUNCIL REPORTS ITEM E.7- DEVELOPMENT OF LAND AT 54 BAIR STREET LEONGATHA (CA3 S3 TOWNSHIP OF LEONGATHA) FOR A PROPOSED MOBILE PHONE TOWER AND EQUIPMENT SHED- PLANNING PERMIT APPLICATION 2010/285 IN THAT HER FATHER IS AN OBJECTOR TO THE APPLICATION AND THEREFORE HAS A DIRECT INTEREST IN THE MATTER;**
- 2. REFER TO SECTION A.6 DECLARATION OF CONFLICT OF INTEREST SECTION - COUNCILLOR LEWIS DECLARED AN INDIRECT FINANCIAL INTEREST ON HIS COUNCILLOR RETURN IN TELSTRA SHARES. TELSTRA HAS AN INDIRECT INTEREST IN THE MATTER OF THE OPTUS PHONE TOWER AND WOULD BENEFIT IF THE TOWER WAS REJECTED BY COUNCIL; AND**
- 3. REFER TO SECTION A.10 COUNCILLOR REPORTS. COUNCILLOR JACKSON REWORDED HER COUNCILLOR REPORT, THE ADDED AND DELETED WORDS HAVE BEEN UNDERLINED:**

CR JACKSON ADDRESSED COUNCIL REGARDING ATTENDANCE AT GIPPSTAFE GRADUATION CEREMONY AND CONGRATULATED RECIPIENTS OF AWARDS, INCLUDING COUNCIL OFFICERS AND COUNCILLORS.

CR JACKSON ADDRESSED COUNCIL REGARDING HER ATTENDANCE AT COUNCIL'S INTERNATIONAL WOMEN'S DAY EVENT AND NOTED THAT THE KEY NOTE SPEAKER MS CHERYL GLOWERY, LOCAL HISTORIAN WHO MADE A PRESENTATION ON WOMEN BOTH FAMOUS AND INFAMOUS IN THE GIPPSLAND AREA. CR JACKSON ALSO NOTED ATTENDANCE OF STUDENTS FROM LOCAL SECONDARY SCHOOLS. CR JACKSON REFLECTED ON THE CELEBRATION OF ACHIEVEMENT OF WOMEN IN LOCAL GOVERNMENT AND THE VICTORIAN LOCAL GOVERNMENT WOMEN'S CHARTER.

CARRIED UNANIMOUSLY

A.5 Requests for Leave of Absence

MOVED: Cr Kennedy

SECONDED: Cr Harding

**THAT CR DEANE BE GRANTED LEAVE OF ABSENCE FOR THE
ORDINARY COUNCIL MEETING TO BE HELD ON 25 MAY 2011.**

CARRIED UNANIMOUSLY

A.6 Declaration of Conflict Of Interest

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

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

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

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

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

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

Detailed information is available in Conflict of Interest in Local Government – A Provisional Guide with amendments to 1 October 2010.

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

Nil

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

A.7 Presentations

Presentations from the community can be made on Council Meeting Agenda items.

Mr Darren Hardacre, addressed Council regarding Item E.2 – 210/2011 Community Grants – Round 2 Allocations and sought support from Council for grant application in relation to the Ruby Fire Brigade.

Mr Nigel Hutchinson-Brooks, representing Wallis Watson Consulting addressed Council regarding Item E.4 – Loch, Nyora, Poowong and Meeniyan Structure Plans and drew attention to the need for Council to devote considerable resources to ensure the successful implementation of these plans.

Ms Fiona Mottram representative of The Foster Mirror addressed Council with a question in relation to Item E.12 – Award of Procurement Australia Contract No 1309/0310, does the outcome of adoption of this contract exclude local suppliers.

Mr Anthony Seabrook, Director of Engineering Services responded that Council would be bound by the contractual arrangement, however under circumstances where there is an emergency or listed contractors are unable to supply then local suppliers could be sought.

Mr Philip Murphy, addressed Council in relation to concerns he has for Item E.5 – South Gippsland Rural Land Use Strategy Draft for Public Consultation April 2011, by asking questions:

QUESTIONS – REGARDING THE RURAL STRATEGY.

- (1) What are the total consultancy costs attributable to the Rural Strategy project which:
 (A) have been paid and,
 (B) are still to be paid
to consultants – Parsons Brinckerhoff and RMCG?
- (2) How many other councils in Victoria are Parsons Brinckerhoff and RMCG undertaking rural strategy projects on behalf of?
- (3) How much money in consultancy fees are Parsons Brinckerhoff and RMCG making out of these rural strategy projects across Victoria?

The Mayor indicated that in respect of questions (2) and (3) these could not be answered as it relates to the business of the consultant and not Council.

- (4) Since the advent of C48 what has been the total value of building approvals in South Gippsland. How does this compare with economic activity in Baw Baw Shire and Bass Coast Shire?

Questions (1) and (4) were taken on notice and will be answered at the next appropriate Council Meeting.

Mr Don Hill, addressed Council in relation to Item E.5 – South Gippsland Rural Land Use Strategy Draft for Public Consultation April 2011 regarding:

- Rural activity zones;
- Development of Land under 100acres in farming zone; and,
- Conversion of high quality farm land into 1 ha lifestyle blocks.

The Mayor indicated that clause 2208 will be altered to be included in the last page of the document, formal submissions to Council are encouraged and the document reflects State Government Policy.

Cr Fawcett left the Meeting at 7.27pm.

Cr Fawcett returned to the Meeting at 7.28pm.

Mrs Wilma Western, addressed Council regarding Item D.4 – Report on matters discussed at Councillor Briefing Session and Community Presentation – March 2011, and her concern about the level of community engagement, good governance and decision making as a consequence of changes to meeting arrangements and the absence of Councillors at some of these sessions.

Cr Newton responded by indicating his concerns about these comments and the fact that he had not attended the meeting in question and if he had attended he would have left the meeting because of a disclosure of interest.

Ms Shirley Cowling a resident and land owner within the Shire addressed Council by asking questions in relation to Planning and zoning for sporting facilities. The submitted questions are included:

- 1. What zoning is required for Welshpool to have a sporting facility such as a basketball or squash centre?**
- 2. Have I heard correctly that a government survey advised that Korumburra qualifies for one point five supermarkets with a recommended floor level, and that at present Korumburra's area only equals point five? That is only one third of the recommended area.**
- 3. Is there any truth in the comment that a survey reports that at present Korumburra Community spends \$26,000,000 outside of its community?**
- 4. Is the present zoning of the Saleyards Businesses three, and if so what does that allow to be built? Is it only large goods as has been reported which includes showrooms (including carpets, electrical goods which are already present)? What other businesses would be allowed, and does this include sporting facilities such as and again I use the example as above, Basketball (additional to already existing) squash courts? Does this zoning in fact not allow for any real expansion, is it more of what we already have such as Industrial? Does it exclude businesses such as 'Not Quite Right', this is simply an example?**
- 5. What can be done, and what is being done re: zoning of Saleyard?**

The Mayor indicated that the Priority Development Panel (PDP) recommended zoning of the land as industrial zone 3 and provides for service and light industrial functions near the highway and that Ms Cowling could view the Planning Scheme on Councils website.

The Mayor indicated that it was unlikely for a supermarket to be built on the site.

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

A.8 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.

Nil

A.9 Councillor Reports

Cr Harding addressed Council by reporting on the high number of visitors to the region over the Easter break. Cr Harding noted the hard work of Council's Tourist officer and tourist committees in highlighting the many activities in the area despite flood damage.

Cr Kennedy addressed Council by reporting on:

- **Coastal Councils Conference in Torquay, Victoria.**
- **Attendance at an Annual General Meeting (AGM) in Walkerville which included consideration of South Road issues.**
- **The Tour de Tarwin event that keeps growing each year.**
- **The unprecedented number of visitors to the region over the Easter break, highlighting the need to maintain service levels in peak periods.**
- **Anzac Day ceremonies well attended.**
- **Inverloch / Venus Bay Road was closed and concerns expressed whose responsibility it is for repair of damage.**
- **His opening of the Bendigo Bank Tarwin Lower sub branch.**
- **Proposed briefing of Council by representatives of Sandy Point seeking support for the placement of cricket nets and a skate park and that the community has raised \$1,600 towards these projects.**

Cr Lewis addressed Council by reporting on attendance at Municipal Association Victoria (MAV) Timber Towns Meeting and presented the following report:

Report on Timber Towns Victoria AGM 8 April 2011

1. The Timber Industry Roads Evaluation Study (TIRES) was released at the AGM. The study sets out priorities for upgrading timber haulage routes throughout Victoria. Around 330 roads, 40 million tonnes of timber and \$100 million haulage cost were involved.
 2. The TIRES road priorities were based on an evaluation method that focused on timber volumes and apparently did not formally consider a number of factors such as tourism, road condition and safety. Some Shires such as South Gippsland, LaTrobe and Baw Baw had no roads in the top 10 regional timber roads priority listing under the current evaluation methods.
 3. The aim of the TIRES study is to obtain State funding for the priority roads. At this stage it is unclear how the State will respond given the Coalition Government's proposals for \$160 million in new road funds for rural councils over the next 4 years and the proposed Regional Growth Fund, although the coverage of the latter is not yet known.
 4. The AGM set the Timber Towns annual membership fee at \$2500.
 5. The AGM proposed that there be a meeting twice per year with Timber Industry and State Government representatives.
 6. Speakers at the AGM said that no increases in plantation area in Victoria was expected.
 7. The AGM elected unopposed a new committee as follows.
 - Chairperson Cr Bill Harrington Baw Baw.
 - Secretary Jillian Molina MAV.
 - Treasurer Steve Kozowsky CEO East Gippsland.
 - Cr Jan Vonarx Alpine.
 - Cr Karen Stephens Glenelg.
 - Cr Jenny Blake Golden Plains.
 - Cr John Walsh Murrindindi.
 - Cr Stuart Anderson Colac Otway.
 - Cr David Lewis South Gippsland.
-)
-

Cr Deane addressed Council by reporting on attendance at a workshop chaired by the Commissioner of Environmental Sustainability Ms Kate Auty that was well attended and promoted by Council. Ms Auty acknowledged the good work of Council in its sustainability initiatives including its Sustainability Strategy. Ms Auty is to identify key issues around sustainability and practical projects for demonstration projects. Ms Auty will be reporting back to the region in August 2011 and will be providing recommendations on sustainability matters in Victoria.

Cr Fawcett left the Meeting at 7.59pm.

Cr Fawcett returned to the Meeting at 8.00pm.

Cr Jackson addressed Council by reporting on attendance at:

- **Memorial Hall Advisory Committee**
 - **SG Splash Advisory Committee**
 - **Youth Council**
 - **West Gippsland Regional Library Corporation Board Meeting**
 - **Gippsland Regional Waste Management Group AGM & Board Meeting**
 - **Gippsland Regional Waste Management Group AGM:**
 - **New Chair: Mr Dick Van Leeuwin**
 - **Her Chairing of the Technical Advisory Committee and Industry Advisory Committee**
 - **Leongatha community organisations – Progress Association and Chamber of Commerce and Industry petition regarding the heavy vehicle bypass for Leongatha.**
 - **A meeting will to be held on Tuesday 10 May at 7.30pm at Council's Meeting Room 2 to organise a doorknocking effort, a petition is available at Council Office and Edneys Leongatha.**
 - **ANZAC Day commemorations - were a fitting tribute to men and women who have served in conflicts around the world and during peacekeeping and emergency relief operations.**
-

Cr Davies addressed Council by:

- **Congratulating Council officers work during the period of the recent floods;**
- **Noting the recovery effort at Tidal River and Wilsons Promontory; and,**
- **Noting the work of Prom Country Tourism and Destination Gippsland of advising of the status of the Prom and the marketing of the area, some of which had already been put in place prior to the emergency.**

Cr Newton addressed Council by reporting on attendance at:

- **Anzac Day ceremonies at Meeniyan and Fish Creek and highlighted the increased attendance of younger people, which was positive; and,**
- **The work of the Waratah Bay caravan park proprietor in organizing a Billycart race, activities for the youth and distribution of Easter eggs for children.**

Cr Fawcett addressed Council by reporting that the Progress Association, Leongatha Rotary, Lions and Apex clubs will be energetically supporting the heavy vehicle alternative by pass route for Leongatha.

SECTION B - NOTICES OF MOTION AND/OR RESCISSION

B.1 NOTICE OF MOTION NUMBER 627 – CHANGE OF MEETING TIMES

PURPOSE/INTRODUCTION

Ordinary Council Meetings are scheduled to commence at 7pm on the fourth Wednesday of each month. Meetings often extend till quite late in the evening, often to 10pm or later. It is considered that the impacts on Councillors, staff, the Media and members of the community attending these meetings is placing undue pressure on the work/life balance of all those who attend.

It is considered that a day time meeting, including a time frame for people to make presentations or ask questions immediately before a Council Meeting, would achieve similar outcomes to the evening meetings, but with the following added benefits:

- All attendees would be able to travel to and from the meetings safely during day light hours, thereby reducing the risk of accidents occurring on country roads late at night;
- The Press would be able to attend meetings during their normal hours of employment. This was a request highlighted in the feedback provided in the consultation during the trial of changed meeting times;
- All attendees would be able to have a better work/life balance and as a result not compromise their family responsibilities or other personal commitments outside of normal working hours.

Public Presentations will remain at 2pm on the 3rd Wednesday of the month and at 7pm by appointment.

MOTION

I, Councillor Jeanette Harding, advise that I intend to submit the following motion to the Ordinary Council Meeting scheduled to be held on 27 April 2011.

“THAT COUNCIL MEETINGS COMMENCE AT 2PM ON THE FOURTH WEDNESDAY OF EACH MONTH;

A PUBLIC PRESENTATION AND QUESTION SESSION ONLY FOR ITEMS ON THAT COUNCIL MEETING TO COMMENCE PRIOR TO THE COUNCIL MEETING AT 10.00AM AND CONCLUDING AT 12.00 NOON;

THE PUBLIC PRESENTATION SESSION, CURENTLY INCORPORATED WITHIN THE COUNCIL MEETING AGENDA BE REMOVED;

THAT ONLY A QUESTION TIME, AND NOT A PUBLIC PRESENTATION TIME, REMAIN AT THE END OF EACH COUNCIL MEETING; AND

THAT THESE CHANGES WILL COMMENCE FROM THE 25 MAY 2011 COUNCIL MEETING.”

MOVED: Cr Harding

SECONDED: Cr Fawcett

THAT COUNCIL MEETINGS COMMENCE AT 2PM ON THE FOURTH WEDNESDAY OF EACH MONTH;

A PUBLIC PRESENTATION AND QUESTION SESSION ONLY FOR ITEMS ON THAT COUNCIL MEETING TO COMMENCE PRIOR TO THE COUNCIL MEETING AT 10.00AM AND CONCLUDING AT 12.00 NOON;

THE PUBLIC PRESENTATION SESSION, CURRENTLY INCORPORATED WITHIN THE COUNCIL MEETING AGENDA BE REMOVED;

THAT ONLY A QUESTION TIME, AND NOT A PUBLIC PRESENTATION TIME, REMAIN AT THE END OF EACH COUNCIL MEETING; AND

THAT THESE CHANGES WILL COMMENCE FROM THE 25 MAY 2011 COUNCIL MEETING.

CARRIED

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

Against: Crs Jackson, Deane and Lewis.

SECTION C - COMMITTEE REPORTS

Nil

SECTION D – PROCEDURAL REPORTS

D.1 COUNCILLOR EXPENDITURE REPORT - 31 MARCH 2011

Corporate Services Directorate

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with a quarterly update on Councillor Expenditure from 1 July 2010 to 31 March 2011 as resolved in 2003.

Attachment 1 - Councillor Expenditure Report.

LEGISLATIVE/ ACTION PLANS/ STRATEGIES/ POLICIES

Local Government Act - Section 75 Reimbursement of expenses of Councillors

COUNCIL PLAN

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

CONSULTATION

Not applicable

REPORT

Background

This report covers expenditure from 1 July 2010 to 31 March 2011.

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

FINANCIAL CONSIDERATIONS

Expenditure is in line with budget.

RISK FACTORS

Not applicable

RECOMMENDATION

That Council receives and notes the Councillor Expenditure report for the period 1 July 2010 to 31 March 2011.

MOVED: Cr Newton

SECONDED: Cr Jackson

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

CARRIED UNANIMOUSLY

Attachment 1

Councillor Expenditure													
From 1 July 2010 to 31 March 2011													
Councillor	Car	Travel Expenditure				Other Expenditure						Total	
		Cost for Fuel *	Cost to Reimburse kms / Fuel Cost **	Km's	Mobile Phone	Phone/Fax/ Modem	Conferences / Accomodation/Parking	Councillor Allowance	Remoteness Allowance	CityLink	Internet Account		
Cr. Robert Newton	Council	\$ 584	\$ -	5203	\$ 703	\$ -	\$ -	\$ 20,688	\$ 40	\$ -	\$ -	\$ -	\$ 21,995
Cr. Jennie Deane	Council	\$ 657	\$ -	5739	\$ 787	\$ 1,299	\$ 822	\$ 20,688	\$ 40	\$ -	\$ -	\$ -	\$ 24,293
Cr. Warren Raabe	Council	\$ 47	\$ 1,991	3063	\$ 767	\$ -	\$ -	\$ 43,184	\$ 40	\$ -	\$ -	\$ -	\$ 46,029
Cr. Kieran Kennedy	Council	\$ 1,656	\$ -	14891	\$ 1,000	\$ -	\$ 2,067	\$ 20,688	\$ -	\$ 24	\$ -	\$ -	\$ 25,435
Cr. Mohya Davies	Council	\$ 1,119	\$ -	12140	\$ 894	\$ 91	\$ 2,956	\$ 20,688	\$ -	\$ 51	\$ 867	\$ -	\$ 26,666
Cr. Jeanette Harding	Council	\$ 791	\$ -	12058	\$ 1,015	\$ -	\$ 3,909	\$ 20,688	\$ 280	\$ 3	\$ -	\$ -	\$ 26,686
Cr. David Lewis	Council	\$ 671	\$ -	6006	\$ 796	\$ -	\$ -	\$ 20,688	\$ 40	\$ 34	\$ 753	\$ -	\$ 22,982
Cr. Mimmie Jackson	Personal	\$ -	\$ 351	590	\$ 731	\$ -	\$ 1,673	\$ 20,688	\$ -	\$ -	\$ -	\$ -	\$ 23,443
Cr. James Fawcett	Personal	\$ -	\$ -	0	\$ 1,520	\$ -	\$ 306	\$ 39,435	\$ -	\$ -	\$ -	\$ -	\$ 41,261
Total		\$ 5,505	\$ 2,342	59690	\$ 8,213	\$ 1,390	\$ 11,733	\$ 227,435	\$ 440	\$ 112	\$ 1,620	\$ -	\$ 258,790

* Travelling expenditure for Councillors with council vehicles represents cost of fuel purchases from 1 July 2010 to 31 March 2011.

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

D.2 DEVELOPMENT SERVICES QUARTERLY REPORT: JANUARY TO MARCH 2011

Development Services Directorate

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with a summary of key activities in the Development Services Directorate for the period January to March 2011.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

The Council Plan requires reporting on a quarterly basis.

COUNCIL PLAN

The Development Services Directorate covers a wide range of Council Plan outcomes particularly within the Strategic Goals of:

Strategic Goal:	1.0	A Vibrant, Engaged Community
Strategic Goal:	3.0	A Strong Economy
Strategic Goal:	5.0	A Leading Organisation

REPORT

Building Services

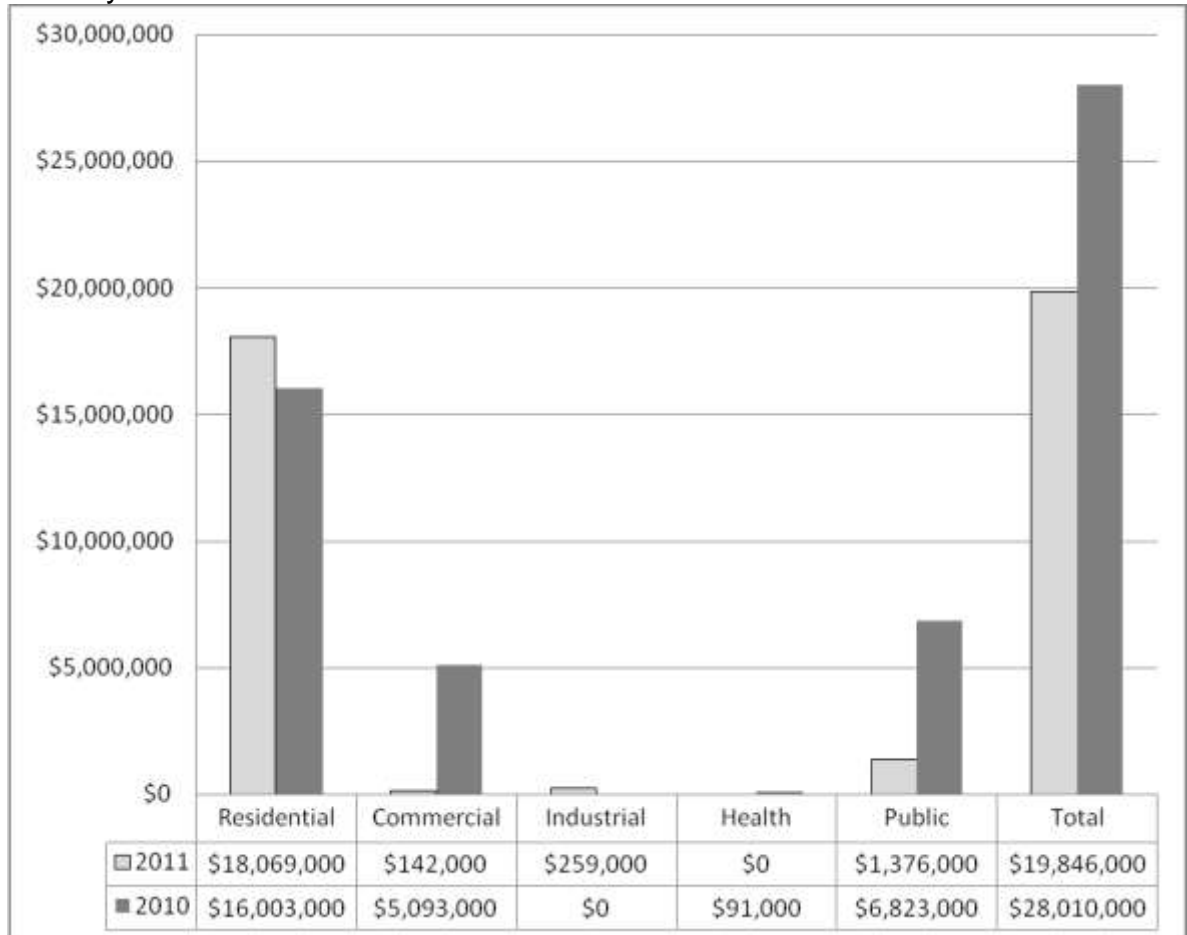
Highlights

- Review of Building Services business delivery is underway; to be completed by June 2011. Basis for the review is to assess monitoring and enforcement of building activity against current capacity.
- Value of approved building work for first quarter 2011 down 29.11% compared to the first quarter 2010. Value of public building work continuing to decrease compared to the first quarter 2010 as a result of removal of federal government stimulus. Residential construction for first quarter 2011 up 12.9% compared to first quarter 2010.
- Several Notices/Orders issued this quarter relating to building works undertaken without a building permit and residential accommodation buildings not provided with hard wired smoke alarms.
- Pool/spa barriers audits continuing to be undertaken. Low level of compliance generally for initial inspections. Higher levels of compliance for reinspections (approximately 50%).
- Maintenance of building fire safety measures audits focused on motels and hotels buildings. The majority had maintenance programs in place for hydrants, hose reels, extinguishers, etc, however a number need to

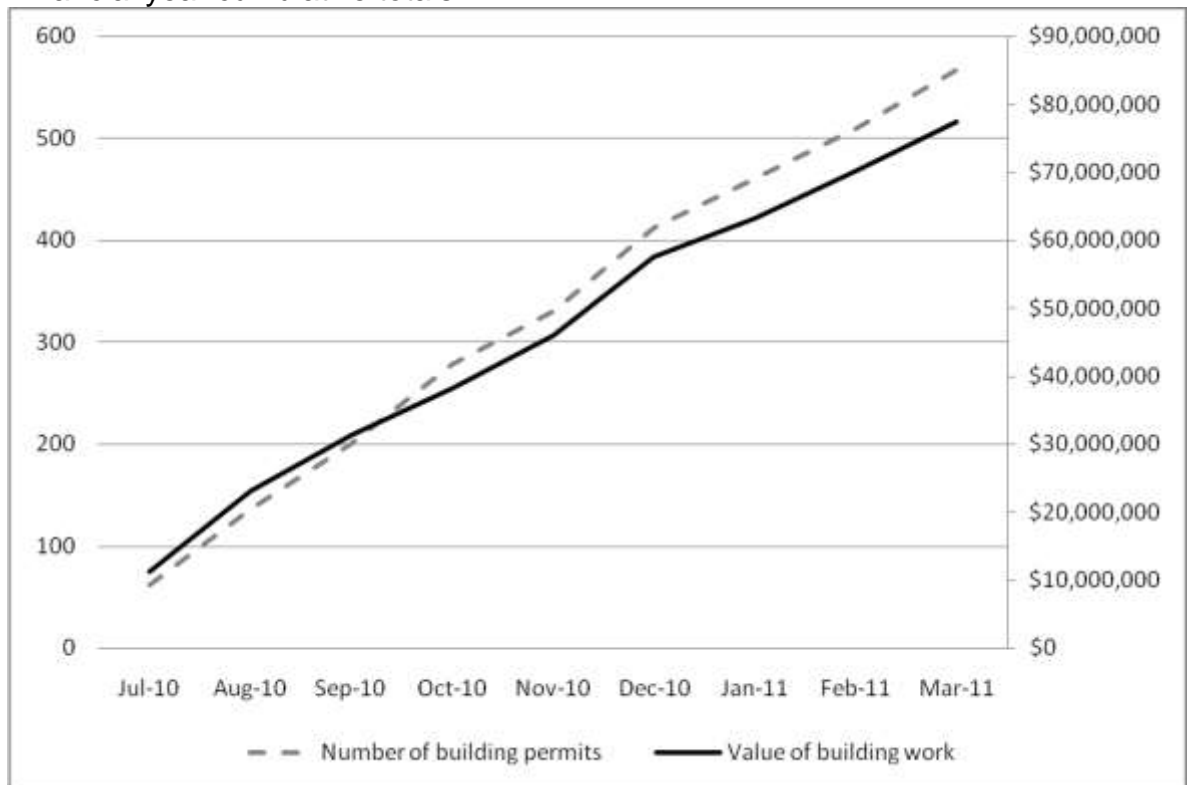
undertake further actions to fully comply with the maintenance requirements of the Building Regulations 2006.

Building work

January to March 2011 Quarter:



Financial year cumulative totals



Building Enforcement

Summary of Building Notices/Orders: January – March 2011 Quarter

Building Notices issued	Building Orders issued	Emergency Orders issued	Notices/Orders resolved
4	5	1	3

Summary of Building Audits: January – March 2011 Quarter

	Audits undertaken	Compliance rate
Swimming pool/spa barrier compliance	24	29.6 %
Maintenance of building fire safety measures	18	0 %

Tourism

Prom Country Regional Tourism (PCRT)

Highlights from PCRT's partnership with Council include:

- A quiet start to the quarter in activity due to summer promotions flowing through from the previous quarter. This includes distribution of the official Visitor Guide and Touring Map.
- PCRT Chairperson and Executive Officer has been working in partnership with Council, Destination Gippsland and Parks Victoria on the Response and Recovery processes after the Wilsons Prom floods. Flood impact and tourism promotional response will be reported separately.

Destination Gippsland Limited (DGL)

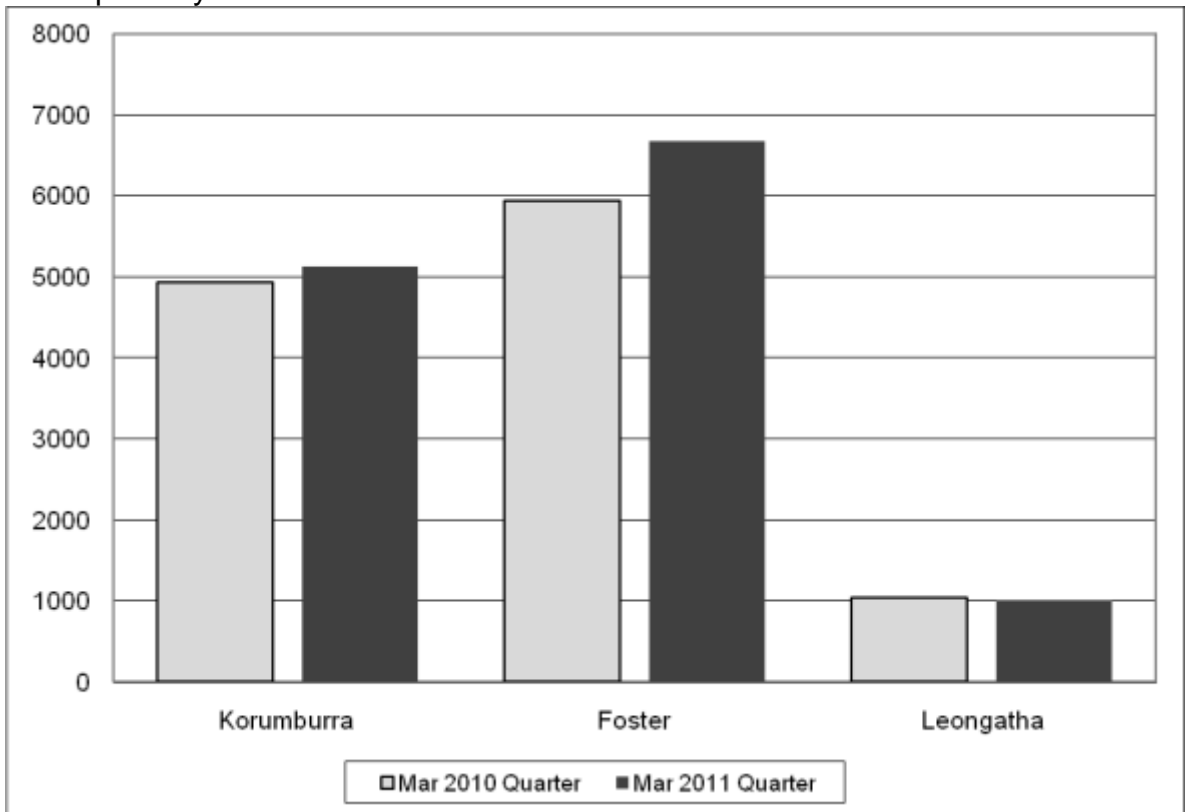
- Destination Gippsland's 'Inspired by Gippsland' marketing campaign won the Tourism Marketing category at the Australian Tourism Awards.
- Autumn Campaign commenced promoting unique events and festivals and food and wine.
- Visitation to Gippsland has received strong results again with the latest National Visitor Survey released (Year Ending December 2010)
 - Gippsland's domestic overnight visitors increased 15.6% from Dec 2009 – Dec 10. This was the second greatest increase for Victoria's regions, following Daylesford and Macedon Ranges
 - Gippsland visitor nights increased 2.1% from Dec 2009 – Dec 10
 - Domestic day trips to Gippsland increased 8.8% from Dec 2009-10

Prom Country Visitor Information Centres (VICs)

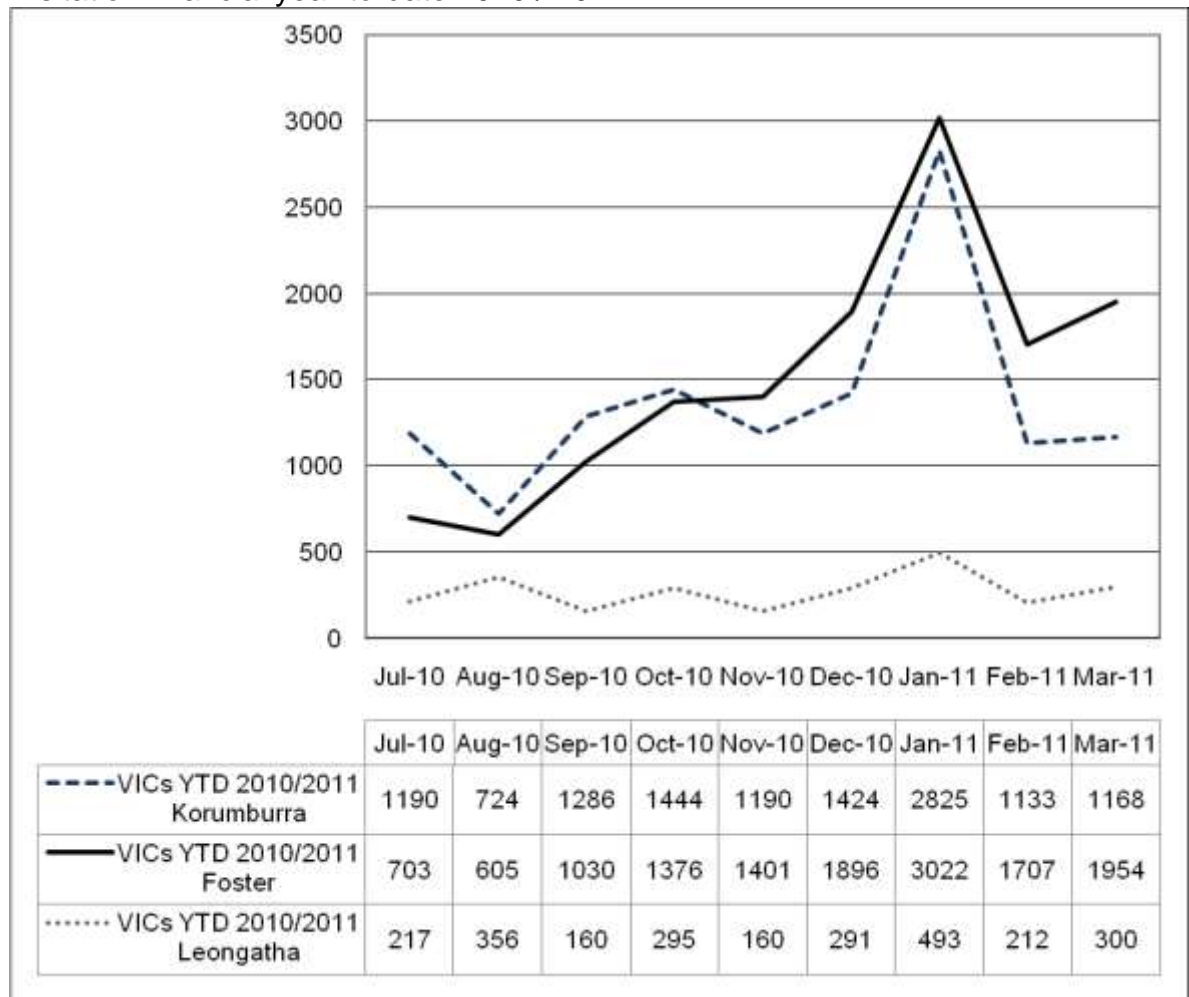
- Strong visitation over January. Growth decreased during February due to weather conditions, but picked up again strongly in early March before flooding at Wilsons Prom reduced visitor numbers severely in last week of March.
- Flood impact on VIC booking service shows a decline of 43% on same time last year. Early economic impact survey results show an average of a decline in revenue for businesses of 30%
- Total Visitors for January – March 2011: 12,814 (+7.5% on previous years)

- Visitation results are overall positive compared to previous years. Results would have been much stronger if not for the weather events in February and March.
- All six Gippsland Councils along with DGL again attended the 2011 Camping, Caravanning and Touring Super show. A new Gippsland Caravan and Camping Guide was developed showing all the caravan parks, dump points and areas of interest to the caravan and camping segment. More than 60,000 people attended the show.

VICs quarterly visitation



Visitation financial year-to-date 2010 / 2011



Planning

Highlights

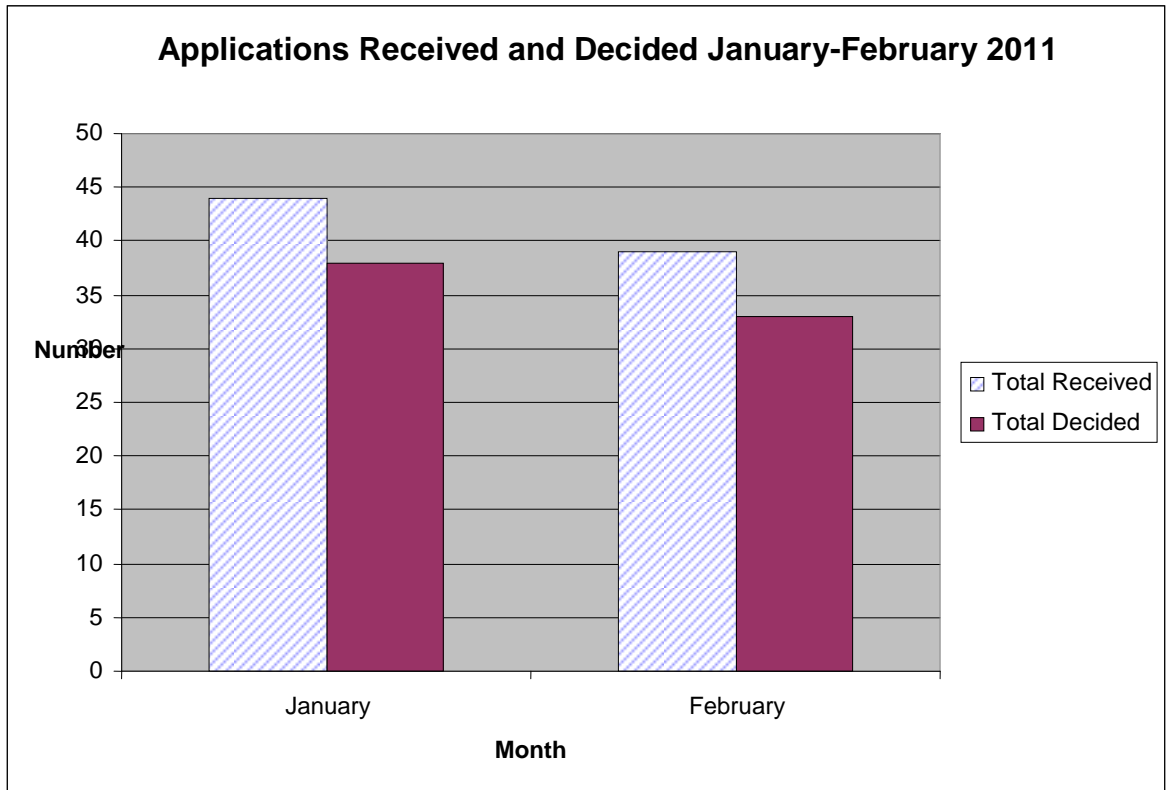
- Southern Leongatha Outline Development Plan completed for a final period of public consultation.
- Eastern Districts Structure Plans released for public comment.
- C51 Interim Guidelines released and discussed at open Council Briefing.

Statutory Planning

Planning Permit Activity

The following graph represents the number of applications received and decided for January and February 2011 (the statistics from the State Government were not available for March at the time of writing). The graph represents a deficiency between the number of applications received and decided for the period. This can be attributed to the fact that the department

has three full-time vacancies for statutory planners. However, as an interim measure, temporary staff have been employed until such time as those positions are filled and this should be improved in future months.



For this period, 46.5% of applications were decided within the 60 day goal set out in the Council Plan. Reasons for this shortfall as stated above would be due to vacant positions within the department which, again, should be rectified in future quarters.

Farming Zone and C51 Applications

For the third quarter of this financial year, four applications for dwellings were approved and two were refused under Amendment C51.

Strategic Planning

Strategic Planning Projects

- There are currently 6 projects funded in the 2010/11 budget at various stages of completion. These are listed below, including a status report.

Project	Description	Status	Future Action
Western Township Structure Plans	Structure Plans are being developed for the townships of Loch, Nyora, Poowong and Meeniyah. The Structure Plans will guide the use and development of land within the townships over the next 20 years and beyond.	Public exhibition over Dec - Jan. Approx. 90 submissions received the majority in response to the Nyora Discussion Paper. Structure Plan Final versions have been prepared.	Final versions to be presented to Council on 27 April. It is to be recommended that the plans be placed on public display for one month before formal adoption.
Eastern Districts Urban Design Framework (UDF)	The Eastern Districts UDF plans for the future use and development of land in the small townships in the Shire's eastern corner – east of (but not including) Foster. The UDF investigates potential land rezoning, growth options and urban design improvements to improve the appearance and function of the townships.	The UDF consultation paper has been approved by Council and is now on public exhibition.	Feedback from the exhibition process will be reported to Council before a final version of the UDF is prepared.
Southern Leongatha Outline Development Plan (ODP)	The ODP sets out development principles that will guide the integrated development of the subject area over the next 10 years and beyond.	The Southern Leongatha ODP (final draft) has been completed and is being presented to Council on 27 April 2011. The ODP recommends the closure of Simons Lane at the Bass Highway intersection.	Exhibit the ODP final draft for one month before it is formally adopted by Council. Continue preparation of the various planning scheme amendments in the ODP area.

Project	Description	Status	Future Action
Western Korumburra Outline Development Plan	This project is to plan for growth in the area between Bena and Jumbunna Roads	Discussions between proponents, affected landowners and Council officers have commenced.	Scope to be developed and funding sought from developers & council.
Housing and Settlement Strategy	The South Gippsland Housing and Settlement Strategy will develop an integrated long term plan to manage the growth and development of the Shire. The Strategy will provide the overall direction for urban growth – consistent with environmental constraints, community aspirations and government policy.	The project is at the research stage. A preliminary scoping document has been drafted for internal discussion.	Objectives and project scope will be clarified prior to commencement of the development stage
Development Contribution Plan (Residential development)	<p>The project aims to provide Council with a mechanism to contribute to funding new and upgraded infrastructure as a result of residential growth</p> <p>The DCP levies will contribute to the cost of providing various physical infrastructure including roads and drainage, as well as community infrastructure.</p>	Initial discussions are underway to understand the scope of the project - the scale and level of infrastructure required across the Shire.	The development of this project will be closely linked to the Housing and Settlement Strategy.

Planning scheme amendments

- There are currently 11 active planning scheme amendments, which have been authorised by the Department of Planning and Community Development. Authorised amendments are identified in the below table by 'C' numbers. Amendment proposals in preliminary development that are yet to be authorised are unnumbered in the table.

No	Description	Status
	<p>65 Korumburra Warragul Rd Korumburra</p> <p>This amendment proposes to rezone approximately 25ha of land from the Farming Zone to Low Density Residential Zone. There are several issues requiring resolution, including waterways and subdivision layout. These matters are the subject of ongoing discussion with the proponent</p>	<p>The amendment is yet to be formally submitted, however it will be presented to Council prior to any decision being made to seek Ministerial authorisation to formally prepare the amendment.</p>
	<p>Shingler St Leongatha</p> <p>This amendment is to rezone approximately 12ha of land from the Farming Zone to Residential 1 Zone – opposite the Shingler’s Ridge estate currently in development.</p>	<p>Preliminary discussions with the amendment proponent are continuing and it is anticipated that the proposal will be presented to Council in the next few months, following which Ministerial Authorisation will be sought.</p>
	<p>Foster Promontory Road, Foster.</p> <p>Application to rezone 28ha from the Farming Zone to the Rural Living Zone. The land is on the western side of Foster Promontory Road, adjoining the Rail Trail</p>	<p>Discussions are occurring with the proponent regarding the provision of funding for the creation of pedestrian connectivity from Foster to the subject land. An outcome of these discussions is expected in the next quarter.</p>
	<p>Foster Fish Creek Road, Foster.</p> <p>Application to rezone 20ha of land from the Farming Zone to the Low Density Residential Zone. The land is located west of Jay Road and east of the abovementioned land proposed to be rezoned Rural Living.</p>	<p>Progress of this amendment is linked to the abovementioned discussions occurring in relation to the Rural Living Zone application on Foster Promontory Road discussed above. The aim of the Planning Department is to secure continuous pedestrian connectivity across both rezoning sites and to have this funded (in large part) by the amendment proponents.</p>

No	Description	Status
	<p>Southern Leongatha Amendments (situated in the area of the Southern Leongatha Outline Development Plan) - Amendment applications are:</p> <p>Application of the Business 4 Zone (168 South Gippsland Hwy)</p> <p>Application of the Business 4 Zone (185 Simons Lane – fronting the South Gippsland Highway)</p> <p>Application of the Special Use Zone and Residential 1 Zone (167 South Gippsland Highway).</p> <p>Application of the Residential 1 Zone and Low Density Residential Zone to the land between the Rail Trail and the South Gippsland Highway.</p>	<p>These applications are currently awaiting the completion of the Southern Leongatha Outline Development Plan before Ministerial Authorisation to formally prepare the amendments is sought.</p>
C54	<p>Leongatha and Foster Hospital Helipad Protection Amendment</p> <p>Planning Scheme Amendment C54 seeks to protect the helicopter flight paths to the Leongatha and Foster Hospital helipads.</p>	<p>The Panel Report was adopted by Council in February 2011. The Planning Department is working with the Department of Human Services and the amendment submitters to address the matters of concern identified in the Panel Report</p>
C60	<p>Korumburra Saleyards. Rezoning of the former Saleyards Site from the Public Use Zone and Residential 1 Zone to the Industrial 3 Zone.</p>	<p>The amendment was adopted by Council in February 2011. The amendment will be submitted to the Minister for Planning following the execution of a Section 173 Agreement seeking to implement a buffer around the two dwellings adjoining the subject land.</p>
C52	<p>Jumbunna Road Korumburra. Application to rezone 20ha from the Farming Zone to the Residential 1 Zone.</p>	<p>The application has been exhibited and received 17 submissions. Council has resolved to refer the submissions to an Independent Planning Panel however the proponent has requested the application be placed on hold while a development plan for the site is prepared. When the development plan is prepared it will be presented to Council and the submitters before it is referred to a Panel.</p>

In addition, Since July 2010, the Strategic Planning team have added two planning scheme amendments to the South Gippsland Shire Planning Scheme:

Amend ment No.	Description	Gazettal Date
C46	Amends the Municipal Strategic Statement (MSS) to introduce new township planning provisions and Framework Plan maps for Leongatha, Mirboo North, Foster and Loch. The amendment includes the correction of outdated factual information and other incidental changes to the MSS necessary to support the new township planning provisions.	29 July 2010
C55	Introduces the Land Subject to Inundation Overlay to the Bass River and its tributaries. Council adopted the amendment in December 2010 and the Minister for Planning approved the amendment on 3 March 2011. Gazettal of the amendment is expected in March 2011 at which time the overlay will become operational.	Expected mid March 2011

Economic Development

Agricultural Support

1. Officers have been working with the Department of Primary Industries on an "AgFutures" event. This will be held at the Fish Creek Hotel on Wednesday 4 May 2011. The AgFutures program assist farmers to understand the changes impacting on the sector.
2. The Olive Growers network launched their new combined branding of "South Gippsland Olives" at the Sustainability Festival on 9 April 2011.
3. Koonwarra Farmers' Market successfully completed a project funded by the State Government which Council acted as banker. This projected improved disability access and marketing.

Economic Investment

1. Tourism and Economic Development had 33 requests for assistance with commencement of new businesses or the expansion of existing operations.
2. 678 job advertisements were recorded during the March 2011 quarter up from 494 for the same period last year. Highest recorded sectors were Hospitality and tourism, Health and wellness and Trades and services.

3. New businesses opening during the quarter included a gift shop in Mirboo North, Fish and Chip shop in Leongatha, Café in Korumburra, Takeaway in Nyora, Pharmacy in Toora plus the opening of the new Primary School and TAFE complexes on the Leongatha Education Precinct.
4. Construction also commenced of the new supermarket at Meeniyana due to be opened in July 2011 and also the new Windmill Ag building located at Koonwarra.
5. Officers met with the representatives from the Meeniyana and Mirboo North business communities regarding development of their traders groups.
6. Three enquiries were received for film and television projects including a portion of television commercial filmed in Foster in March 2011.
7. Council welcomed the Mercedes Benz F-Cell world tour in March. Four prototype hydrogen powered vehicles travelled through the Shire and refuelled near Toora. International coverage of the area was received from the journalists travelling with the tour.
8. A business breakfast was conducted in conjunction with Bass Coast Shire Council and other agencies in March 2011. As part of this program another breakfast will be held in Leongatha in May 2011.
9. The investment prospectus for Korumburra has been completed and will be printed and distributed in April 2011.

Advocacy for Infrastructure

1. Council hosted the February meeting of the South East Australian Transport Strategy (SEATS) at Port Welshpool in February 2011 with attendees from across Victoria and New South Wales. The Deputy Premier the Hon Peter Ryan MLA was the guest speaker.
2. Vic Roads undertook improvements to the South Gippsland highway near Korumburra.
3. Construction of the new optic fibre backhaul link was close to completion at the end of the March quarter 2011. Further details were released regarding the National Broadband Network rollout. This shows towns scheduled to have homes connected to optic fibre include Leongatha, Korumburra, Mirboo North, Foster, Toora and Venus Bay.

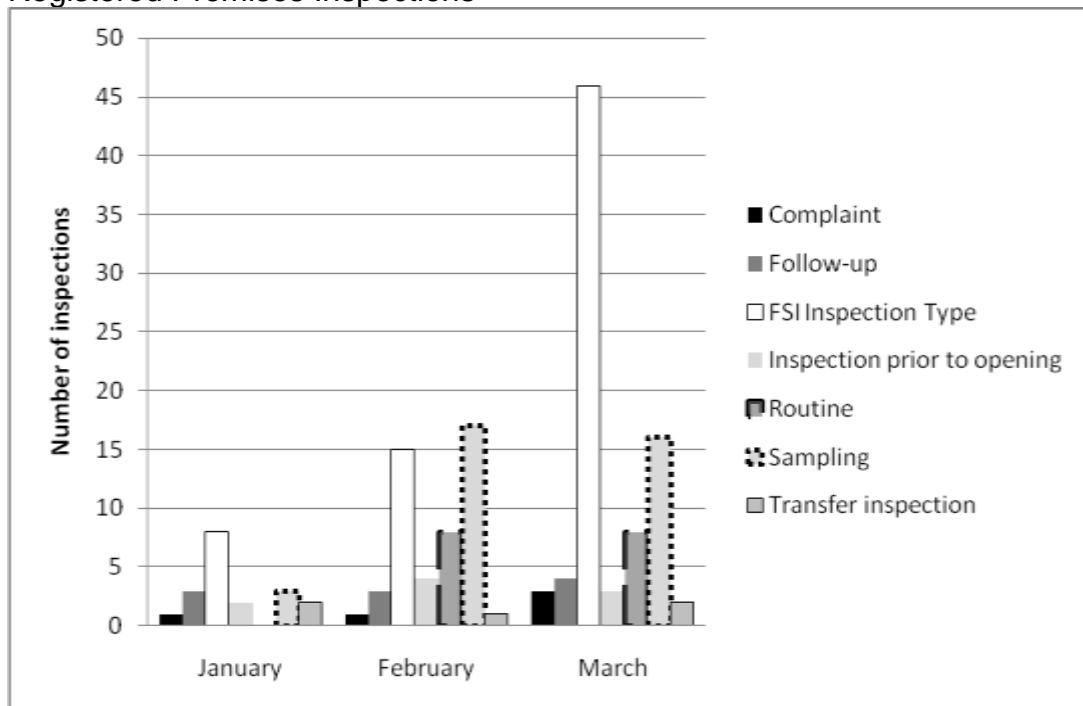
Environmental Health & Wastewater

Highlights

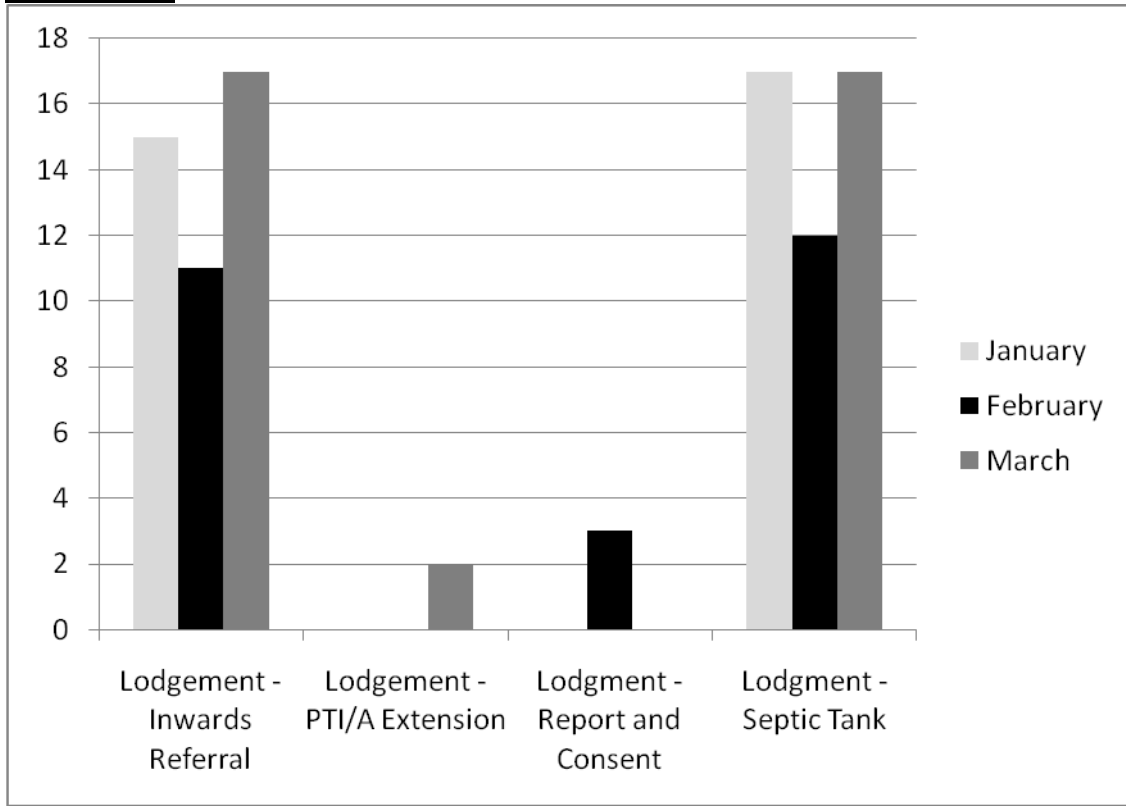
1. All registered premises renewals received by end of February 2011 with only 1 premises being charged the 50% late fee. In previous years renewals have been chased through to May / June 2011.
2. Re-structuring food database to accommodate DoH reporting requirements (ongoing).
3. Review of wastewater processes 90% complete.
4. Unit relocated to Development Services Directorate.

Environmental Health

Registered Premises Inspections



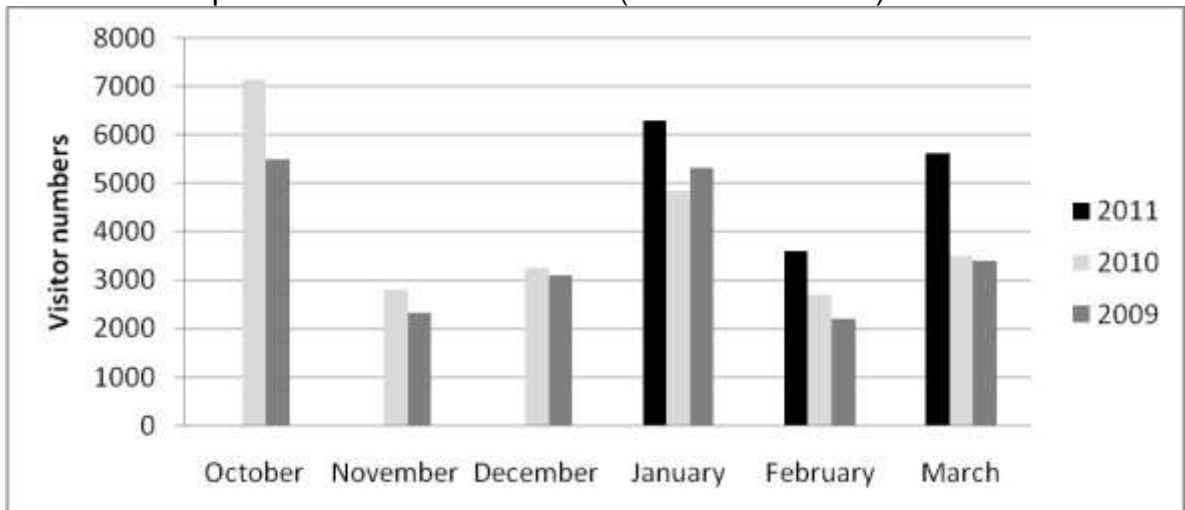
Wastewater



Coal Creek

Visitation Comparisons 2010 / 11

Visitation Comparisons 2009 / 2010 / 2011 (October to March):

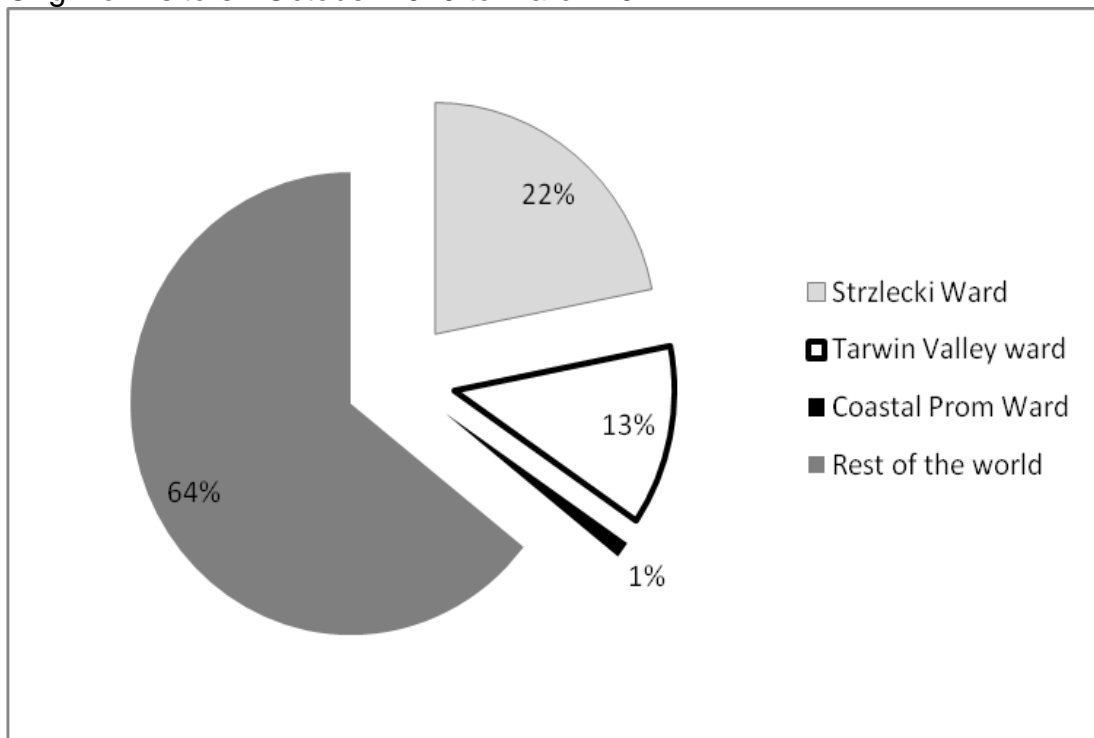


Month	Adults	Children	Schools	Totals
October	4668	2187	559	7414
November	1999	442	351	2792
December	2379	625	252	3256
January 2011	4379	1839	74	6292
February	2724	425	440	3589
March	3743	668	1144	5555
Totals	19889	6186	2820	28895

Financial Year	Visitation	% Growth
2007-08	10,967	
2008-09	34,872	217 %
2009-10	41,338	18.5 %
2010-11	45,058*	9%

Total visitation from October 2010 to March 2011 has shown an increase of 6,919 visitors in comparison to the same months of last year financial year. The growth rate has been 31% this is well above the anticipated growth of 9%.

Origin of visitors - October 2010 to March 2011



Community Hub

Literary Festival: There was a slight increase this year on patronage all proceeds for the day going to Coal Creek. The Charity Gala night was sold out with proceeds going to Relay for Life, this part of the event is totally run by voluntary goods and services.

Coal Creek Farmers Market: The first farmers market in October was well supported by 917 visitors to the market, 28 stallholders participated in the day. Ongoing average visitation for the market is recorded between 480 on wet weather days to 700 on good weather days. The Market has now received its Victorian Farmers Market accreditation.

Children's Week (Play and Share Day): The event was supported by 270 visitors on the day, an increase on last year.

Halloween: This event surpassed all expectations with 2904 visitors to the park. As well as strong support from all areas of South Gippsland, Halloween also drew visitors from: Yarragon, Craigieburn, Rosebud, Inverloch, Newborough, Melbourne, Brailford, Yarram, Heidelberg, Vermont, Mount Waverly, Pakenham, Traralgon, Bayles and Kernot.

Carols at the Creek: The 2010 Carols were again affected by unseasonal weather and had to be transferred to the front foyer. Approximately 120 attended the night then enjoyed a walk through the park to look at Christmas lights.

Korumburra Apex Billy Cart Derby: This event was cancelled due to heavy rain on the day and is being re-scheduled over the next few months.

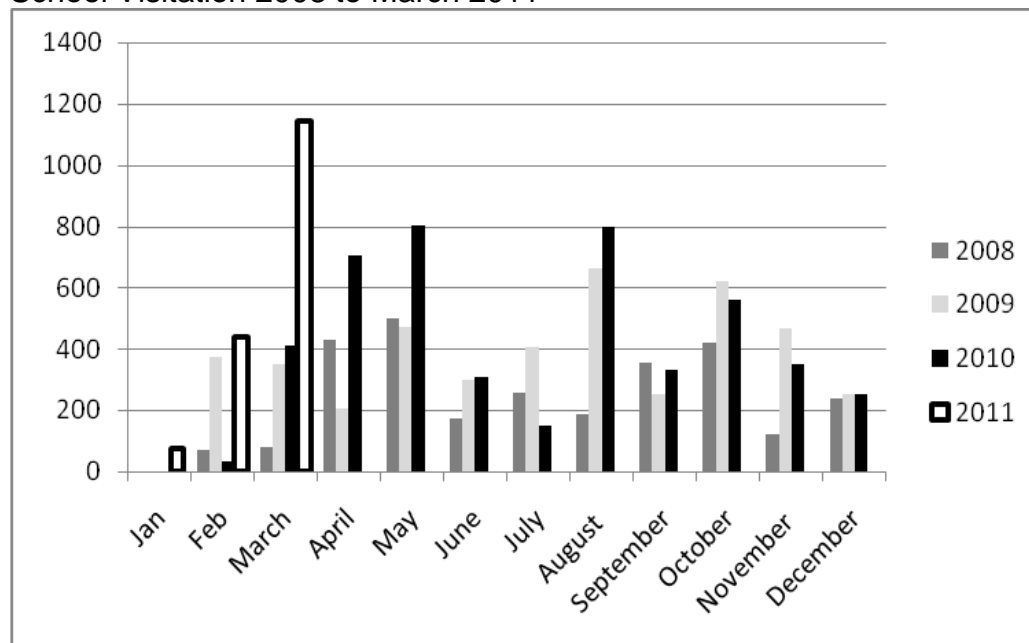
Community Groups: A new group which has joined Coal Creek is the Leongatha Medieval Society this organisation has also offered to assist on event days such as Halloween.

Coal Creek Community Gallery: Exhibitions continue to be well patronised income generators for Coal Creek. From October 2010 to March 2011, Coal Creek hosted the following exhibitions:

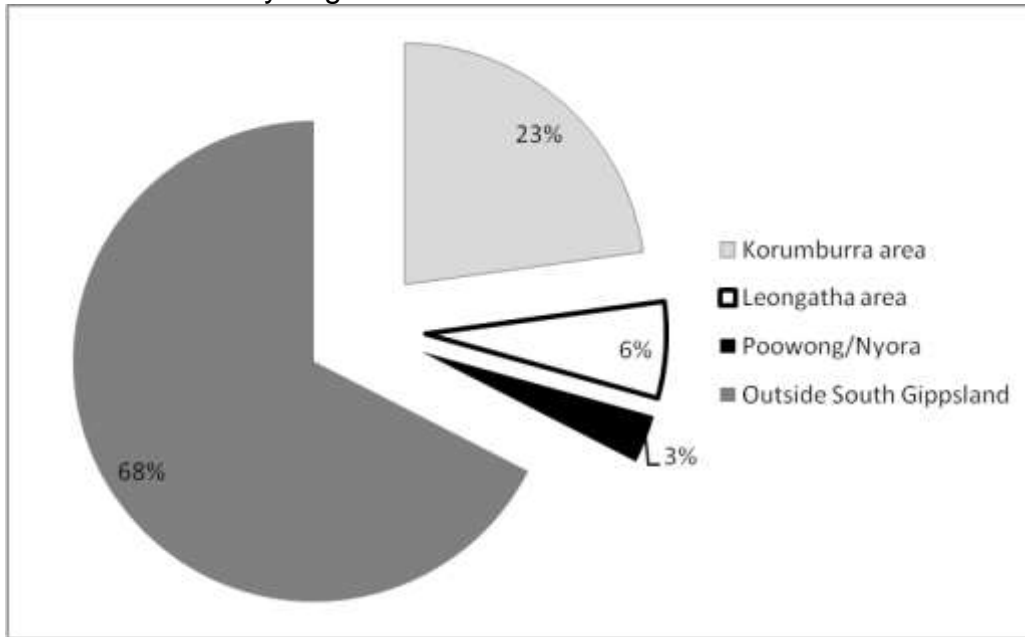
- “More than meets the eye” – works by Denise Lees Art and Photography
- South Gippsland Photo Competition Exhibition
- Master of Water Colour - Robert J W Landt
- Kathryn Slater
- Cambodian Orphanage Art Exhibition
- Tenille Rickard
- Jenny Peterson

Education

School Visitation 2008 to March 2011



School visitation by origin - October 2010 to March 2011



Education visits totalling 2,820 have increased by 63% on last years same months figures of 1,726.

A new sustainability program has been created as an additive for the education program.

Korumburra Secondary College have started their VET and VCAL Programs at Coal Creek with 28 students participating. They will obtain Certificates in Hospitality and Conservation Land Management. Discussions have been held with Paul Borg from the Leongatha Secondary College for students to utilise Coal Creek in the same capacity.

Curatorial/Museum

Museum Accreditation Program Our accreditation application is due May 2012. We have several documents in place including a Collection Policy and working forms. Coal Creek are currently working towards this objective.

Curatorial Advisory Committee Monthly meetings are held at Coal Creek; a Curatorial Report is submitted by me at each of these meetings. In January 2011 Cr Bob Newton was assigned as Council's representative to the committee.

November

- Exhibitions - "Horses for Courses" highlighted the history of horses. Features were a Melbourne Cup DVD and the new saddles, one for children to sit on alongside the activity table.
- Rail carriage restoration – The 1st class carriage floors have been repaired and carpeted.
- Storage – A 2m long steel shelf installed in church rectory has provided better storage for collection objects

December

- Exhibitions – "Toy's Trips & Mum's Christmas Pudding" was enjoyed by visitors and holidays makers alike with old fashioned cooking items, old postcards and school magazines from the Coal Creek collection being a special feature.

January

- Donation – "Honey Bees" exhibition panels (from Melbourne Museum) have been donated by apiarist Aris Wolswinkel of Loch. The panels will be incorporated with the Giant Gippsland earthworm display in the National Bank and become part of our education program.
- Archive Room – Approximately 300 items are being re-housed in archival map bags and sleeves including early maps and plans of Coal Creek and South Gippsland towns.
- Outgoing Loan – A selection of dairy industry items from our collection has been lent to Foster Museum for their "Cream after Gold" exhibition which runs from end December 2010 to September 2011

February

- Exhibitions – "In Plain View – Maps & Surveying" An exhibition using local maps and plans from the collection. Children were encouraged to use the activity table and draw a map of their town or school route.
- Outgoing Donations – 2 early photographs relating to Maryborough, VIC were donated to Maryborough Historical Society. A letter of appreciation has been received. A program for Kew Independent Church was donated to Kew Historical Society.

Maintenance /Gardening

The landscaping around the Courthouse has been completed. Opposite the National Bank area has an outdoor chessboard which has become a feature of Coal Creek.

General maintenance has continued on site with no major repairs required. A consistently wet spring, summer, autumn resulted in prolific plant growth. The wet weather has seen some path and track erosion, this is currently being rectified.

A paving performance platform opposite the slab cottage has been completed. This area will be utilised as a wedding venue site as well as a school picnic games area.

Bush Tramway

The diesel train continues to operate effectively.

The Bundaberg Steam train has had a bi-annual strip down inspection, subject to minor works the train will be fit for use after assembly.

RDV Grant

All projects associated with the grant have now been completed this included the following:

- Korumburra Courthouse refurbishment
- National Bank building top floor refurbishment
- Landscaping adjacent to the Courthouse and National Bank area
- Electrical upgrade to park area from Printers Office to the main foyer building.(underground cabling and service connection pits installed strategically through park)
- Restoration of Static railway carriage roofs and repainting of Loco at main entrance

Friends of Coal Creek

In February a memorandum of understanding was signed between the SGSC and the Friends of Coal Creek. The main aim of this agreement is to work with and assist the group with sourcing joint government funding to complete the remaining two FOCC-sponsored buildings, not yet refurbished.

The old Cordial Factory has been completed and the Grow Lightly group are now operating out of the building. All utilities costs for the building are paid for by Grow Lightly. They run a local veggie box system to encourage local people to purchase locally grown produce. A sustainability interpretive

information room will be set up in the front of the building to promote local sustainable businesses and projects in SGSC which will be maintained by Grow Lightly in assistance with SGSC. This room will also assist with the new Education sustainability program.

Public Profile

Coal Creek's overall public profile has continued to grow steadily with positive media coverage continuing.

Several articles in the Age, not paid articles, advising readers to visit Coal Creek have assisted with increased visitation.

RECOMMENDATION

That Council note:

- 1. This report;**
- 2. Building activity for the quarter January to March 2011;**
- 3. Tourism visitation increased 7.5% compared to the same quarter last year;**
- 4. Planning permit activity for 2011 March quarter;**
- 5. Progress of strategic planning projects and planning scheme amendments;**
- 6. The opening of the new primary school and TAFE complexes in the Leongatha Education Precinct;**
- 7. Improvement of Environmental Health registration renewal efficiency;**
- 8. 63% increase in education visits at Coal Creek; and,**
- 9. Memorandum of Understanding signed with Friends of Coal Creek.**

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 18.

D.3 COUNCILLOR DISCRETIONARY FUND ALLOCATIONS REPORT

Corporate Services Directorate

EXECUTIVE SUMMARY

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

This report details Councillors recommendations for the period between 1 March 2011 and 5 April 2011.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

N/A

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Councillor Discretionary Fund Policy 2009

COUNCIL PLAN

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

CONSULTATION

N/A

REPORT

Background

The following applications have been allocated funding from the stated Councillor's 2010/11 Discretionary Fund:

Welshpool & District Playgroup: To assist with the costs of reinstating 2 unused & overgrown garden areas.

- Cr Mohya Davies - \$162
- Cr Janette Harding - \$160.90

Toora Bowls Club Inc: To assist with the cost of purchasing a mini stretcher.

- Cr Janette Harding - \$500

Buffalo Community Centre: Financial assistance to replace Fire-fighter Pump taken from Centre and replace pipe work and reconnect new pump.

- Cr Janette Harding - \$150
- Cr Bob Newton - \$200
- Cr Warren Raabe - \$500

South Gippsland Landcare Network: Assist with costs for advertising for Tree Change Discovery Day to be held on 20 March 2011.

- Cr Warren Raabe - \$238
- Cr James Fawcett - \$238

Leongatha Combined Secondary Schools Centenary Reunion: To provide costs to support the initial preparations of the 100 centenary celebrations

- Cr James Fawcett - \$500
- Cr Mimmie Jackson - \$500
- Mayoral Fund - \$100

South Gippsland Landcare Network: Sponsorship towards the Young Landcarer Award as part of the Gippsland Landcare Awards.

- Cr Mimmie Jackson - \$250

Conclusion

The remaining balances of Councillor Discretionary Funds as of 5 April 2011 as follows:

- Cr Mohya Davies - \$1,150
- Cr Jeanette Harding - \$1,789.10
- Cr Kieran Kennedy - \$266
- Cr Jennie Deane - \$1,290
- Cr Robert Newton - \$450
- Cr Warren Raabe - \$1,662
- Cr James Fawcett - \$2,092
- Cr Mimmie Jackson - \$1,650

- Cr David Lewis - \$1,400
- Mayoral Fund - \$600

FINANCIAL CONSIDERATIONS

The Councillor Discretionary Fund is currently funded in the 2010/11 Annual Budget.

RISK FACTORS

N/A

RECOMMENDATION

That Council note and receive this report.

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 18.

D.4 REPORT ON MATTERS DISCUSSED AT COUNCILLOR BRIEFING SESSION AND COMMUNITY PRESENTATION - MARCH 2011

Corporate Services Directorate

EXECUTIVE SUMMARY

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

The matters listed in this report were presented at the Councillor Strategic Briefing Session and Public Presentation Session in March 2011.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Act 1989 – Section 3D

COUNCIL PLAN

Strategic Goal:	5.0	A Leading Organisation
Outcome:	5.1	Good Governance
Strategy No:	5.1.3	Community Engagement: Involve the community in Council processes, issues and deliberations through a participative Committee structure, direct engagement in areas of interest and opportunities to provide input.

REPORT

Matters presented for Discussion – 2 March 2011	
Strategic Briefing Day	
1.	Nyora Structure Plan – Residential 1 Zone Conflict of Interest: Nil Mr Nigel Hutchinson-Brooks in conjunction with representatives from Wallis Watson Developers: Mr Grant Hailes, Mr Chris McNeil, Mr Bernard Collins and Mr Brett Levenspiel made a presentation to Council regarding concerns about the Nyora Structure Plan. The presentation highlighted concerns regarding the current zoning in the Nyora Structure Plan and included examples of townships that Nyora could expand to.
2.	Community Grants – Round 2 Conflict of Interest: Nil The Grants Officer presented to Council a number of recommendations for consideration of Round 2 of the Community Grants Program.
3.	Draft Rural Strategy Conflict of Interest: Nil The Director Development Services presented the Draft Rural Strategy to Council and provided detail regarding the content of the Strategy. Questions were raised by Councillors. The report is anticipated to be presented back again to Council at an Open Briefing on Wednesday 20 April and the final report for consideration by Council on 25 May 2011.
Matters presented for Discussion – 16 March 2011	
Community Presentation Day	
1.	Planning Scheme Amendment C51 – Interim Guidelines Conflict of Interest: Nil The Director Development Services commenced the presentation to Councillors by emphasising that the focus of the presentation related to clarification and interpretation of guidelines provided from legal advice about Planning Scheme Amendment C51.

	<p>The Acting Planning Manager continued with the presentation by providing background which led to the introduction of Planning Scheme Amendment C51. The Rural Land Use strategy is anticipated for introduction to coincide with the end clause of the C51 Incorporated Document in December 2011. A summary of the C51 Interim Guidelines was displayed on screen (available on Council's website).</p> <p>A number of questions were raised by members of community present in the gallery relating to current planning applications or future intentions. One common question raised was what types of agricultural activities could take place on the land.</p> <p>The Mayor indicated that it is the State Government Planning Scheme and guidelines and when this question was raised regarding agricultural activities they have remained silent. Local Government is required to work within the Scheme and its guidelines.</p> <p>A further question was raised that related to a specific situation and was taken on notice.</p> <p>The Mayor indicated that an Open Briefing on Rural Land Use Strategy would take place on Wednesday 20 April 2011. Community members with questions can contact a duty planner at Council to look at specific cases.</p>
2.	<p>Open Community Presentations - 2pm – Day Session</p> <p>Corner Inlet Motor Cycle Club</p> <p>Mr Peter Bohn, secretary of the Corner Inlet Motor Cycle Club made a presentation to Council regarding the positive impacts of the Club on the community and voiced appreciation to Council for the support provided in the form of grants over the years to maintain the track. Mr Bohn detailed the history of the land and how it came to be the site of the Club. Mr Bohn noted that the aim of the Club is to provide a supervised safe area for children and adults to ride, compete in events and enjoy the outdoors. Mr Bohn made reference to obligations of the lease agreement and the requirements in Environmental Management Plan, he also indicated that the Club wants to be good tenants for Council, good neighbours to adjoining land owners and a good community sporting club. Mr Bohn on behalf of the Club asks for Councils continued support and to maintain the lease.</p> <p>Mr Bohn indicated that an environmental Report would be submitted to Council summarising environmental obligations. The Club has also made contact with the Environmental Protection Authority (EPA) and sought advice to ensure compliance.</p>

Cr Harding spoke in support of the Club and noted the huge economic benefit of events that these types of community groups bring.

Community Plan Presentations

The Community Strengthening Manager, Mr Ned Dennis introduced the Loch, Toora and Community Halls Network and explained Council's supporting role and success of the engagement with their respective communities.

Mr Bill Stathem addressed Council on behalf of the Loch Community Plan Working Group and presented the Loch Community Plan. Mr Stathem detailed the journey of the Plan and how contributions from the community were made. Mr Stathem thanked Ms Barbara Look the assisting officer at Council along with the working group members. Mr Stathem requested the partnership and support of Council where possible on any of the projects outlined within the Loch Community Plan.

Ms Maree Ludenia one of the representatives of the working group noted that the priority projects were set out on Page 10 of the Loch Community Plan.

Mr Jeff Montague addressed Council on behalf of the Toora Community Plan Monitoring and Review Team and presented the Toora Community Plan. Mr Montague highlighted the successful and well organised community engagement facilitated by Council officers. There were four key areas identified in the Plan: 1. Paths, Trails, Park and Environment; 2. Stanley Street - Business and Tourism; 3. Prom View Lodge; and, 4. Youth – to address limitations of activities available. Mr Montague on behalf of the Toora Community Plan Monitoring and Review Team thanked Council and Officers and sought Council's ongoing support.

The Mayor was happy to hear the comment of the amalgamation of plans that could change the outcomes for the future and exciting times ahead.

Mr Ned Dennis introduced the Community Halls Network item and highlighted the positive outcomes of collaboration in achieving the same end and also highlighted that today's briefing is about reporting on the outcome of the feasibility study that was funded by Council.

Ms Mary Biemans on behalf of the Halls Strengthening Network presented the Community Plan to Council. The Network consists of five halls: Hedley, Welshpool, Toora, Port Franklin and Mt Best and the network was formed to provide the opportunity to access joint funding for large projects and to work together in partnership on some operational items e.g. insurance. Ms Biemans noted and expressed thanks for the successful collaboration with Council officers and Council for grant funding. The Toora, Mt Best and Hedley Halls were noted as the top priority Halls and further funding will be sought to achieve projects at each Hall. A final thank you was extended to Council and all those involved in the partnerships for their support and

guidance.

The Mayor and Cr Davies congratulated the Network and were encouraged by the collaboration of all 5 halls.

Questions raised by community member

Mr Paul Richardson addressed Council by asking a series of questions relating to a Conflict of Interest (question 1 and 2) and why did the current Council at the time, fail to correct errors in Minutes of Council Meeting 4 and 18 October 2006?

Mr Tim Tamlin, Chief Executive Officer (CEO) responded that he had met with Mr Richardson who had highlighted to him that there was a mistake in the minutes relating to a conflict of interest. The CEO had been advised that a past Councillor at the time, Mr Nigel Hutchinson-Brooks confirmed that Cr Newton was not in the room for the vote on the item. The CEO stated that it was proposed to make a notation at Council Meeting 23 March 2011 to indicate the error.

In response to the second question/ submission the CEO indicated that in relation to the confirmation of minutes there was an oversight in the confirmation of minutes relating to Mr Richardson's question 1.

3. The second question related to Code of Conduct policy for Staff.

The CEO indicated that policies across Council have been benchmarked against other Councils' policies and are currently undergoing review, a Code for Staff does exist and this policy has been reviewed fairly recently and will be reviewed again.

Cr Lewis asked if the staff code of conduct could be made public in order to answer Mr Richardson's question.

The CEO indicated that whilst it is an operational policy he did not see a problem with making it public.

4. The third question related to the establishment of a Freedom of Information (FOI) policy at Council.

The CEO indicated that FOI is governed by legislation and as such a policy is not required, however the recommendations of the Policy Review are still forthcoming and may indicate otherwise.

5. The fifth question related to providing Mr Richardson with a list of specific services that are provided to Council businesses?

The question was taken on notice.

Toora Boat Ramp

Mr Dave Blake made a presentation to Council by raising a number of recommendations to provide a boat ramp facility in Toora. Mr Blake indicated that the current new facility has limited use and is not in working order and that the old facility could be reintroduced with a number of recommendations: removal of rocks that block the track, install fencing to keep vehicles on the track. Mr Blake highlighted positive benefits including: it could become an 'all tide' launch facility, people would not have to drive all the way to Port Welshpool and there would be positive economic benefits for Toora.

The Director Engineering Services responded that appropriate channels will need to be investigated to ascertain the viability of the recommendations.

Cr Harding indicated that Parks Victoria were at the Meeting and asked for comments.

Parks Victoria indicated that they will be happy to investigate in order to find a solution. One key issue could be that it is a bird roosting area for migratory birds.

Telecommunications Tower

Conflict of Interest Disclosure: Crs Jackson, Lewis and Fawcett.

Crs Jackson, Lewis and Fawcett left the room due to a conflict of interest.

Mr Dave Hughes representative of Aurecon on behalf of Optus Telecommunications spoke in support of Item E.7 - Development of Land at 54 Bair Street Leongatha (CA3 S3 Township Of Leongatha) For A Proposed Mobile Phone Tower And Equipment Shed- Planning Permit Application 2010/285. Some of the supporting comments included: telecommunications coverage objectives will be maintained and achieved, other site options have been investigated which were not suitable, it is a low impact design, minimal set up requirements are heeded and all requirements of the Planning Scheme met.

Mr Tim Tamlin, Chief Executive Officer addressed Council on behalf of Mr Paul Norton who was not present by reading out a written apology relating to Mr Norton's actions of 16 February 2011 Public Presentation Day and 23 February 2011 Council Meeting. Mr Norton also expressed concerns about lack of detail in the report of this event (16 February). Mr Norton has paid an amount equivalent of the fine (\$600) to a charity.

3.	<p>Draft Waste Management Strategy</p> <p>Conflict of Interest: Nil</p> <p>The Waste Management Coordinator presented the Draft Waste Management Strategy to Council and highlighted and explained some of the key actions. The final report is being presented to Council for consideration on 27 April 2011.</p>
4.	<p>Public Presentation Session - 7pm – Evening Session</p> <p>Conflict of Interest: Crs Fawcett, Jackson and Lewis.</p> <p>Apologies: Crs Newton, Davies, Kennedy and Deane.</p> <p>Mr Jim Williams, addressed Council on behalf of a number of objectors (17) with concerns about Item E.7 - Development of Land at 54 Bair Street Leongatha (CA3 S3 Township Of Leongatha) For A Proposed Mobile Phone Tower And Equipment Shed- Planning Permit Application 2010/285. Some of the concerns raised included: devaluing of property in surrounding area due to the health stigma associated with telecommunication towers, height of the tower, enclosure of the telecommunications tower will be an eyesore. Mr Williams demonstrated the height the tower on a map that provided an example of the visual impact on amenity and on visibility from a number of vantage points. He mentioned potential unsafe traffic hazard as in the line of sight of road users, painting of the tower, strategic relevance in the business district and employment and setting a precedence for more towers.</p> <p><i>The Mayor raised a question as to whether the future Leongatha CFA site could be a potential co-location site for such towers. The Mayor informed that there is another opportunity for presentations to be made to Councillors at the Council Meeting on 23 March 2011.</i></p> <p>Mrs Jennifer Williams, addressed Council regarding concerns about Item E.7 - Development of Land at 54 Bair Street Leongatha (CA3 S3 Township Of Leongatha) For A Proposed Mobile Phone Tower And Equipment Shed- Planning Permit Application 2010/285. Some of the concerns raised included: stigma associated with telecommunication towers, building the tower in the business district, high impact structure, alternative sites out of town, increased levels of electro magnetic radiation in our atmosphere. Comments of concern were made to various items in the Planning Scheme Policy.</p>

Matters presented for Discussion – 23 March 2011

Pre-Council Meeting Day

- | | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | <p>Council Plan, KSA's & Long Term Financial Strategies</p> <p>Conflict of Interest: Nil</p> <p>The Director Corporate Services led discussions regarding amendments to the Council Plan and the proposed Annual Plan and new Key Strategic Activities (KSAs) for 2011 / 2012.</p> |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

RECOMMENDATION

That Council receive and note this report.

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 18.

D.5 DOCUMENTS SEALED – MARCH 2011

Corporate Services Directorate

EXECUTIVE SUMMARY

Under the Local Government Act 1989, each Council is a body corporate and a legal entity in its own right. Each Council must have a common seal (like any corporate entity) that is an official sanction of that Council.

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

LEGISLATIVE/ ACTION PLANS/ STRATEGIES/ POLICIES

Local Government Act 1989 - Section 5

Local Law No. 3 2010

COUNCIL PLAN

Strategic Goal:	5.0	A Leading Organisation
Outcome:	5.2	Active, Resilient Community
Strategy No:	5.2.5	Take a risk management approach to all activities to enhance community safety and minimise Council exposure to external adverse claims, adverse impacts or financial loss.

REPORT

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

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

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

1. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and owners of 235 Boags Road Stony Creek in relation to new cattle underpass on Dumbalk Stony Creek Road -*Seal Applied 1 March 2011.*

2. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and owners of 3 Surf Drive Venus Bay in relation to the construction of a dwelling-*Seal Applied 1 March 2011.*
3. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and owners of 82 Jupiter Boulevard Venus Bay in relation to the construction of a single dwelling, removal of vegetation and ancillary site works-*Seal Applied 1 March 2011.*
4. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and owners of 9 Constance Crescent Venus Bay in relation to development of the land for the purposes of a dwelling and associated works-*Seal Applied 1 March 2011.*
5. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and owners of 235 Blandfords Road Berrys Creek in relation to the construction of a cattle underpass -*Seal Applied 2 March 2011.*
6. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and Burrobridge Nominees PTY LTD in relation to 2 lot subdivision -*Seal Applied 8 March 2011.*
7. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and Burrobridge Nominees PTY LTD in relation to house lot excision -*Seal Applied 8 March 2011.*
8. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and the owners of 76 Beach Parade Sandy Point in relation to a single dwelling and removal of vegetation -*Seal Applied 16 March 2011.*
9. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and owners of 51 Canterbury Road Venus Bay in relation to construction of a new two story dwelling and removal of native vegetation -*Seal Applied 16 March 2011.*
10. Contract SGC11/05 between the South Gippsland Shire Council and Mechanical Plumbing Services PTY LTD in relation to swimming pool maintenance services and swimming pool technical reports -*Seal Applied 17 March 2011.*
11. Contract SGC11/09 between the South Gippsland Shire Council and HDS Australia PTY LTD in relation to provision of civil engineering consultancy services -*Seal Applied 17 March 2011.*

12. Contract SGC11/09 between the South Gippsland Shire Council and Pitt & Sherry (Operations) PTY LTD T/A Pitt & Sherry in relation to provision of civil engineering consultancy services -*Seal Applied 17 March 2011.*
13. Contract SGC11/07 between the South Gippsland Shire Council and Holcim (Australia) PTY LTD in relation to supply and delivery of premixed concrete -*Seal Applied 17 March 2011.*
14. Contract SGC/09 between the South Gippsland Shire Council and CPG Australia PTY LTD T/A CPG Australia in relation to provision of civil engineering consultancy services -*Seal Applied 17 March 2011.*
15. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and owners of 13-17 Landscape Drive Venus Bay, 123 Lees Road Venus Bay in relation to development of the land for the purposes of a dwelling and associated works - *Seal Applied 18 March 2011.*
16. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and owners of 71 Ash Avenue Sandy Point in relation to a single dwelling - *Seal Applied 18 March 2011.*
17. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and owners of 42 Banksia Avenue Sandy Point in relation to a single dwelling - *Seal Applied 24 March 2011*
18. Contract SGC11/09 between the South Gippsland Shire Council and SMEC Australia PTY LTD T/A SMEC Urban in relation to provision of civil engineering consultancy services -*Seal Applied 29 March 2011.*
19. Contract SGC11/09 between the South Gippsland Shire Council and Beveridge Williams & Co PTY LTD in relation to provision of civil engineering consultancy services -*Seal Applied 29 March 2011.*
20. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and owners of 63 Beach Parade Sandy Point in relation to a single dwelling - *Seal Applied 30 March 2011.*
21. Section 173 Agreement of the Planning and Environment Act 1987 between the South Gippsland Shire Council and owners of 16 Aylwin Avenue Burwood in relation to a dwelling - *Seal Applied 30 March 2011.*
22. Contract SGC11/09 between the South Gippsland Shire Council and GPR Consulting PTY LTD in relation to provision of civil engineering consultancy services -*Seal Applied 30 March 2011.*

RECOMMENDATION

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

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 18.

SECTION E - COUNCIL REPORTS

E.1 PETITION - GRAND RIDGE ROAD WEST FOOTPATH CONSTRUCTION, MIRBOO NORTH

Engineering Services Directorate

EXECUTIVE SUMMARY

At the Ordinary Meeting of Council held on the 23 March 2011, the following resolution was resolved unanimously:

“That Council:

- 1. Receive the petition; and,*
- 2. The petition lay on the table until the Council Meeting of 27 April 2011 to enable officers to prepare a report to Council.”*

Refer to the petition prayer outlined in **Attachment 1**. A complete copy of the petition is available in **Confidential Appendix 1** and has been distributed separately to Councillors, Executive Leadership Team.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Act 1989

Road Management Act 2004

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Road Management Plan 2009

COUNCIL PLAN

Strategic Goal:	4.0	Appropriate Infrastructure
Outcome:	4.1	Roads, streets, bridges, drainage & other associated infrastructure.
Strategy No:	4.1.1	Infrastructure design.
Strategy No:	4.1.2	Infrastructure implementation.
Strategy No:	4.1.4	Infrastructure funding.

CONSULTATION

Following a detailed engineering investigation into the appropriateness of the pathway treatment along Grand Ridge Road West between Pearce Street and Balook Street, and discussions with and subject to subsequent approval from VicRoads, consultation will occur with affected residents.

REPORT

Background

At the Ordinary Meeting of Council held on the 23 March 2011, Cr Lewis submitted a petition on behalf of the Ridgway Park Estate residents regarding the construction of a footpath along Grand Ridge Road West from Pearce Street to Balook Street, linking pedestrians to Ridgway (refer to **Figure 1**).

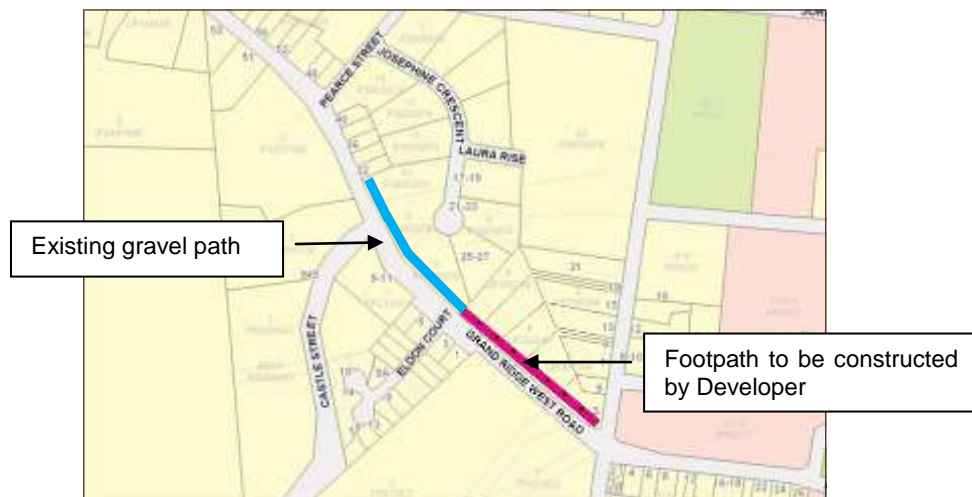
FIGURE 1



Josephine Crescent Development

A development is under construction in Josephine Crescent, Mirboo North (Planning Permit No. 2004/504). An agreement was reached between the Developer, Council's Engineering Department and VicRoads, for the Developer to construct the missing length of footpath at the town end of the existing gravel footpath (refer to **Figure 2**). This section of footpath must be constructed prior to applying for **STATEMENT OF COMPLIANCE** for Stage 2 of the development.

FIGURE 2

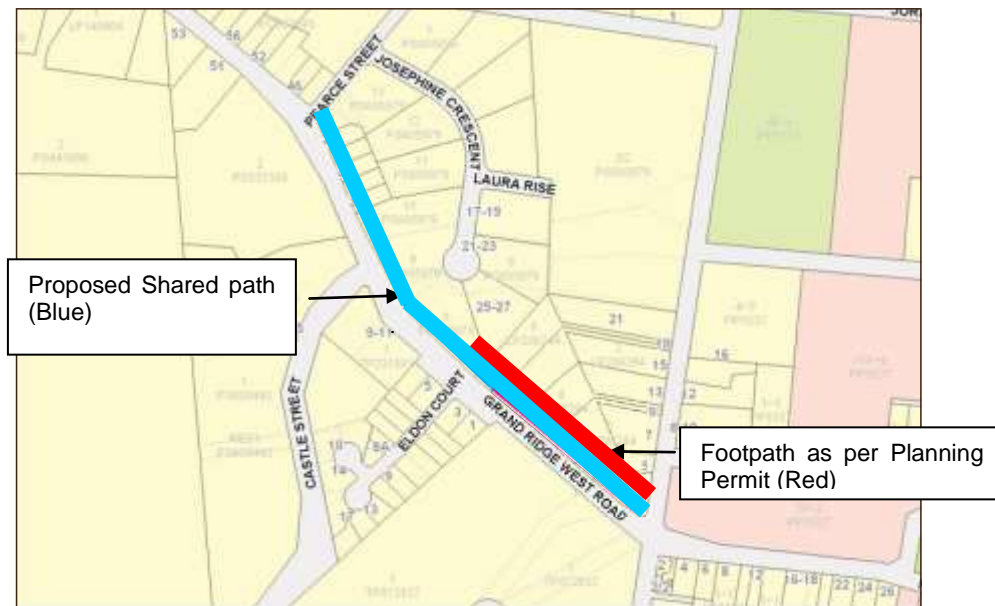


Discussion

VicRoads is the Responsible Authority for Grand Ridge West Road, Mirboo North (aka Strzelecki Highway). Consequently, VicRoads' approval is required for the construction of a footpath along Grand Ridge West Road between Pearce Street and Balook Street.

Council, at its meeting held on 24 November 2010, adopted the Paths and Trails Strategy 2010, which included a recommendation for a 2.5m Shared asphalt path along Grand Ridge West Road between Pearce Street and Balook Street at an estimated cost \$44,000. (refer to **Figure 3** below)

FIGURE 3



A detailed engineering investigation will be undertaken in conjunction with VicRoads to determine the appropriate footpath treatment along Grand Ridge West Road between Pearce Street and Balook Street. The results of this investigation will form the basis of a further report to Council.

Under the auspices of the continuous improvement of the Roads Asset Management Plan (which includes footpaths), a review of all footpath "missing links" in the Shires major townships (which includes Mirboo North) will be undertaken resulting in a prioritised list of footpath projects for inclusion in the 2011 / 12 budget process.

Proposal

It is proposed that the Council:

1. Undertake a detailed engineering investigation in consultation with VicRoads into the feasibility of the construction of a footpath along the north side of Grand Ridge West Road between Pearce Street and Balook Street, Mirboo North.
2. Prepare a report detailing the findings of the investigation and consultation with VicRoads.
3. Notifies the petition author of its decision.

Options

The options available to Council are:

1. Not support the construction of a footpath along Grand Ridge West Road between Pearce Street and Balook Street.
2. Undertake a detailed engineering investigation in consultation with VicRoads into the feasibility of the construction of a footpath along Grand Ridge West Road between Pearce Street and Balook Street.

FINANCIAL CONSIDERATIONS

This project is not funded in the proposed 4 year Capital Works Program.

RECOMMENDATION

That Council:

1. Undertake a detailed engineering investigation in consultation with VicRoads into the feasibility of the construction of a footpath along the north side of Grand Ridge West Road between Pearce Street and Balook Street;
2. Prepare a report detailing the findings of the investigation and consultation with VicRoads; and,
3. Notify the lead petitioner in writing of Council's decision.

MOVED: Cr Lewis

SECONDED: Cr Deane

THAT COUNCIL:

- 1. UNDERTAKE A DETAILED ENGINEERING INVESTIGATION IN CONSULTATION WITH VICROADS INTO THE FEASIBILITY OF THE CONSTRUCTION OF A FOOTPATH ALONG THE NORTH SIDE OF GRAND RIDGE WEST ROAD BETWEEN PEARCE STREET AND BALOOK STREET;**
- 2. PREPARE A REPORT DETAILING THE FINDINGS OF THE INVESTIGATION CONSULTATION WITH VICROADS PRIOR TO THE FINALISATION OF THE 2011/12 BUDGET; AND,**
- 3. NOTIFY THE LEAD PETITIONER IN WRITING OF COUNCIL'S DECISION.**

CARRIED UNANIMOUSLY

Attachment 1

PETITION PRAYER

PETITION TO THE SOUTH GIPPSLAND SHIRE COUNCIL

We the residents of the Ridgway Park Estate in Mirboo North, petition the South Gippsland Shire Council to construct a footpath along Grand Ridge Road West, from Pearce Street to a point connecting to Ridgway at Balook Street.

There is currently no proper footpath on either side of the highway on the western approach to Mirboo North upon which residents can walk safely into town to access services. We consider a footpath in this location to be a basic necessity, as currently many children accessing the schools, mother's with prams, and walkers from the whole town, not just ourselves, are putting our lives in danger by having to walk on the bitumen road in some sections. Most parents are unwilling to risk allowing children to walk to school along the highway which carries large volumes of traffic, even though the speed limit has been recently reduced to 60 kph. To walk into town without a safe footpath is simply too dangerous.

We believe that we have all contributed towards the cost of this footpath, as the South Gippsland Shire Council made construction a condition of Planning Permit No 2004/504 condition 6.2 (c) relating to the development of our estate. As the Planning Permit formed part of each allotment's contract of sale, we understood that the developer had built the footpath's cost into the sale price of every allotment, and that Council would ensure construction occurred as per the Planning Permit.

The construction of a public footpath on the western approach to Mirboo North is therefore petitioned in accordance with the abovementioned Planning Permit. All residents of Mirboo North will benefit from this footpath both from a safety and a public amenity point of view.

E.2 2010/2011 COMMUNITY GRANTS - ROUND 2 ALLOCATIONS

Corporate Services Directorate

EXECUTIVE SUMMARY

The purpose of this report is to present the outcome of Council officers' evaluation of the 2010/11 Community Grants Program Round Two applications and to recommend projects for funding.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

N/A

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Council Policy - Community Grants Policy – 2010

COUNCIL PLAN

Strategic Goal:	1.0	A Vibrant, Engaged Community
Outcome:	1.2	Active, Resilient Community
Strategy No:	1.2.4	Community Celebration: Provide a supportive environment for events and activities that promote and enhance South Gippsland Shire.

CONSULTATION

A panel comprising of Council's Community Strengthening Coordinator, Recreation Coordinator and Grants Officer assessed the applications, taking into account any additional comments provided by other relevant officers such as the Engineering Manager, Building Coordinator etc.

Applications were assessed against the criteria identified within the Council Policy and Guidelines and scored accordingly.

In addition, unsuccessful applicants from Round One were given the opportunity to have their applications reassessed in Round 2 by formally notifying in writing to the Grants Officer by 10 December 2010. They were also given the chance to provide additional information to support their application.

Many applicants liaised with Council's Grants Officer in the preparation of their applications and/or attended the Information Sessions held across the Shire.

REPORT

Background

On the 6 April 2010, Council approved changes to the Community Grants Program which included two assessment rounds for all categories. Applications opened on 3 May 2010, with Round One closing on 30 July 2010 and Round Two closed on the 30 November 2010.

Proposal

The recommended applicants for funding are listed in **Confidential Appendix 1**.

Confidential Appendix 1 and has been distributed separately to Councillors and Executive Leadership Team.

The Grants Officer will then advise all applicants of the outcome and invite successful applicants to a presentation night, which is scheduled for 11 May 2011, 7.30 pm in the Council Chambers, Leongatha.

Options

Council has 2 options:

1. To adopt the list of recommended Community Groups for funding under the 2010/11 Community Grants Program Round Two.
2. To propose amendments to the list of recommended projects for funding under the 2010/11 Community Grants Program Round Two.

Discussion

In summary, a total of 37 applications were received for consideration of funding through the 2010/11 Community Grants Program Round Two. The total amount of funding requested is \$154,869.30.

The breakdown of applications received is as follows:

General: 27 applications received, including 10 reassessed from Round One. Total amount requested \$105,855.30.

Celebrations, Festivals and Events: Five applications received. Total amount requested \$15,000.

Planning Development Studies: Five applications received; including two reassessed from Round One. Total amount requested \$34,014.

Major Events: No new applications received as all allocated funding was allocated during Round One.

Additional Information

Round Two received fewer applications than Round One which the panel believe is due to the transition of having two funding rounds for all categories.

In the Planning Development Category, two applications (Leongatha Gymnastic Club and Korumburra Bowls Club) received part funding in Round One which was then used to leverage to the Department Planning and Community Development (DPCD) Community Action Grants Scheme (CAGS) for the remaining funding. Unfortunately, both these applications were unsuccessful. Therefore the outstanding requested funding is recommended to be allocated in Round Two.

Conclusion

The grants program continues to attract a large number of applications from the community, and Council is appreciative of the efforts of its volunteer organisations in assisting to provide a vibrant and engaged community.

The applications have been through a thorough assessment process involving both Officers and Councillors. It is consistent with both the adopted Community Grants Policy and the principles of the 2010-2014 Council Plan therefore it is recommended to Council for adoption.

FINANCIAL CONSIDERATIONS

The Community Grants Program is funded in the 2010/11 Financial Budget, which includes an additional \$58,000 transferred from the Councillors Discretionary Fund.

The total budget for the 2010/11 Community Grants program is \$338,000 with a total allocation of \$148,540.50 for Round Two.

It is recommended that a total of \$135,504.30 be allocated leaving surplus of \$13,036.20, to be carried forward into the 2011/12 Community Grants program. The surplus funds are due to insufficient eligible applications.

RISK FACTORS

Council has a responsibility to ensure that all approved applications conform to the funding conditions.

RECOMMENDATION

That Council:

1. Approve the list of recommended recipients in the Confidential Appendix 1 to be funded through the 2010/11 Community Grants Program Round Two;
2. Carry forward the surplus funds to the 2011/12 Community Grants Program; and,
3. Announce the recipients of the 2010/11 Community Grants Program Round Two and acknowledge the successful applicants at a formal presentation to be held on 11 May 2011.

MOVED: Cr Jackson

SECONDED: Cr Lewis

THAT COUNCIL:

1. **APPROVE THE LIST OF RECOMMENDED RECIPIENTS IN THE CONFIDENTIAL APPENDIX 1 TO BE FUNDED THROUGH THE 2010/11 COMMUNITY GRANTS PROGRAM ROUND TWO;**
2. **APPROVE THE RECOMMENDATIONS IN THE CONFIDENTIAL APPENDIX 2;**
5. **CARRY FORWARD THE SURPLUS FUNDS TO THE 2011/12 COMMUNITY GRANTS PROGRAM; AND,**
6. **ANNOUNCE THE RECIPIENTS OF THE 2010/11 COMMUNITY GRANTS PROGRAM ROUND TWO AND ACKNOWLEDGE THE SUCCESSFUL APPLICANTS AT A FORMAL PRESENTATION TO BE HELD ON 11 MAY 2011.**

CARRIED UNANIMOUSLY

3. **APPROVE THE APPLICATION ITEM 4 ON PAGE 2 OF THE CONFIDENTIAL APPENDIX 1 SOUTH GIPPSLAND IN THE CELEBRATIONS, FESTIVALS AND EVENTS CATEGORY TO BE FUNDED THROUGH THE 2010/11 COMMUNITY GRANTS PROGRAM ROUND TWO;**

LOST

For: Crs Davies, Jackson and Lewis.

Against: Crs Fawcett, Newton, Raabe, Deane, Kennedy and Harding.

- 4. APPROVE THE APPLICATION ITEM 32 ON PAGE 6 OF THE CONFIDENTIAL APPENDIX 1 IN THE GENERAL CATEGORY TO BE FUNDED THROUGH THE 2010/11 COMMUNITY GRANTS PROGRAM ROUND TWO;**

CARRIED

For: Crs Newton, Davies, Jackson, Lewis and Harding.

Against: Crs Fawcett, Raabe, Deane and Kennedy.

E.3 DRAFT SOUTH GIPPSLAND SHIRE COUNCIL WASTE MANAGEMENT STRATEGY FOR ENDORSEMENT

Community Services Directorate

EXECUTIVE SUMMARY

The draft Strategy has been developed with input from a broad range of stakeholders including the community, waste contractors, industry, Council's waste service providers, the Gippsland Regional Waste Management Group and Councillors.

The Strategy addresses the broad issues of waste management in South Gippsland and provides direction for the provision of waste management services and infrastructure for the future.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

The Strategy has been developed with consideration of the Environment Protection Act, the Towards Zero Waste Strategy and applicable waste management legislation.

COUNCIL AND COMMUNITY PLANNING FRAMEWORK

The Waste Management Strategy fits within the Council and Community Planning Framework as a "Key Strategy", incorporating a proposed Action Plan, and guides the business of Council over the longer horizon. The Waste Management Strategy provides the direction the organisation and its service areas need to take in response to a wide range of internal and external factors with the intent of creating a clearly articulated desired future state.

COUNCIL PLAN

Strategic Goal:	2.0	A Sustainable Environment
Outcome:	2.3	Natural Resource Management
	2.5	Resource Efficiency
Strategy No:	2.3.1,	Environmental action and awareness,
	2.5.1, 2.5.2,	Capacity building, Greenhouse gas
	2.5.4	emissions and Waste management

CONSULTATION

Consultation was undertaken by way of stakeholder meetings and workshops and an online community survey. Input from Councillors, commercial waste contractors, Councils own service providers, the Gippsland Regional Waste Management Group and the community was considered during the development of the Strategy.

Specifically, direct stakeholder consultation was undertaken with:

- commercial waste transporters who utilise Council's transfers stations and landfill;
- producers of commercial and industrial waste within the Shire;
- each of the contractors who provide waste management services on behalf of Council;
- the Executive Officer of the Gippsland Regional Waste Management Group and Director of the Group, Cr Mimmie Jackson; and
- Councillors at a workshop on 23 February 2011.

The draft Strategy is based on the outcomes of the consultation process, benchmarking with other Councils, consideration of current waste management practices and waste management legislation.

REPORT

Background

In 2007 Council adopted a Waste Management Strategy to guide the delivery of waste management services within South Gippsland. The document focused on operational activities and did not adequately plan for future opportunities. Following a review in July 2010, it was identified that a new strategy was required with a more strategic focus. The Strategy presented for endorsement today is the outcome of that process.

Proposal

It is proposed that:

- Council endorse the draft South Gippsland Shire Council Waste Management Strategy and place it on public exhibition on Thursday 28 April 2011;
- Council invites written submissions from the community and key stakeholders closing 5pm Wednesday 25 May 2011;

- All written submissions received be reviewed and considered for incorporation into the Waste Management Strategy;
- The final Waste Management Strategy be submitted to Council for adoption as soon as practicable after the closing of submissions.

Discussion

The Strategy has been developed with consideration of the needs and expectations of the broader community. It aims to guide the provision of best practice waste management services within South Gippsland for both Council and key stakeholders.

The key drivers for the strategy are:

1. optimising service provision for the ratepayers;
2. compliance with legislation;
3. providing a high level of environmental protection;
4. ensuring financial sustainability of waste management services; and
5. supporting government policies aimed at reducing waste.

An incorporated Implementation Plan contains a range of actions aimed at achieving the objectives of the Strategy. The main areas of focus are:

1. waste management contracts;
2. kerbside waste and recycling collection services;
3. transfer station operations;
4. organic waste treatment;
5. public place recycling;
6. littering and dumping, including enforcement activities;
7. waste management education; and
8. supporting community efforts.

Please refer to **Appendix 1** Draft South Gippsland Shire Council Waste Management Strategy.

Appendix 1 can be accessed on Council's website <http://www.southgippsland.vic.gov.au/> or by contacting Governance on 03 5662 9222.

Financial Implications

Many of the actions within the Strategy reflect current activities that are undertaken during the delivery of current waste management services and within existing budget allocations. Other actions focus on the investigation and consideration of potential service improvement opportunities, rather than committing the Council to introduce changes to service that have not been properly evaluated or costed.

Any proposed service improvements arising from the implementation of the Strategy that would incur an additional cost will be presented to council for consideration on an individual basis. Potential cost implications associated with the introduction of new or improved services will be identified during that process.

Conclusion

The Strategy responds to the key themes identified during the consultation process and it is now appropriate for Council to endorse the Strategy and place it on public exhibition to enable the community and key stakeholders to submit any final written submissions.

Cr Deane left the Meeting 9.10pm.

Cr Deane returned to the Meeting 9.11pm.

RECOMMENDATION

That Council:

1. Endorse the draft South Gippsland Shire Council Waste Management Strategy and place it on public exhibition on Thursday 28 April 2011;
2. Invite written submissions from the community and key stakeholders closing 5pm Wednesday 25 May 2011;
3. Consider all written submissions received and review for incorporation into the Waste Management Strategy; and
4. Receive the final version of the Waste Management Strategy for adoption as soon as practicable following the closing of submissions.

MOVED: Cr Jackson

SECONDED: Cr Davies

That Council:

- 1. Endorse the draft South Gippsland Shire Council Waste Management Strategy and place it on public exhibition on Thursday 28 April 2011;**
- 2. Invite written submissions from the community and key stakeholders closing 5pm Wednesday 25 May 2011;**
- 3. Consider all written submissions received and review for incorporation into the Waste Management Strategy; and**
- 4. Receive the final version of the Waste Management Strategy for adoption as soon as practicable following the closing of submissions.**

CARRIED

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

Against: Cr Lewis

E.4 LOCH, NYORA, POOWONG AND MEENIYAN STRUCTURE PLANS

Development Services Directorate

EXECUTIVE SUMMARY

Township Structure Plans have been prepared for Loch, Nyora, Poowong and Meeniyan. Draft Structure Plans were widely exhibited across January and February and 85 submissions were received. The submissions have been reviewed and a series of changes have been made to the Structure Plans in response to the comments provided. Council has received from Plan-i-sphere (project consultants) the final version of the Structure Plans. This ends Plan-i-sphere contract obligations for the project and fully expends the funding received from Regional Development Victoria (RDV) for the project.

The changes made to the Nyora and Poowong Structure Plans are extensive and introduce new elements that the communities are not presently aware of. Some of these changes are likely to generate public interest. In response to these changes it is the recommendation of this report that the Structure Plans be placed on public display for a one month period before they are formally adopted by Council.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

There are no statutory / policy requirements directly related to the preparation of township structure plans.

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Nil

COUNCIL PLAN

Strategic Goal:	3.0	A Strong economy
Outcome:	3.3	Infrastructure
Strategy No:	3.3.4	Land Use Planning

CONSULTATION

Public exhibition of the Structure Plan Discussion Papers occurred across January and February 2011. Exhibition was achieved by postal notification to all residents of the townships (and immediate surrounds), displays in the townships, township meetings and other various measures including display on Council's web page, press release and listing in the Community Noticeboard in the local papers. Separate to Council's exhibition processes, the development company Wallis Watson convened a Nyora community meeting to discuss their proposal for land rezoning on the eastern boundary of Nyora – between Glovers Road and Lang Lang Poowong Road.

The submissions are divided by townships as follows:

- Nyora 45
- Loch 10
- Meeniyan 15
- Poowong 12
- Non town specific – 4

Submissions were also received from various State Government and statutory agencies / authorities. All submission have been made public and copies provided to all Councillors.

Additional consultation

As noted above, a series of changes have been made to the Structure Plans in response to the submissions received. These changes introduce into the plans new elements that the communities have not had the opportunity to review and comment on. In keeping with the high level of community consultation undertaken in the development of this project, it is appropriate to provide the community with a further opportunity to review the plans before a definitive version is adopted and then used as a basis for implementation into the Planning Scheme. This additional consultation will occur via postal notification to all submitters to the Discussion Papers and to the owners (and adjoining landowners) of sites on which changes have been made. The Structure Plans will be placed on Council's web page and copies provided at community display locations. No Council initiated public meetings will be undertaken.

REPORT

Background

Council has received funding from Regional Development Victoria, through the Planning for Growth program, to prepare Structure Plans for the townships of Loch, Nyora, Poowong and Meeniyan. The common theme in the development of the Structure Plans is the need to plan for the impending provision of reticulated sewerage.

The Meeniyan sewerage treatment scheme is expected to commence operation by mid 2011. The Loch, Nyora and Poowong sewer scheme is anticipated to be completed in 2014. The provision of sewerage will remove the main impediment to growth in the townships and may be the catalyst for accelerated residential development growth rates, especially in Nyora, given its close proximity to Melbourne.

The goal of the Structure Plans is to implement into the South Gippsland Planning Scheme new township planning provisions that will guide the development of the townships as development pressures increase.

Discussion

As noted above, each submission has been individually assessed. Changes have been made to the final versions of the Structure Plans in response to these submissions. It is not practical in this Council Report to respond to each individual submission however a number of themes emerged that do require comment. The following is a summary of the key changes made to the Structure Plans.

Nyora

The main issue in the development of the Nyora Structure Plan is the future of the 99ha land parcel east of the township, situated between Glovers Road and Lang Lang Poowong Road – the Wallis Watson land. The Discussion Paper identified this land as preferred Low Density Residential. The Structure Plan has been amended to identify this land for future Residential 1 Zone. The reasons supporting this decision are set out below.

The Wallis Watson land is one of two key greenfield development areas in Nyora. The Nyora Structure Plan is planning for the next 25 years and beyond, however the decisions made now on key sites will have very long term implications for the form of a township. Applying the Low Density Residential Zone (LDRZ) to this land means that future options to gain higher density development on this land is likely to be lost permanently. While many of the Nyora submissions would support this outcome (entrenchment of lower density development), applying the LDRZ now would remove future planning discretion to achieve a more intensive use of the land.

Applying the LDRZ and the Rural Living Zones around a township is a definitive step that effectively states the township will not grow in a particular direction at any density above that established across its low density peripheries. Given the development pressures growing in the South-eastern Metropolitan Corridor, and the currently evolving State Government response to the management of these pressures, it is the view of the officers that insufficient planning justification currently exists to categorically conclude that the long term, and very long term planning for Nyora should exclude this land for potential development at Residential 1 Zone density. While this decision has been made, application of the Residential 1 Zone is also highly problematic and shifts the planning problems from the long term (lack of future options) to the short term (how to manage growth).

It is understood that Wallis Watson seek to rezone the entire 99ha land parcel to the Residential 1 Zone in one step and not stage the rezoning. The current substandard state of Nyora's physical and social infrastructure is ill equipped to handle additional pressure and Council has not undertaken the detailed costings required to determine how much investment is actually required in the township to bring it up to an acceptable level. This work needs to be done

before cost recovery methods can be developed and implemented. If significant investment is required, this has 'whole of Shire' implications as infrastructure expenditure required for Nyora is likely to reduce capital expenditure in other areas of the Shire – should it not be provided by the developer.

In addition to these Shire based concerns, Nyora is not currently recognised by the State Government as a township identified for residential growth. It is unclear if the necessary State Government support would be provided to rezone all, or a large part of the subject land, prior to its State recognition as a growth area, or prior to Council undertaking the further work necessary to demonstrate to the State Government that appropriate planning measures have been implemented to manage growth. Higher growth levels in Nyora will have implications for State Government service provision (education, social services, roads etc) and the timely provision of these services will be essential to ensuring effective management of development.

The above comments apply equally to the potential application of the Residential 1 Zone to the greenfield area on the western boundary of the township.

Nyora – the way forward

The key outcome of the Nyora Structure Plan is the definitive statement that the township peripheries should not be wrapped in a zone (LDRZ or RLZ) that will permanently restrict further development. Following this decision, the below matters must be considered before any greenfield land is rezoned Residential 1 (R1Z).

- *The State Government support for the directions of the Nyora Structure Plan.* Implementation of the Plan into the Planning Scheme will require various levels of State Government approval (including Independent Planning Panel Review) and this will provide the opportunity for various State Government agencies to comment on the merits of the plan.
- *Housing and Settlement Strategy.* Council is shortly to commence preparation of a Housing and Settlement Strategy. Opening up Nyora to growth that feeds of metropolitan Melbourne has the potential to change the role and functions of the key townships in the Shire. Rezoning that potentially change the relationship of towns to each other (their role and function) should be informed by a Housing and Settlement Strategy. Ideally this project should be completed and implemented before greenfield R1Z rezoning occurs in Nyora.
- *Infrastructure Review.* Council does not currently have an infrastructure cost recovery method included in its Planning Scheme (Development Contributions Plan Overlay – or similar) and does not have a clear understanding of the likely costs involved in upgrading Council's social and physical infrastructure to an acceptable level. Wallis Watson have indicated their willingness to provide developer contributions on a 'per

lot' basis which will assist this matter, however it remains unclear what the extent of the shortfall may be between the offer provided and the cost of provision. Before greenfield application of the R1Z occurs, Council needs to undertake a detailed investigation of its infrastructure obligations in the township. As a case-in-point highlighted by the Nyora submissions, existing demand on the Recreation Reserve is very high. If additional land is released it is likely that an additional full size oval will be required to meet demand. Where it is located and how it will be funded, will have to be planned.

- *Master Planning.* The layout of the town centre is informal and not structured like a typical small country town. Growth will create demand for additional retail and community uses that should be located in a town centre. High growth will necessitate (as a priority) Master Planning for the town centre to establish principles for consolidation. This should occur in consultation with VicTrack who own critical town centre land. It should also address the use of the land between the established industrial area and the garden supplies place, which an adjoining landowner is strongly opposed to.
- *Residential Development Controls.* Greenfield development should be accompanied by plans that demonstrate 'whole of precinct' planning. Wallis Watson has prepared draft plans to this effect. Similar plans should be included in the Planning Scheme if land is rezoned. These plans can address the critical interface issues with the established residential areas. Controlling this interface is a matter of concern to many residents in the northern LDRZ estate.

Poowong

The main change made to the Poowong Structure Plan is the identification of part of the former dairy site (opposite the Primary School) for inclusion in the Business 1 Zone – the land is currently zoned Industrial 1 and Farming Zone. This outcome was clearly expressed in a number of the Poowong Submissions. The site is located in the township's central activity area and provides the opportunity for the existing buildings, some of which have heritage value (but not currently included in the Heritage Overlay) to find an alternative use. The site consists of two titles. The eastern title (approximately 2ha) is vacant and currently in the Farming Zone. It is proposed to retain this title in the Farming Zone, which effectively reserves the land as a strategic development opportunity for future consideration. The land can be rezoned at a future date as the use requires.

Application of the Business 1 Zone (B1Z) in a location that is not contiguous with other areas of B1Z can be problematic and may raise queries before DPCD and Planning Panels Victoria - this must be acknowledged. While it is not a typical outcome, the existing application of the Industrial 1 Zone in the centre of town and opposite a Primary School is not an acceptable long term outcome. For similar reasons the Industrial 3 Zone, and to a lesser extent the Mixed Use Zone, also present the potential for amenity and interface

concerns. Residential use of the land would likely require demolition of the buildings and the former industrial use would likely require site remediation. Balancing these facts with the direction provided by the community means that the rezoning of this land should be tested through the implementation of the Structure Plan into the Planning Scheme.

Amenity Buffers

The 500m amenity buffer for the Abattoir was mapped incorrectly in the Poowong Discussion Paper. This has been corrected and it now extends further into the town centre. The greenfield Township zoned land east of Drouin Road that is affected by the Abattoir buffer is to be rezoned Residential 1. In consultation with DPCD and the EPA it has been determined to retain the existing development potential of this land by rezoning it to the Residential 1 Zone. Applications to subdivide this land will require referral to the EPA and may present concerns to the Abattoir. These matters will have to be considered on their merit at the time, however at present, insufficient planning justification exists to back zone this land to the Farming Zone to remove its 'sensitive use' development potential.

Land should not be rezoned in either the Abattoir or UDP Dairy buffer that introduces sensitive land uses into these areas. In consultation with the EPA, the buffer for the UDP Dairy should be retained at 300m and not reduced to 100m. Although UDP's current operations are limited to the separation of milk from cream, this is a manufacturing process and can cause odour. It is also appropriate to retain the current buffer to allow the potential for UDP to expand its operations (manufacture processes) in the future.

Former School Site

The entire land holdings of the Department of Education and Early Childhood Development (DEECD) have been identified in the Frameworks Plan and Zone maps. The land is identified in the Zone map as future Public Use – Education, however if the land is sold by DEECD before the Structure Plan is implemented into the Planning Scheme, the land should be rezoned Residential 1.

The land size, configuration, topography and the existing buildings on the site, means that the site has the potential for uses alternative to normal residential development. Some submissions have recommended it be used as a caravan park. Council should remain open to the consideration of commercial development proposals that seek to use this strategic site for uses that will benefit the economy of the township.

Other matters

Numerous minor zone changes have been made to the updated zone map, especially in the town centre. Three Farming Zone lots on the eastern side of Loch Poowong Road are to be rezoned Rural Living in recognition of existing developments and permit approvals.

Meeniyam

Some changes have been made to the Meeniyam Framework Plan in relation to the extent of the proposed residential investigation areas. These changes increase future rezoning flexibility to achieve higher density development in both the established township areas and the greenfield development area between Geale Street and Meeniyam Promontory Road.

Loch

No significant changes have been made to the Loch Structure Plan. Some minor changes have been made to the Framework Plan and Zone map however these changes do not introduce any new planning elements into the Structure Plan.

Conclusion

The four township structure plans have been amended to respond to many of issues identified in the submissions to the Discussion Papers. In addressing the submissions the officers have sought to find a balance between competing interests, while at the same time recommending outcomes that can be supported on their planning merit as the structure plans progresses through the planning scheme implementation process.

The Structure Plans (as detailed in **Appendix 1**) have been completed. It is recommended they be placed on public display for one month before being presented to Council for formal adoption and commencement of the process to implement the Structure Plans into the South Gippsland Planning Scheme.

Appendix 1 can be accessed on Council's website <http://www.southgippsland.vic.gov.au/> or by contacting Governance on 03 5662 9222.

FINANCIAL CONSIDERATIONS

There are no financial considerations directly related to the recommendation of this Council Report.

RISK FACTORS

There are no risk factors directly related to the recommendation of this Council Report.

RECOMMENDATION

That Council:

1. Council note the amended Loch, Nyora, Poowong and Meeniyan Structure Plans as a result of community consultation to date;
2. Exhibit the Loch, Nyora, Poowong and Meeniyan Structure Plans for a further period of four weeks to seek written submissions; and,
3. Receive the final version of the Loch, Nyora, Poowong and Meeniyan Structure Plans for adoption as soon as practicable following the exhibition period.

MOVED: Cr Deane

SECONDED: Cr Harding

THAT COUNCIL:

1. **COUNCIL NOTE THE AMENDED LOCH, NYORA, POOWONG AND MEENIYAN STRUCTURE PLANS AS A RESULT OF COMMUNITY CONSULTATION TO DATE;**
2. **EXHIBIT THE LOCH, NYORA, POOWONG AND MEENIYAN STRUCTURE PLANS FOR A FURTHER PERIOD OF FOUR WEEKS TO SEEK WRITTEN SUBMISSIONS; AND,**
3. **RECEIVE THE FINAL VERSION OF THE LOCH, NYORA, POOWONG AND MEENIYAN STRUCTURE PLANS FOR ADOPTION AS SOON AS PRACTICABLE FOLLOWING THE EXHIBITION PERIOD.**

CARRIED UNANIMOUSLY

The Mayor adjourned the Meeting at 9.32pm.

The Meeting resumed at 9.42pm.

E.5 SOUTH GIPPSLAND RURAL LAND USE STRATEGY DRAFT FOR PUBLIC CONSULTATION APRIL 2011

Development Services Directorate

EXECUTIVE SUMMARY

This report is to provide the South Gippsland Rural Land Use Strategy to Council to allow the report to proceed to a period of community consultation.

Appendix 1 The South Gippsland Rural Land Use Strategy can be accessed on Council's website <http://www.southgippsland.vic.gov.au/> or by contacting Governance on 03 5662 9222.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Planning and Environment Act 1987 - Section 4(2) which states the planning Objective "to ensure sound, strategic planning and coordinated action at State, regional and municipal levels."

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Not applicable

COUNCIL PLAN

Strategic Goal:	3.0	A Strong economy
Outcome:	3.3	Infrastructure
Strategy No:	3.3.4	Land Use Planning

CONSULTATION

The Rural Land Use Strategy (Final Report) is based on the Draft Rural Land Use Strategy that underwent a significant community consultation process including meetings across the shire that attracted hundreds of participants and numerous submissions.

In addition Council has been briefed at an open meeting on 20 April 2011.

REPORT

Background

In 2008, South Gippsland commenced a comprehensive review of the Shire's Rural Strategy. RM Consulting Group undertook the review, which was completed in two stages:

Stage 1

Preparation of an Issues Paper culminating in a Rural Land Use Report to document the rural land use circumstances and issues. The report was used along with stakeholder and community feedback as the basis for Council to articulate a vision and strategic objectives for the Shire's rural areas.

Stage 2

Preparation of Draft Rural Land Use Strategy detailing the planning controls to be implemented in the Planning Scheme. The Draft Strategy was placed on public exhibition for community and stakeholder feedback.

This report is the culmination of Stage 1 and Stage 2 of the project.

Proposal

The development of this Rural Land Use Strategy offers the opportunity to review the function, values and prospects of the varied rural areas of South Gippsland Shire and to align these with planning controls that are responsive to local and regional requirements. This recognises that the land uses, landscapes, locations and functions of the varying rural areas of the Shire are deserving of a responsive and where appropriate differentiated policy position. The key statutory implementation tool is the selection and application of an appropriate zone from the suite of new rural zones provided in the Victoria Planning Provisions

Discussion

Based on the findings of the Rural Strategy review investigations, including community and stakeholder consultation undertaken to date and the findings of the Rural Strategy Reference Group, it is recommended that the following elements be embraced as the Shire's revised Rural Land Use Strategy

Key strategic elements

The RM Consulting review of rural land in South Gippsland has concluded the following:

1. A long history of agricultural production has left a legacy of rural communities and townships and rural landscapes valued by the South Gippsland community and significant to the Shire's identity and livability.
2. Agriculture underpins the economy of the Shire producing fresh and processed commodities for the national and international markets. Rain-fed dairy is of particular significance with beef and vegetable production also important industries based on areas of high quality agricultural soils, comparatively high rainfall and a temperate climate. Industries such as grapes for wine production are emerging.

3. Agriculture also supports a significant manufacturing sector including food processing and associated service industries. Around one third of the employment in the Shire is associated with agriculture either directly on farm or in associated manufacturing and service industries.
4. The long-term impacts of climate change on agriculture in South Gippsland are largely unknown but low-lying coastal areas are at risk from storm surges, changes to tidal patterns and sea-level rise. The combination of good soils and high rainfall provide scope for farmers to change and adapt production systems to meet the challenges of climate change.
5. There are significant environmental assets that contribute to the amenity and landscape of the Shire. Of particular significance are the coastal areas from Venus Bay to Cape Liptrap, Waratah Bay and Corner Inlet and the rural hinterland. Farming and the rural landscape provide non-urban breaks between townships and coastal settlements. Other areas of the Shire, including parts of the Strzelecki Ranges, are prone to erosion due to steep slopes and clearing of native vegetation.
6. The proximity of the Shire to Melbourne is enhanced by improvements to the road network, providing opportunities for population growth. The Shire will seek to accommodate this growth and where appropriate, provide for growth in rural areas where it will maintain and build community capital in the rural towns and communities. Future development will be focused on sewered settlements and should not come at the expense of agricultural, environmental, landscape and social values.
7. Tourism is focused on Wilson's Promontory National Park and surrounds. However, there are opportunities for a variety of new tourism developments capitalizing on the open rural-farmed landscape and vegetated areas.

Vision

The South Gippsland Shire Rural Land Use Strategy sets out a long term vision for the Shire's rural areas that:

1. Strongly supports the growth of sustainable agricultural industries
2. Provides for maintenance and consolidation of existing rural towns and communities
3. Protects productive agriculture.
4. Protects and enhances environmental and landscape values
5. Provides for growth of tourism.

Key strategic directions

The key strategic directions of the Rural Land Use Strategy are to provide a planning framework that will:

1. Detail planning controls that will provide clear direction for use and development in rural areas
2. Support agriculture and protect the rural farmed landscape and not prejudice the ability of future generations to productively farm the land.
3. Support agricultural activities and associated rural industries that will maintain and build on the Shire's economic base.
4. Balance demand for rural lifestyle and protection of agricultural values by discouraging fragmentation of land in rural areas as well as additional dwellings unrelated to the agricultural use of the land.
5. Protect and maintain the existing rural character of the Shire by providing clear definitions and distinctions between rural and urban areas.
6. Protect and maintain areas of environmental and landscape significance by strongly discouraging inappropriate development and uses.
7. Provide for uses that will encourage restoration of degraded land.
8. Provide for a range of tourism uses in appropriate areas.

Implementation

This review has found that the current Planning Scheme does not have strong and robust suite of implementation measures to achieve the objectives for rural land. Therefore the implementation measures proposed in this Rural Land Use Strategy are aimed at providing clear and robust policy.

The current policy position places a strong emphasis on protecting land for agricultural purposes but provides little direction for tourism development in rural areas. The revised rural strategy will seek to maintain and support agriculture and provide appropriate opportunities for tourism in rural areas.

Ministerial Amendments C48 and C51

Following public exhibition of the Draft Rural Land Use Strategy, the Minister for Planning introduced Amendments C48 followed by C51 to the South Gippsland Planning Scheme. This had the effect of superseding some of the recommendations of the Draft Rural Land Use Strategy.

Implementation of Councils vision for the Shire's rural areas will be achieved by:

1. Updating the Municipal Strategic Statement with relevant material from this report.
2. Possible revision of Farming Zone Schedule to include C51 Shire of South Gippsland Incorporated Document, 2010 Rural Areas provisions for Dwellings.
3. Retaining the Farming Zone and revised minimum lot size schedule and accompanying policy as per Amendment C51
4. Introducing the Rural Activity Zone to areas:
 - a. Identified as appropriate for tourism development at Loch, Kardella, Koonwarra, Waratah North, Foster North, Yanakie and Mirboo North.
 - b. Identified as areas with a mixed use function at Dollar-Gunyah-Toora North and between Poowong East and Trida.
5. Retaining existing areas zoned for Rural Conservation.
6. Introducing a new local policy to support decision making and tourism development in areas zoned Rural Activity Zone 1 and for a one-off development at Cape Liptrap.
7. Introducing a new local policy to support decision making and development in areas zoned Rural Activity Zone 2 (mixed use areas).

Conclusion

Council has placed considerable resources into the creation of the Rural Land Use Strategy and the report is now at a stage where a final round of community consultation is required before final evaluation, adoption and migration to the Planning Scheme.

FINANCIAL CONSIDERATIONS

The Rural Land Use Strategy is a priority project of Council and sufficient resources are budgeted for and available to complete the project.

RISK FACTORS

The agricultural sector is far and away the largest provider to the South Gippsland economy. The ongoing viability of agriculture in the shire is vital for the economic security of South Gippsland and is an integral part of food provision for the state of Victoria.

RECOMMENDATION

That Council:

1. Commence a Public Consultation process using section 223 of the Local Government Act 1989 seeking written submission from the community on the South Gippsland Rural Land Use Strategy for a period of six weeks; and,
2. Require a final South Gippsland Rural Land Use Strategy to be presented to Council for adoption.

MOVED: Cr Fawcett

SECONDED: Cr Jackson

THAT COUNCIL:

1. **COMMENCE A PUBLIC CONSULTATION PROCESS USING SECTION 223 OF THE LOCAL GOVERNMENT ACT 1989 SEEKING WRITTEN SUBMISSIONS FROM THE COMMUNITY ON THE SOUTH GIPPSLAND RURAL LAND USE STRATEGY FOR A PERIOD OF SIX WEEKS; AND,**
2. **REQUIRE A FINAL SOUTH GIPPSLAND RURAL LAND USE STRATEGY TO BE PRESENTED TO COUNCIL FOR ADOPTION BY AUGUST 2011.**

CARRIED

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

Against: Crs Newton, Lewis and Harding.

E.6 USE AND DEVELOPMENT FOR EXTRACTIVE INDUSTRY (GRAVEL QUARRY LESS THAN 5 HECTARES IN AREA AND LESS THAN 5 METRES DEEP) AT 655 OLD THORPDALE ROAD MIRBOO NORTH (BEING CA97A, PARISH OF ALLAMBEE EAST) - PLANNING APPLICATION 2009/315

Item has been withdrawn and will be dealt with in a subsequent Council Meeting.

E.7 SOUTHERN LEONGATHA OUTLINE DEVELOPMENT PLAN

Development Services Directorate

EXECUTIVE SUMMARY

The Southern Leongatha Outline Development Plan (ODP) will guide the use and development of southern Leongatha (area north of Simons Lane / Boags Road and the established township – east of the Rail Trail) over the next 20 years and beyond. The ODP is required to manage the infrastructure and amenity issues that will arise as a consequence of the long term development of the area.

The ODP Discussion Paper was exhibited in August 2010. Twelve submissions were received. Following exhibition, Council appointed a traffic engineering consultancy (SMEC) to investigate the traffic movement and road infrastructure requirements likely to result from the development in the area. Feedback from the submissions and the traffic report has been incorporated into the ODP that is presented in this report – See **Appendix 1**. The ODP recommends the closure of Simons Lane at the intersection with the Bass Highway. This Council Report recommends that the updated ODP be placed on exhibition for one month prior to its formal adoption by Council.

Appendix 1 can be accessed on Council's website <http://www.southgippsland.vic.gov.au/> or by contacting Governance on 5662 9222.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

The ODP is a Council planning policy document and is not bound by any legislative or regulatory requirements.

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Nil

COUNCIL PLAN

Strategic Goal:	3.0	A Strong economy
Outcome:	3.3	Infrastructure
Strategy No:	3.3.4	Land Use Planning

CONSULTATION

Consultation of the ODP Discussion Paper occurred in August 2010 via postal notification to all landowners in the area and development companies with know interests in the area. The ODP was place on Council's web page and received press coverage in the local newspapers. The SMEC traffic study was made public in February 2011 and has received press coverage including discussion of the potential closure of Simons Lane.

A series of new elements have been introduced into the updated ODP including the option to extend Parr Street to the Bass Highway, and a firm recommendation to close Simons Lane. In light of these changes it is recommended that the updated ODP (final draft) be placed on further exhibition for a one month period before it is formally adopted by Council.

REPORT

Background

In 2005 Council sought to rezone 16ha of land adjoining both sides of the South Gippsland Highway to the Business 4 Zone (B4Z) to facilitate the establishment of a Bulky Goods Precinct. The Independent Planning Panel appointed to consider the amendment (Amendment C35) recommended that an Outline Development Plan be prepared before land is rezoned B4Z and that an understanding be gained of the likely traffic implications resulting from the establishment of commercial developments in the area.

In 2008 Council adopted the Leongatha Structure Plan. The Structure Plan identified most of the land on the western side of the South Gippsland Highway (north of Simons Lane to the Hospital) as a Bulky Goods Retail Precinct. On the eastern side, a smaller extent of land (north of 235 South Gippsland Highway) was identified for commercial uses suitable to a non town centre location, provided these uses did not create cross Highway traffic with the Bulky Goods Precinct. The recommendations of the Structure Plan were included in the Planning Scheme via the approval of Amendment C46 in July 2010. The new provisions implemented by C46 included the Action for implementation to "*Prepare an outline development strategy to guide the integrated planning of the proposed residential and commercial land uses between areas north of Boags Road and Simons Lane and the established township*". The Southern Leongatha Outline Development Plan achieves this Action.

Planning scheme amendment requests in the ODP Area

The following is a summary of the amendment applications currently before Council in relation to commercial and residential development in the ODP Area.

- Application of the Business 4 Zone (two separate amendments) with a total area of 8ha, situated on the western side of the South Gippsland Highway, south of the Hospital. One of these amendment requests includes the rezoning of land on the northern side of Simons Lane (east of the rail trail) to the Low Density Residential Zone.
- Application of the Special Use Zone (to facilitate Highway frontage commercial uses) with an area of 2ha opposite the Business 4 Zone – south of the Motel site.
- Application of the Residential 1 Zone to 6.5ha of land east of the proposed Special Use Zone.

- Application of the Residential 1 Zone to 63ha of land between the Rail Trail and the proposed Business 4 Zone.

In addition to the above, the undeveloped Low Density Residential zoned land on the eastern side of the Highway is owned by a development company with an interest in rezoning this land from the Low Density Residential Zone to the Residential 1 Zone. See the ODP Attachment 2 'Land use plan' for land details.

Discussion

The preparation of the Southern Leongatha Outline Development Plan has been a matter of public knowledge and discussion for more than 12 months. The key land use recommendations are generally well known, as are the reasons why particular land uses have been identified for particular areas. In consideration of this level of awareness, as well as the detailed information provided in the ODP document, this Council Report does not discuss the merits of the proposed land uses, but focuses only on those issues that are recent developments in the preparation of the ODP.

Closing Simons Lane

Closing Simons Lane was flagged in the ODP Discussion Paper and two submissions were received that expressed concerns with this option. The updated ODP discusses in detail the recommendation to close Simons Lane and reviews what some of the alternatives might be.

Council's traffic study (SMEC) and the traffic study submitted with one of the amendment applications (O'Brien Traffic), both comment in some detail on the impacts of new development on Simons Lane. Simons Lane is unsealed west of Ditchley Court and has potentially dangerous intersections at both Highways – especially vehicles turning right to and from the Bass Highway. Given its current poor construction and safety standard, Simons Lane is not in a position to support increased traffic movements that will result from new development in the area. The O'Brien Traffic report comments that "it is inconceivable to us that the southern section of Leongatha could be developed in the manner contemplated in the Structure Plan without Simons Lane being sealed over its full length (by whomever). O'Brien Traffic then notes the need to undertake significant improvements at both Highway intersections – similar recommendations are made by SMEC.

While it may be possible to establish a very limited introduction of commercial activity on land adjoining the South Gippsland Highway with minimal impact on Simons Lane, it is already the case that the three amendment requests currently before Council to establish commercial uses will generate traffic movements well beyond the current capacity of Simons Lane to effectively handle. This being the case, if development is to occur, Council must either upgrade Simons Lane or close it.

Depending on the level of construction chosen, the sealing of Simons Lane (1.5km length) is estimated to cost \$1 million (minimum construction level), or

1.5 million for a 7.5m carriageway. This excludes footpaths, kerbs and channels, drainage and other ancillary works. Safety improvements to the Simons Lane / Bass Highway intersection are estimated to cost between \$1.3 and \$1.5 million, excluding land acquisition required to achieve the improvements. These costings have been made without the benefit of engineering plans that may reveal additional costs however it is evident that a minimum of \$2.5 million is required to upgrade Simons Lane to a safe level. This figure excludes upgrading the Simons Lane / South Gippsland Highway intersection that is not imperative to the initial establishment of the highway commercial uses.

Some of the costs involved in undertaking this work should be borne by the benefiting developers, however Simons Lane is already a substandard asset and a greater community benefit will be gained from its upgrading. For these reasons it is difficult to form an argument that private development interests should pay the entire cost of upgrading existing substandard assets where a benefit is received beyond that gained exclusively to the developer. Partial cost recovery can be gained through negotiations with landowners or via a Development Contributions Plan Overlay – DCPO - (not currently used in the Planning Scheme) however this is still likely to leave Council with a considerable short term capital infrastructure cost. Furthermore, upgrading of the intersections at the Bass Highway and South Gippsland Highway (if required) will require VicRoads approval and funding assistance. These works are not in their work planning. This adds a considerable complication to any short term plan to upgrade Simons Lane.

In response to these matters, it is the recommendation of the Planning and Engineering Departments that the most effective short and medium term measure to facilitate development in the ODP area is to close Simons Lane. The closure point should be near the Bass Highway intersection.

Closing Simons Lane will have an adverse impact on its current users and this recommendation has not been taken lightly. The recommendation for closure is a response to the desire to promote township development while at the same time recognising the limited finances that Council has available to support development. The closure should be viewed as a short and medium term measure that allows Council time to implement cost recovery measures to contribute to road upgrading, negotiate with VicRoads and for Council to further explore how it will fund its portion of the estimated development costs. The long term permanent closure of Simons Lane is not an acceptable outcome for the development of the area.

The statutory process to close Simons Lane should occur in the short term and before the ODP planning scheme implementation and land rezoning amendments are concluded. It should also occur before the amendments are considered by an Independent Planning Panel. Assuming Council supports the recommendation to close Simons Lane, the statutory process to achieve this outcome must be completed as a preliminary matter so that rezoning amendments are not approved on a presumption that Simons Lane can be closed.

Closing Simons Lane will require consultation with VicRoads, emergency services and the community. Submissions are considered by a committee appointed pursuant to Section 223 of the Local Government Act 1989. Once Council has resolved to close the road, actual road closure can occur at a future date when development pressure justifies. Further discussion of this matter will occur as part of a future Council Report.

Parr Street extension

The SMEC traffic report presents the option to extend Parr Street west of Greenwood Parade to the Bass Highway – opposite the cemetery. This option is presented as an alternative to upgrading Simons Lane. Construction of the unmade road reserve is estimated to cost \$800,000 (depending on construction standard), the Bass Highway intersection \$1 million and Greenwood Parade intersection \$100,000. Intersection works (probably a roundabout) at the intersection of Parr Street and the South Gippsland Highway (Koonwarra Road) is likely to cost upwards of \$2 million.

Extending Parr Street to the Bass Highway would provide Leongatha with a second southern area connection between the Bass and South Gippsland Highways. The road reserve currently exists to allow this to occur. This option has merit however in the short and medium term it is likely to be financially prohibitive. It is the preference of the Planning and Engineering Departments that any extension of Parr Street be considered a long term option and that emphasis be given to planning for the upgrading of Simons Lane to a standard to support a full development scenario.

The Parr Street extension has been noted in the ODP 'Road Reserve Infrastructure Plan' as a long term option. The option should be retained by Council because it has the potential to link into the proposed Town Centre Bypass (Hughes Street / Long Street) and would provide an alternative route for vehicles travelling south through the Town Centre to the Bass Highway. This would remove cars and truck from McCartin Street and the difficulties associated with the existing constrained intersections. The down side of this option is that Parr Street, between Koonwarra Road and Greenwood Parade, is a residential area and increased traffic movements will affect the amenity of these properties. These are matters that will have to be addressed in the future however the Parr Street extension option should be retained and benefits from noting in the ODP as a long, to very long term, traffic management option.

Broader traffic implications

If Simons Lane is closed and the Parr Street extension not opened, vehicles that currently use Simons Lane to access the Bass Highway will have to take alternative routes. This will increase traffic movements in Young Street and potentially in McCartin Street. Traffic may also increase on Gwyther Siding Road by local residents aware of this route. If Simons Lane is closed Council must monitor the use of these roads and track any increase in use. The anticipated increase in use of the surrounding road network highlights the

point that the closure of Simons Lane should only be viewed as a short and medium term response to traffic management and Council should work towards its full construction before the adverse effects of road closure extent too far.

Open Space and Public Acquisition Overlay

For Area C of the ODP Land Use Plan identifies a requirement for 4ha of open space and 1ha of land for future community infrastructure. The ODP notes that the acquisition of this land is likely to require the application of a Public Acquisition Overlay. Further negotiations are required with the two main landowners in Area C however it must be noted that this area offers the best opportunity within the entire ODP area to secure a large, well configured open space area that also allows a landowner to develop the balance of their land for residential purposes.

Unfortunately the landform (contours) in the ODP area is unlikely to allow the development of a flat sports oval. The 1ha site required for future community infrastructure should be sited adjoining the open space on land suitable for building construction. This site is to be reserved for future Council uses such as a kindergarten or child care centre. A small open space reserve should be located adjoining the Rail Trail in the southern part of Area C.

These requirements may appear excessive however it is noted that Clause 56.05-2 Public Open Space Provisions requires the provision of active open space of at least 8ha in area within 1 kilometre of 95 per cent of all dwellings...”

Implementation of the ODP into the Planning Scheme & amendment requests

Following adoption of the ODP the key recommendations of the document should be included in the Municipal Strategic Statement section of the Planning Scheme. To save time this should occur at the time the first land rezoning amendment is implemented. This does present the risk that an Independent Planning Panel may not support elements of the ODP and that the rezoning request may fail on that basis however it will save 6 to 9 months assessment time – additional time that would be required if ODP implementation occurred prior to land rezoning.

As noted above, Council has four planning scheme amendment requests in the ODP area. Three of these applications propose commercial developments adjoining the South Gippsland Highway. In anticipation of the adoption of the ODP, the Planning Department will review the form and content of these amendment requests with the objective of preparing the amendments for Ministerial Authorisation and exhibition. The proposal to rezone Area C to the Residential 1 Zone requires further consideration before this amendment is progressed – specifically in relation to matters of residential land supply.

The amendment applications will require consideration of measures to achieve developer contributions for infrastructure upgrades at locations not directly related to the development of amendment sites. This will have to be

done on an 'application by application' basis because the planning scheme does not currently have incorporated within it a formal cost recovery method - DCPO or Development Plan Overlay. Implementation of a DCPO is likely to take 2 to 3 years to complete. While it would be good practice to wait for this work to be completed before land is rezoned, it is not considered feasible to further delay development in the area given the timelines already experienced and the alternative ability to undertake cost recovery work via an alternative process –albeit not straightforward.

Conclusion

Proposals to establish commercial uses at the southern Leongatha township entry have been placed before Council on a number of occasions, in various forms, over the past ten years. In each case the establishment of these uses has failed to eventuate for a range of matters, but mostly related to the absence of a planning framework to demonstrate how development may occur in an orderly fashion. In recent years this situation has improved with the adoption and implementation of the Leongatha Structure Plan into the Planning Scheme. The adoption and implementation of the Southern Leongatha Outline Development Plan continues the actions of the Structure Plan and will provide a planning framework that flows consistently from the Municipal Strategic Statement, through the ODP, to the rezoning of the land.

Although adoption of the ODP will complete the last strategic leg of the planning framework, the timely and coordinated provision of the infrastructure necessary to support development in the ODP area becomes the new critical issue. Development of the area highlights numerous existing deficiencies in the local infrastructure – particularly the road network. Improving infrastructure to an acceptable level is going to be costly and clearly places before Council the challenges involved in supporting development. Adopting the ODP will provide a framework to guide further investigation and negotiation regarding infrastructure matters however as a short term action, closing Simons Lane will address the most immediate infrastructure issue confronting Council.

RECOMMENDATION

That Council:

1. Exhibit the Southern Leongatha Outline Development Plan for a period of four weeks to seek written submissions from the community; and,
2. Receive the final version of the Southern Leongatha Outline Development Plan for adoption as soon as practicable following the exhibition period.

MOVED: Cr Fawcett

SECONDED: Cr Kennedy

THAT COUNCIL:

- 1. EXHIBIT THE SOUTHERN LEONGATHA OUTLINE DEVELOPMENT PLAN FOR A PERIOD OF FOUR WEEKS TO SEEK WRITTEN SUBMISSIONS FROM THE COMMUNITY; AND,**
- 2. RECEIVE THE FINAL VERSION OF THE SOUTHERN LEONGATHA OUTLINE DEVELOPMENT PLAN FOR ADOPTION AS SOON AS PRACTICABLE FOLLOWING THE EXHIBITION PERIOD.**

CARRIED UNANIMOUSLY

E.8 NYORA MOBILE LIBRARY SERVICE

Community Services Directorate

EXECUTIVE SUMMARY

A trial mobile library service was initiated in Nyora for 12 weeks on a fortnightly basis as a result of resident demand. At the same time a mobile service was trialled in Poowong, operating simultaneously with the Poowong library opening hours.

A survey was undertaken to evaluate community opinion of the two trials. Results show that the mobile service in Nyora was very positive and it is recommended that the Council fund a regular fortnightly mobile library service as a “new initiative” in 2011/12.

The Poowong trial was received less favourably by local residents. It is recommended that a mobile service not be reinstated in Poowong and that a separate report be prepared for the Council to consider maintenance and capital improvement costs of the Poowong Library into the future.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Library Corporation Plan 2010-2014

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Asset Management Strategy

Long Term Financial Plan

Nyora Community Plan (October 2010)

Poowong Community Plan (August 2010)

COUNCIL PLAN

Strategic Goal:	1.0	A vibrant engaged community
Outcome:	1.1	An active, resilient community
Strategy No:	1.1.5	Cultural development: Building community understanding and support for the arts, culture, heritage and diversity

CONSULTATION

The West Gippsland Regional Library Corporation undertook a survey of those using the mobile library service through the trial. The survey was available in paper-based format and on the Corporation website. 24 responses were provided by those using the Nyora service and 35 responses were provided from those using the Poowong service. There were also 47 responses evaluating the existing Poowong Library Service. A copy of responses is included in **Appendix 1**.

Appendix 1 can be accessed on Council's website <http://www.southgippsland.vic.gov.au/> or by contacting Governance on 5662 9222.

REPORT

Background

In early 2010 a petition was received from Nyora residents requesting a library service. At around the same time the Poowong library experienced several flooding incidents which impacted on its operations.

It was agreed that the Council would fund a trial mobile service in Nyora and use the opportunity to provide Poowong residents with a mobile library service experience. The service was available to the public for a 12 week period for 2 ½ hours every second Saturday in Nyora and for 3 hours in Poowong. The Poowong library remained open during that time.

Proposal

It is proposed that due to the success of the trial mobile service in Nyora that a regular fortnightly service be provided in Nyora on Saturday mornings. As there is currently no budget provision for the continuation of the service which represents an increased level of library service in the Shire it is proposed that the cost of an ongoing service to Nyora be considered as a "new initiative" for the 2011/12 financial year.

Continuing the mobile service to Poowong is not recommended due to the low uptake during the trial. The trial was viewed by some members of the Poowong community with suspicion who saw it as an attempt to reduce opening hours and close the existing library.

Options

The West Gippsland Regional Library Corporation has costed two options for ongoing service:-

1. A 3 hour per fortnight service, and
2. Continuation of the 2 ½ hours per fortnight.
The price variation for the extra ½ hour per fortnight is approximately \$801 per year.

The Council could also consider not providing a regular fortnightly mobile service to Nyora.

Discussion

The community of Nyora requested a library service and have demonstrated by numbers through the door and borrowings that they will use it. Usage numbers during the trial were high with 32 new members signing up and 549 loans issued during the course of the trial. The average number of loans per hour was higher than both the Poowong and Mirboo North libraries.

During the period of the trial the service was available to the public for 2 ½ hours, from 10.15 am. to 12.45 pm. The cost of extending the service for a further ½ hour per fortnight would be \$801 per year. While only three of the 17 who responded were satisfied with the opening hours, it would appear from their comments that a weekly service was wanted and the choice of a Saturday service impacted on those attending sports. There were no comments specifically requesting an extension of hours each fortnight.

There is very little social infrastructure in Nyora and with high population growth projected a mobile service provides an ideal response at this stage. It provides the potential for expanded hours in the future if required and does not commit the Council at this stage to investing in new infrastructure.

Conclusion

The mobile library trial in Nyora has been very successful. The Nyora community has demonstrated that it will use the service if it is easily accessible. For the cost of \$12,454.76 (excluding GST) per year a regular mobile library service for 2 ½ hours per fortnight can be provided to the Nyora community.

The uptake of the trial by the Poowong community was not successful and through the survey responses their desire to retain their existing library service has been clearly articulated. Issues and costs associated with the maintenance and capital improvement of the existing Poowong library service will be addressed in a separate report to the Council.

FINANCIAL CONSIDERATIONS

The annual cost of a mobile library service to Nyora, to operate one day per week (Saturday) for 2 ½ hours would be \$12,454.76 (excluding GST). In addition, a \$2,000 one off capital investment to level the parking area for the mobile library would be required.

Should the Council wish to extend the fortnightly service to 3 hours per weekend there would be an additional cost of \$801 per year.

There is no budget for the new Nyora mobile library service in the current financial year. It is proposed that it be listed as a new initiative for the Council's consideration in 2011/12.

RECOMMENDATION

That Council:

1. Consider the provision of a regular 2 ½ hour fortnightly mobile library service to Nyora residents at an annual cost of \$12,454.76 (excluding GST) as a new initiative in the 2011/12 budget process;
2. Consider the provision of a level parking area for the mobile library in Nyora at a cost of \$2,000 as a Capital Works project in the 2011/12 budget process;
3. Not reinstate a mobile library service for Poowong at this stage; and,
4. Request a report be prepared for the Council to consider maintenance and capital improvement costs for the Poowong Library into the future.

MOVED: Cr Deane

SECONDED: Cr Newton

THAT COUNCIL:

- 1. CONSIDER THE PROVISION OF A REGULAR 2 ½ HOUR FORTNIGHTLY MOBILE LIBRARY SERVICE TO NYORA RESIDENTS AT AN ANNUAL COST OF \$12,454.76 (EXCLUDING GST) AS A NEW INITIATIVE IN THE 2011/12 BUDGET PROCESS;**
- 2. CONSIDER THE PROVISION OF A LEVEL PARKING AREA FOR THE MOBILE LIBRARY IN NYORA AT A COST OF \$2,000 AS A CAPITAL WORKS PROJECT IN THE 2011/12 BUDGET PROCESS;**
- 3. NOT REINSTATE A MOBILE LIBRARY SERVICE FOR POOWONG AT THIS STAGE; AND,**
- 4. REQUEST A REPORT BE PREPARED FOR THE COUNCIL TO CONSIDER MAINTENANCE AND CAPITAL IMPROVEMENT COSTS FOR THE POOWONG LIBRARY INTO THE FUTURE.**

CARRIED UNANIMOUSLY

E.9 PROPOSED NAMING OF AN UNNAMED RESERVE ADJACENT TO MINE ROAD IN THE TOWNSHIP OF KORUMBURRA

Engineering Services Directorate

EXECUTIVE SUMMARY

The purpose of this report is to gain Council support to name a reserve adjacent to Mine Road, parish of Korumburra Township, by calling for community comment. The proposed name is IVY ONEILL PARK.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Geographic Place Names Act 1998

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

N/A

COUNCIL PLAN

Strategic Goal:	2.0	A Sustainable Environment
Outcome:	2.4	Open Spaces
Strategy No:	2.4.1	Incorporate natural values into all management planning and design of open spaces in accordance with the Open Spaces Strategy.

CONSULTATION

- Korumburra Historical Society
- Office of Geographic Place Names
- Department of Sustainability and Environment (DSE)

The public will be given 28 days to respond to the proposed new name if Council resolves to support the recommendation. A further report will be prepared for Council when this time has expired in order for Council to consider comments received and to officially adopt the new name.

The Office of Geographic Names has been consulted in September 2010 and accepts the commemorative naming of this park as 'IVY ONEILL PARK'. This naming proposal conforms with the principles under Sections 1 and 2 as set out in the Guidelines for Geographic Names 2010.

REPORT

Background

Council officers have received a request from Cr Robert Newton and the Korumburra & District Historical Society to name a reserve in Korumburra. The request is to have a reserve named "IVY ONEILL PARK" in memory and honour of the late Mrs O'Neill who lived at this location at the time of the death of her husband, Francis Joseph O'Neill. Mr O'Neill died in a mine collapse at the Austral Coal Mine in about 1927. Left alone to raise her family, this astute and resourceful woman succeeded in tough economic times in raising her family on the piece of land we would like to see named in her memory.

The naming of roads, streets and features is a local government responsibility under the Local Government Act 1989 and is processed in accordance with the Guidelines for Geographic Names 2010.

The Korumburra and District Historical Society were consulted back in August 2010 on the proposed recommendation and agree that the reserve should be called "IVY ONEILL PARK".

DSE have also been consulted in March 2011 regarding any issues they would have arising from the naming of this reserve. DSE have no objection to the naming of the reserve to "Ivy O'Neill Park".

Please see map below and **Attachment 1**, for location of the Reserve.



The name "IVY ONEILL PARK" does not appear elsewhere within the Shire. A 15 km Vicnames duplicate place name search has also been carried out with no conflicts therefore avoiding duplication. This is also keeping community expectation and conforms with the principals outlined in sections 1.8 and 2.3 of the Geographic Names Guidelines 2010.

Proposal

It is proposed that Council adopt Option 1 for consultation purposes, in accordance with advice received from the Korumburra and District Historical Society to name the reserve adjacent to Mine Road, in the Township of Korumburra as "IVY ONEILL PARK".

Options

Options available to Council are:

1. Commence the process to consider naming the reserve as proposed; or
2. Choose another name for consultation purposes for the reserve; or
3. Do not name the reserve.

FINANCIAL CONSIDERATIONS

The cost to Council will be for the subsequent supply and installation of a new sign for the reserve if approved by Council. The estimated cost to install the sign will be approximately \$500 and is currently in Council's approved signage budget.

RISK FACTORS

There is minimal risk to Council as the methodology for the naming of features is contained in the guidelines for Geographic Names 2010, and this proposal conforms to the principals outlined in sections 1.8 and 2.3.

RECOMMENDATION

That Council:

1. Commence the process to consider naming the reserve, adjacent to Mine Road, in the Township of Korumburra as 'IVY ONEILL PARK'; and,
2. Place a notice via Council Noticeboard in local newspapers, seeking comment on the proposed new name for this reserve and that any responses be reported to Council.

MOVED: Cr Newton

SECONDED: Cr Kennedy

THAT COUNCIL:

- 1. COMMENCE THE PROCESS TO CONSIDER NAMING THE RESERVE, ADJACENT TO MINE ROAD, IN THE TOWNSHIP OF KORUMBURRA AS 'IVY ONEILL PARK'; AND,**
- 2. PLACE A NOTICE VIA COUNCIL NOTICEBOARD IN LOCAL NEWSPAPERS, SEEKING COMMENT ON THE PROPOSED NEW NAME FOR THIS RESERVE AND THAT ANY RESPONSES BE REPORTED TO COUNCIL.**

CARRIED UNANIMOUSLY

Attachment 1

**PROPOSED NAMING OF A RESERVE ADJACENT TO MINE ROAD, IN
THE TOWNSHIP OF KORUMBURRA AS 'IVY ONEILL PARK'**



E.10 COUNCIL PLAN AND ANNUAL PLAN 2011-2012

Corporate Services Directorate

EXECUTIVE SUMMARY

Council is required under Section 125 of the Local Government Act 1989 to annually reassess the four year Council Plan to determine if the strategic directions require modification, given changing community and Council needs. Further, Council is required to establish the annual Key Strategic Activities to be achieved in the coming financial year.

The Council Plan has been reviewed and the findings identified that while the strategic 'Outcomes' and 'Strategies' remain relevant, there are concerns with the extensive number of strategies, actions and measures and the ability of the organisation to deliver all of these in the timeframes outlined. The review indicated that the Council Plan 'Outcomes' and 'Strategies' should remain intact, however Council is encouraged to develop and adopt an Annual Plan each year through to June 2013, when Council will be required to adopt a new four year Council Plan. To this end an Annual Plan 2011-2012 (**Appendix 1**) has been developed to set out the activities and measures to be achieved in 2011-2012.

Over recent months the Council has been considering the development of a planning framework that embraces all Council strategies, plans and policies, directions established by other levels of government and the Community Directions Statements, providing logical linkages between them all. A 'Council and Community Planning Framework' (**Attachment 1**) has been developed and this is presented to Council to endorse the implementation of it.

LEGISLATIVE/ ACTION PLANS/ STRATEGIES/ POLICIES

Local Government Plan 1989, Section 125

COUNCIL PLAN.

Strategic Goal:	5.0	A Leading Organisation
Outcome:	5.1	Good Governance
Strategy No:	5.1.1	Direction Setting

CONSULTATION

Councillors and the Executive Leadership Team have been extensively involved in the review of the Council Plan and in identification of priority outcomes required for the coming financial year.

Community consultation on the proposed Annual Plan will be undertaken in accordance with Section 223 requirements of the Local Government Act 1989. This will commence following the endorsement of the Annual Plan with written submissions sought until 1 June 2011. Feedback from written submissions and the subsequent hearing of any submissions, will be used to inform the final Annual Plan to be presented to Council on 29 June 2011.

REPORT

Background

The Local Government Act 1989 requires each Council to adopt a four year Council Plan that has to be adopted by 30 June of the year following a Council election. It is intended that the Council Plan be reviewed annually to determine any adjustments required to the strategic directions outlined in the Plan. Council is also required to seek community feedback on the Key Strategic Activities (KSA's). KSA's are incorporated in the Annual Budget.

The existing Council Plan 2010-2014 contains approximately 60 strategies and 100+ actions and measures. 95% of these actions have been allocated to be achieved within the 2010-2011 and the 2011-2012 financial years. The actions and measures have recently been reviewed and it has been determined that many of these are no longer suitable in consideration of Council's strategic focus and therefore are unrealistic and unachievable.

A recent review undertaken in March 2011 by the Victorian Auditor General's Office regarding Council's integration of the Council Plan to Financial Plans, Annual Budgets and Capital Works, identified similar concerns regarding the extent and timing of actions in the Council Plan 2010-2014.

In recent months Councillors and the Executive Leadership Team have reviewed the Council Plan, following a community consultation program, with an emphasis on refining the actions and measures to achieve better outcomes that are aligned with the current Council and community direction.

Proposal

It is proposed that Council retain the existing 'Outcomes' and 'Strategies' within the Council Plan 2010-2014, however the existing actions, timelines and measures be suspended in their current form and be replaced with an Annual Plan for each of the two remaining years of Council's four year term.

An Annual Plan 2011-2012 has been developed for endorsement by Council. It contains actions to be achieved by the organisation within the next financial year. Key priorities identified for service delivery and strategy

development/implementation have been incorporated. A number of the existing strategies are not reflected in the Annual Plan 2011-2012, as only significant actions are incorporated in the Annual Plan with their associated strategies. The Key Strategic Activities will be determined and included in the Annual Budget. These will be determined from the actions contained within the Annual Plan 2011-2012 and articulated in the final report to Council in June 2011.

Other general service/operational actions originally contained within the Council Plan 2010-2014 have not been included in the Annual Plan 2011-2012 as these will be incorporated, where appropriate, into Business Unit Plans.

Over recent months the Council has been considering the development of an integrated planning framework that embraces community input. All Council strategies, plans, policies and directions established by other levels of government and the Community Directions Statements, providing logical linkages between them all. A 'Council and Community Planning Framework' has been developed that sets out how these strategies, plans and policies are integrated. The framework is presented for Council to endorse its implementation. This framework places the Council Plan as the implementation tool through which the actions set out in the various plans and strategies relevant to Council are achieved.

Discussion

Council is encouraged to consider and endorse the Annual Plan 2011-2012 as the primary actions the organisation is committing to achieve for the 2011-2012 financial year. This Annual Plan 2011-2012 replaces the actions, timelines and measures as set out for 2011-2012 in the Council Plan. It is considered that this Annual Plan 2011-2012, upon endorsement, would seek public feedback through a Section 223 public consultation process. Written submissions would be sought, with a closing date of 1 June 2011. A final Annual Plan 2011-2012 would be presented to Council for adoption in June 2011.

Council is further encouraged to endorse the implementation of the 'Council and Community Planning Framework' as the governance framework by which Council will manage the development and implementation of all the strategies, plans, policies and services that influence the current and future directions of South Gippsland Shire.

CONCLUSION

It is considered that Council maintain the 'Outcomes' and 'Strategies' of the 'Council Plan 2010-2014', endorse the 'Annual Plan 2011-2012' as the actions Council is committed to achieve in the coming financial year, seek community feedback on the endorsed Annual Plan 2011-2012 and endorse the 'Council and Community Planning Framework' for implementation. The final Annual Plan 2011-2012 will be presented to Council for adoption in June 2011, including the identified Key Strategic Activities which in turn will be incorporated into the Budget for 2011-2012.

FINANCIAL CONSIDERATIONS

The implementation of actions in the Annual Plan 2011-2012 will be funded through the adoption of the 2011-2012 Budget.

RECOMMENDATION

That Council:

1. Maintain the 'Outcomes' and 'Strategies' of the Council Plan 2010-2014;
2. Endorse the Annual Plan 2011-2012 and commence a Section 223 Public Consultation process seeking written submissions from the community on the endorsed plan, with a closing date of 1 June 2011;
3. Require a final Annual Plan 2011-2012, highlighting the Key Strategic Activities, to be presented to Council for adoption at a Council Meeting in June 2011; and,
4. Endorse the implementation of the Council and Community Planning Framework.

MOVED: Cr Fawcett

SECONDED: Cr Jackson

THAT THE RECOMMENDATIONS IN ITEMS E.10 AND E.11 BE ADOPTED.

Motion withdrawn with approval of mover and seconder.

MOVED: Cr Deane

SECONDED: Cr Jackson

THAT COUNCIL:

- 1. MAINTAIN THE 'OUTCOMES' AND 'STRATEGIES' OF THE COUNCIL PLAN 2010-2014;**
- 2. RECEIVE THE DRAFT ANNUAL PLAN 2011-2012 AND COMMENCE A SECTION 223 PUBLIC CONSULTATION PROCESS SEEKING WRITTEN SUBMISSIONS FROM THE COMMUNITY ON THE DRAFT PLAN, WITH A CLOSING DATE OF 1 JUNE 2011;**
- 3. REQUIRE A FINAL ANNUAL PLAN 2011-2012, HIGHLIGHTING THE KEY STRATEGIC ACTIVITIES, TO BE PRESENTED TO COUNCIL FOR ADOPTION AT A COUNCIL MEETING IN JUNE 2011; AND,**
- 4. ENDORSE THE IMPLEMENTATION OF THE COUNCIL AND COMMUNITY PLANNING FRAMEWORK.**

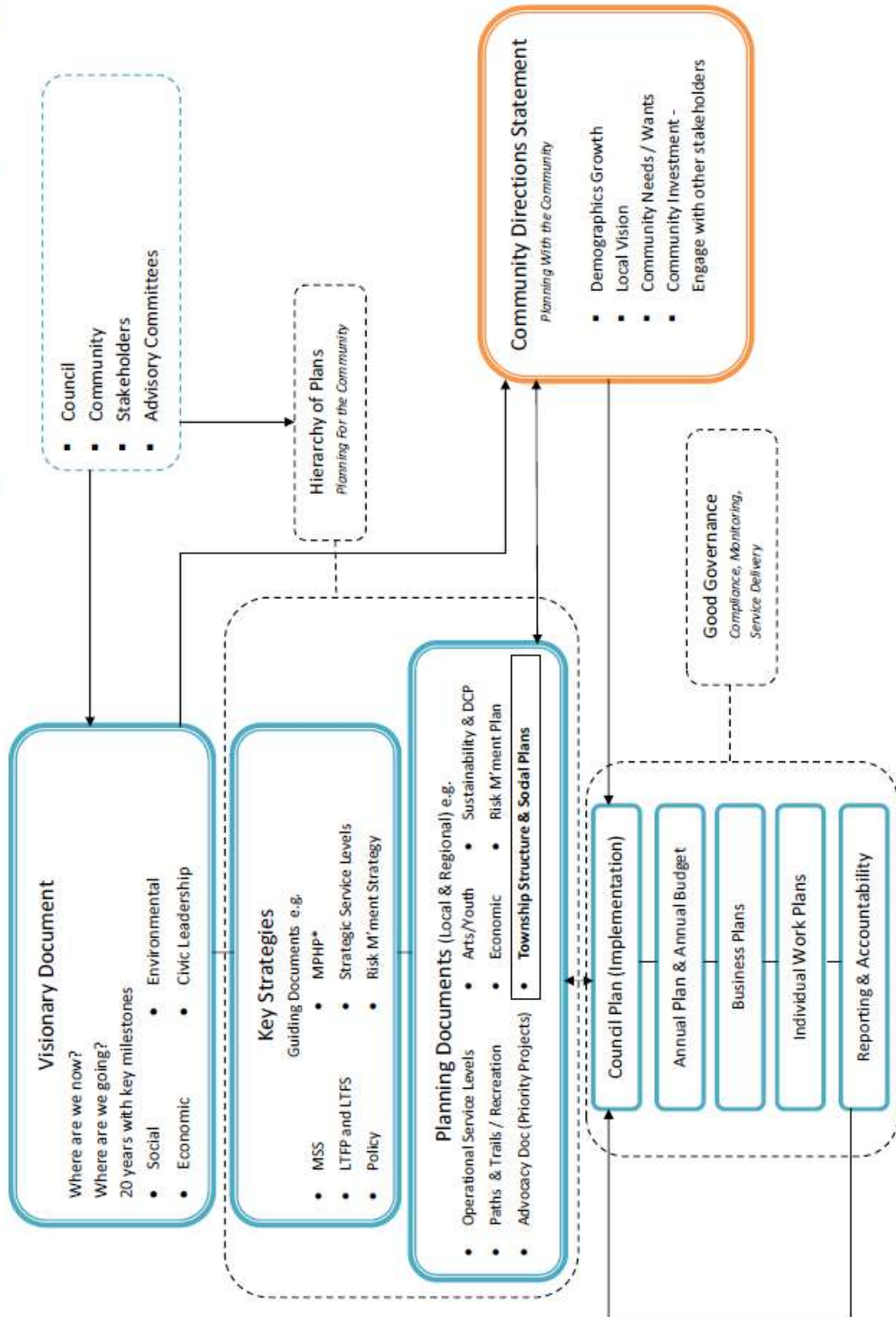
CARRIED

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

Against: Cr Lewis

Attachment 1

COUNCIL AND COMMUNITY PLANNING FRAMEWORK



SUPPORTING INFORMATION

VISIONARY DOCUMENTS:

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

Hierarchy of Plans

KEY STRATEGIES:

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

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

PLANNING DOCUMENTS

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

A Plan must have built in flexibility so that it remains realistic in terms of resource and financial requirements with each year of implementation. Planning Documents can be local (driven/led by the Shire), regional (not driven/led by the Shire but important/influential to our local and regional area) or area/group specific. They are normally of a four to five year focus.

COMMUNITY DIRECTIONS STATEMENT

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

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

COUNCIL PLAN:

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

SUPPORTING INFORMATION

ANNUAL PLAN & ANNUAL BUDGET

The Annual Budget provides details on Council's financial position and financial management for the financial year. The Annual Plan sets out the activities and indicators for the current year. As each year in the four year cycle continues, the activities and indicators in the Council Plan should be realised.

BUSINESS PLANS

The Business Plan sets out the activities and indicators for each team/department, with the Annual Plan items cascaded down into these plans to ensure units achieve the set goals of Council and articulate the remaining aspects of the services they provide to the Community.

INDIVIDUAL WORK PLANS

These plans set the specific or general requirements of each individual to ensure the Business Unit Plans and Annual Plan requirements are achieved. These also include individual career development and training requirements to ensure staff are equipped with the skills to perform their duties.

REPORTING AND ACCOUNTABILITY

Council is accountable to the residents it represents and reporting on Council and Annual Planning commitments closes the loop and ensures transparency throughout the community. Reporting keeps plans on track and allows Council to identify those items which are tracking as projected and those which require attention or reassessment. Council is also accountable to other government bodies to report annually on our plans and financial situation.

E.11 LONG TERM FINANCIAL STRATEGIES

Corporate Services Directorate

EXECUTIVE SUMMARY

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

Council over the past 8 years has adopted a strategic approach to business planning and since then its overall financial performance has systematically improved over the following years.

The changes and refinements made to the strategies this year reflect the growing financial maturity of South Gippsland.

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

A summary paper titled 'Long Term Financial Strategies Executive Summary' is included as **Attachment 1** to this report and provides detailed information on each strategy.

Appendix 1 'Long Term Financials Strategies' comprehensive paper can be accessed on Council's website <http://www.southgippsland.vic.gov.au/> or by contacting Governance on 03 5662 9222.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Section 136 Local Government Act 1989. Principles of sound financial management

COUNCIL PLAN

Strategic Goal:	5.0	A leading organisation.
Outcome:	5.2	Systems and processes.
Strategy No:	5.2.3	Financial management.

REPORT

Background

A series of financial strategies were first developed in 2003 to ensure that Council's immediate and long term financial viability was managed in a constructive and economically viable manner.

The original strategies were reviewed and endorsed by the Municipal Inspector for Local Government as well as being subject to audit review.

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

The Auditor General in his Annual Report to Parliament in the last 2 years has recommended that all Victorian Councils should develop strategic performance indicators to review past performances and set targets for following years.

It should be noted that this Council on its own volition, determined to introduce a strategic planning and performance managing framework prior to the Auditor General making such recommendations.

Council Plan

The Council Plan is a high level 'strategic' planning document that includes objectives and strategies that encompasses a number of years.

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

Proposal

Since taking a strategic approach to business planning and performance management in 2003/04, there is documented evidence that shows a gradual strengthening of Council's financial position over the years. The proposal is to continue with this approach to business management.

Implications

Continuing with the strategic planning and management process will help achieve the longer-term objective of achieving long term business viability by ensuring that we have sufficient financial resources for both service provision and for infrastructure asset management.

Implementation

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

RECOMMENDATION

That Council receive and adopt the financial strategies as documented in the comprehensive Long Term Financial Strategies paper.

MOVED: Cr Jackson

SECONDED: Cr Fawcett

**THAT COUNCIL RECEIVE AND ADOPT THE FINANCIAL STRATEGIES
AS DOCUMENTED IN THE COMPREHENSIVE LONG TERM FINANCIAL
STRATEGIES PAPER.**

CARRIED

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

Against: Cr Lewis

Attachment 1



*SOUTH GIPPSLAND
SHIRE COUNCIL*

Long Term Financial Strategies

Executive Summary

2011/12

Council Meeting 27 April 2011

FINANCIAL STRATEGIES

The purpose of this report is to provide strategic direction in the development of the 2011/12 Annual Budget and Long Term Financial Plan.

Financial strategies are very important. They give prudent financial direction and guidance for Councillors and management when formulating annual and long term financial plans. The resulting Annual Budget and longer term budgeted financial statements can then be performance managed by a series of key financial performance indicators.

Ever since South Gippsland Shire Council adopted a strategic approach to business planning in 2003/04, its overall financial performance has systematically and progressively improved over the following years.

South Gippsland has been fortunate to be able to prepare financial plans under reasonably stable economic conditions over a six year period since 2003. However, since mid to late 2008, Australia and indeed the world had to deal with unprecedented and volatile economic circumstances not experienced since the great depression that occurred in the late 1920's. This was commonly referred to as the Global Financial Crisis (GFC). Council to its credit continued to adhere to its financial strategies during this period and the Long Term Financial Plan was not compromised.

In mid 2009 the world began a recovery phase, albeit it being a somewhat nervous recovery. Australia fortunately was less impacted by the financial crisis than other developed nations. Perhaps the largest financial legacy that Council has had to absorb from this crisis is the requirement to fund a \$0.87 million actuarial shortfall of the Local Authorities Superannuation Fund Defined Benefits Plan in July 2011.

It is expected that Australia will experience a positive economic flow on from the Asian economies economic recovery, in particular China and India. There remains however a real risk that the less stable economies of United States of America and some European nations economies may have a relapse with negative flow on impacts to the rest of the world. The other potential downside is renewed inflationary pressures.

It would be wrong to assume that improving economic circumstances provide an opportunity to reduce the need to exercise prudent financial discipline when preparing financial plans. In these rather volatile and uncertain economic times it is important to continue to adhere to the financial strategies when developing annual and longer term financial plans.

Attachment 1

The reason is that Council has two very distinct but closely related financial challenges. The first is ensuring that we have sufficient funds in annual and longer term budgets to adequately fund existing service level requirements. The second is planning to generate sufficient funds for increased service level requirements that will be required in future years in a financially sustainable manner.

The local government industry including South Gippsland Shire Council has consistently expressed concern about not having sufficient funds in current and future budgets to maintain existing service levels. Infrastructure asset funding gaps in particular has been topical for a number of years. The difference between what funds are required for a particular level of service requirements and what is actually provided for in forward financial plans is commonly referred to as a funding gap. These funding gaps need to be identified and then financially be 'bridged' in the Long Term Financial Plan.

When existing service levels have been quantified and funding gaps identified that are being strategically managed it would not be unreasonable to presume that the community would have expectations of wanting increased levels of existing services and / or even completely new services.

The new or additional service levels would again need to be defined including quantifying the cash flow requirements both now and in future years. This additional or secondary funding gap or shortfall will then also need to be strategically addressed and bridged in the budgeted financial statements of the Long Term Financial Plan.

The financial strategies are a very transparent means of ensuring that Council and indeed officers develop financially responsible annual and longer term budgets for a defined set of services and service levels.

The longer term objective is fairly simple. That is to have a Long Term Financial Plan that provides an adequate level of funds for current and future service level requirements to the South Gippsland community in a financially sustainable manner.

The financial strategies are reviewed on an annual basis and are listed below.

2011/12 LONG TERM FINANCIAL STRATEGIES

- 1. Target consistent underlying surpluses that provide sufficient funds for both recurrent service level and asset renewal and upgrade requirements.**
- 2. Target the Balance Sheet having at least a 1.5 to 1 underlying working capital ratio in the Long Term Financial Plan.**
- 3. Transfers to discretionary reserves for future capital expenses will only be included in the Annual Budget if matched by an equivalent budgeted underlying surplus in the Income Statement to preserve the accumulated surplus position of Council.**
- 4. Material favourable budget variations realised at year's end in a given financial year will be quarantined and allocated to a general reserve (unless required to finance projects deemed as 'unavoidable') that can be used as a funding source for future one off, unexpected or unavoidable costs.**
- 5. Annual transfers of equivalent to 0.5% of rate income be made to the general reserve and to target increasing the annual transfer to be equivalent to 1% of rate income to the general reserve in the later years of the Long Term Financial Plan.**
- 6. Annual transfers equivalent to the average interest earned on investments earned during the financial year be made to the following reserves; - Public Open Space, Car Parking, Corner Inlet Seawall Drainage and Henry Road Nyora Reserve.**
- 7. Budgeted underlying cash at the end of each year shall be measured by referencing it against the underlying working capital ratio in the Long Term Financial Plan.**
- 8. Service level funding gaps will be identified and classified as primary or secondary in nature to clearly distinguish the cash flow requirements of maintaining existing service levels (primary gaps) and for service level enhancements (secondary gaps)**
- 9. A series of key financial performance indicators, with appropriate threshold targets, will be utilised to strategically analyse the financial integrity of the Plan. These include:**
 - underlying working capital ratio – greater than 1.5**
 - underlying result – greater than 0.0**
 - financial sustainability indicator – greater than 95%**
 - self financing greater than 20%**
 - indebtedness – less than 40%**
 - total debt as a % of rate revenue – less than 60%**
 - debt service costs as a % of total revenue – less 5%**

Attachment 1

10. **Capital expenditure on asset renewal and upgrade projects be given priority over capital expenditure on new assets (extensions) until the sustainability index (Capital renewal and upgrade expenditure as a percentage of depreciation) consistently exceeds 95%.**
11. **Any new capital work (capital extension) proposals must include a lifecycle cost evaluation that identifies the asset's construction, maintenance and operating cash flow requirements as well as the depreciation impact.**
12. **Capital income must only be utilised as a funding source for capital expenditure requirements**
13. **The budgeted financial statements and the accompanying financial performance ratios are extended to be a 15 year Long Term Financial Plan.**
14. **Council consider borrowing for new capital projects only when consistent underlying operating surplus results are being achieved.**
15. **For borrowings to be considered, projects must have had a full lifecycle cost analysis undertaken, proving that future cash inflows will exceed the cash outlays, or alternatively that the additional costs are quantified in the Long Term Financial Plan and the integrity of the financial strategies are not compromised.**
16. **Council consider the most appropriate rating strategy to provide adequate funds to:**
 - **achieve sustainable underlying surpluses;**
 - **achieve sustainable cash flows; and**
 - **fund capital renewal projects;****in both the Annual Budget and Long Term Financial Plan**
17. **Where reasonably possible, fees and charges be increased by the same general rates and charges increase until full cost recovery is achieved for direct service provision. Any fees that are not increased in line with the planned rate rise be clearly identified and documented for Council consideration.**

The refinements made to the strategies reflect the growing financial maturity of South Gippsland.

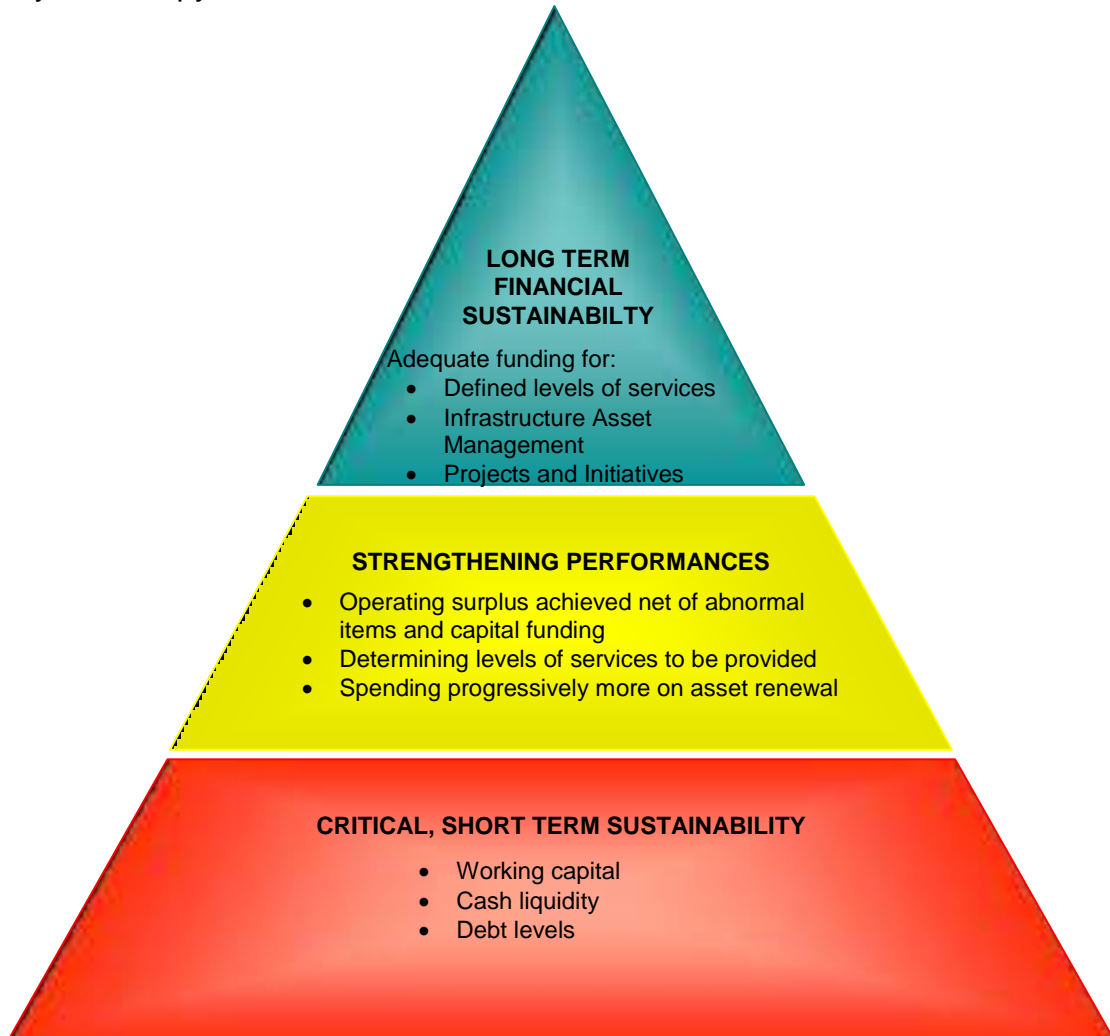
Overall, the fundamental thrust of the long term strategies remains unchanged from the original ones adopted in 2003.

Despite the revisions and refinement to the financial strategies over the past eight years, the underlying principles of the financial strategies remain fundamentally unchanged.

THE FINANCIAL CHALLENGE.

Financial strategies provide a financial framework (the business rules) to reference against when preparing both annual and longer term financial plans. It is a critical component of responsible financial management practice.

Sound financial management is summarised diagrammatically below. It can be likened to climbing a mountain or building a pyramid. Careful planning and discipline is required in order to get to the top. The foundation has to be structurally sound before attempting to progress up the mountain or building the next layer of the pyramid. There are no shortcuts.



In 2003, Council acknowledged that it faced very challenging financial circumstances. Council determined that it should develop annual budgets within a strategic longer term financial planning framework. Back then the objective was to systematically produce improving financial performances over a period of time.

The strategies provided the financial mechanisms that enabled the organisation to plan to progressively climb up the tiers in the 'financial pyramid' in a structured and controlled manner.

Attachment 1

Because a strategic approach to financial planning and management is now approaching its ninth year at South Gippsland, it has credible and objective data that demonstrates that it has over the past eight years adhered with its strategies and resulting Long Term Financial Plans. As a result, it has systematically and consistently produced improving financial results even amidst the Global Financial Crisis that occurred in 2008.

South Gippsland has now addressed all of its first tier 'critical short term sustainability' challenges and is currently focusing its efforts on the second tier level challenge, producing 'strengthening performances'.

The critical component of second tier challenge is quantifying the existing service requirements and the associated long term cash flow requirements for those services. The difference of what cash is required and what has been provided in the Long Term Financial Plan is commonly referred to as the funding gap. Once this funding gap has been quantified it can then be strategically bridged.

The objective is to consolidate its position in this second tier and then embark on addressing the third tier challenge, that being, achieving 'long term financial sustainability'. That is, having sufficient funds for a defined level of services without compromising the Long Term Financial Plan.

It is therefore paramount that business plans developed for the forthcoming years specifically focus on defining and documenting all service level and associated cash flow funding requirements. This includes infrastructure asset management requirements as well as funding allocation requirements for discretionary and / or new services and capital expansion projects.

The National Framework define a Council's long term financial performance and position as sustainable when long term services and infrastructure standards are met without unplanned increases in rates and charges, or disruptive cuts to services. This has a direct correlation with our 3rd tier 'long term financial sustainability' objective.

South Gippsland's approach since 2003/04 to strategic financial management and criteria used for assessing Financial Sustainability is consistent with Local Government and Planning Ministers' Council's objectives that were established in 2007.

The changes and refinements made to the strategies over the past years reflect the growing maturity of the organisation in relation to strategic financial management.

E.12 AWARD OF PROCUREMENT AUSTRALIA CONTRACT NO 1309/0310

Engineering Services Directorate

EXECUTIVE SUMMARY

Council's Operations Department has a requirement to hire a wide range of plant and equipment to carry out its maintenance and construction works.

The equipment may be hired to replace Council owned equipment which has:

- broken down;
- extra plant may be required for special projects; or
- to cover peak periods.

The operations department has a preference to hire local contractors for this purpose but they are not always available or may not have the required equipment.

The hire of equipment tender was advertised by Procurement Australia Contract Number 1309/0310. Procurement Australia carries out collective tendering for Local Government around Australia. Twenty Councils were involved in this tender.

The initial contract period is 2 years and 7 months with an option of 2 x 1 year extensions.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Procurement Best Practice Guidelines

Occupation Health and Safety Act 2004

Local Government Act 1989

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Councils' 10 year Plant Replacement Program

South Gippsland Shire Council Procurement Policy

COUNCIL PLAN

Strategic Goal:	4.0	Appropriate Infrastructure
Outcome:	4.1	Roads, streets, bridges, drainage & other associated infrastructure
Strategy No:	4.1.3	Infrastructure Maintenance

CONSULTATION

Tender specifications were developed by Procurement Australia consultation with all the Councils involved in the tender.

REPORT

Background

In accordance with Council's Procurement Policy, an agent, Procurement Australia, was appointed to assist Council to undertake the public tender process on Council's behalf. Procurement Australia carries out collective tendering for Local Government around Australia.

Tenders were received and evaluated by Procurement Australia and the results forwarded to Council.

The recommendation from procurement Australia was to award the contract to the following Tenderers;

- Aabco Corporate Events
- Air powered Services
- Ausco Modular P/L
- Australian Temporary Fencing
- Coates Hire Operations
- Europcar
- Harry the Hirer

A summary of the Procurement Australia evaluation and the score sheet has been included as an **in-committee** document, refer to **Confidential Appendix 1**, and has been distributed separately to Councillors and Executive Leadership Team.

Proposal

It is proposed:

1. That Council accepts the recommendation from Procurement Australia and award the tender to the recommended suppliers;
2. To notify Procurement Australia of the successful tender.

Options

N/A

Discussion

The contract term will commence on signing the tender recommendation letter and end on 19 November 2013 with 2 x 1 year options to extend.

FINANCIAL CONSIDERATIONS

The hire of plant and equipment will be within available budgets.

Council has spent between \$100,000 and \$200,000 per year over the last two years.

It is estimated that Council could spend from \$100,000 to \$300,000 per annum within this contract. Given that the nature of this contract is to hire equipment in unplanned or special circumstances it is not possible to accurately predict the spend in this contract.

RISK FACTORS

N/A

RECOMMENDATION

That Council:

- 1.** Award the Procurement Australia Contract Number 1309/0310 to the following suppliers:
 - a.** Aabco Corporate Events;
 - b.** Air powered Services;
 - c.** Ausco Modular P/L;
 - d.** Australian Temporary Fencing;
 - e.** Coates Hire Operations;
 - f.** Europcar;
 - g.** Harry the Hirer;
- 2.** Authorise for the Chief Executive Officer to sign the tender recommendation letter to Procurement Australia;
- 3.** Authorise the Chief Executive Officer to sign the options to extend the contract; and,
- 4.** Notify Procurement Australia of the successful tender.

MOVED: Cr Newton

SECONDED: Cr Jackson

THAT COUNCIL:

- 1. AWARD THE PROCUREMENT AUSTRALIA CONTRACT NUMBER 1309/0310 TO THE FOLLOWING SUPPLIERS:**
 - a. AABCO CORPORATE EVENTS;**
 - b. AIR POWERED SERVICES;**
 - c. AUSCO MODULAR P/L;**
 - d. AUSTRALIAN TEMPORARY FENCING;**
 - e. COATES HIRE OPERATIONS;**
 - f. EUROPCAR;**
 - g. HARRY THE HIRER;**
- 2. AUTHORISE FOR THE CHIEF EXECUTIVE OFFICER TO SIGN THE TENDER RECOMMENDATION LETTER TO PROCUREMENT AUSTRALIA;**
- 3. AUTHORISE THE CHIEF EXECUTIVE OFFICER TO SIGN THE OPTIONS TO EXTEND THE CONTRACT; AND,**
- 4. NOTIFY PROCUREMENT AUSTRALIA OF THE SUCCESSFUL TENDER.**

CARRIED UNANIMOUSLY

E.13 AWARD OF TENDER SGC 11/10 SUPPLY AND DELIVERY OF TRAFFIC MANAGEMENT SIGNS AND ASSOCIATED PRODUCTS

Engineering Services Directorate

EXECUTIVE SUMMARY

The purpose of this report is to recommend the award of a contract to supply and deliver traffic management signs and associated products in accordance with relevant Australian Standards.

The Contract will operate on a schedule of rates basis and payment will be made as per Clause 3 of Section C, General Condition of Contract. The Contract will be for a 3 year term, from signing of contact documents.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Procurement Best Practice Guidelines

Occupation Health and Safety Act 2004

Local Government Act 1989

Australian Standards AS 1742.1-2003 Manual of uniform traffic control devices; and

Australian Standards AS/NZS 1906.1:2007 Retro reflective materials and devices for road traffic control purposes - Retro reflective sheeting

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Procurement Policy

COUNCIL PLAN

Strategic Goal:	4.0	Appropriate Infrastructure
Outcome:	4.1	Roads, streets, bridges, drainage & other associated infrastructure
Strategy No:	4.1.3	Infrastructure Maintenance

CONSULTATION

Tender specifications were developed in consultation with all relevant officers involved in the use of traffic management signs and associated products.

REPORT

Background

In accordance with Council's Procurement Policy and Local Government Act Council is required to go out to open tender for the supply and delivery of traffic management signs and associated products.

Proposal

The evaluation panel has proposed to award the contract to more than one tenderer so that Council may obtain value for money.

Successful tenderers will be placed on a Supply Panel. Officers will purchase goods through the Panel, generally selecting items on the basis of service performance, lowest cost and or delivery time to Council. For orders over \$10,000, or products not listed in the schedule of rates, officers may choose to seek quotes from the panel and/or from other suppliers.

It is proposed that Council accepts the recommendation from the evaluation panel and award the tender to the three highest scoring tenderers.

Discussion

Council received eight tenders.

In accordance with Council's Procurement Policy, an evaluation panel was convened on 5 April 2011 to assess the tenders. The assessment panel consisted of the Acting Director Engineering Services, Coordinator Business Support Operations, Governance Coordinator and Contracts Administrator.

The tenders were assessed in accordance with the criteria specified in the contract documentation.

Tenders were received from:

- Artcraft Pty Ltd
- Road Management Solutions
- DeNeefe Signs Pty Ltd
- Roadside Services and Solutions Pty Ltd
- Summerhill Sign Depot Pty Ltd
- Sign A Rama Thomas Town
- Saferoads Pty Ltd
- Kara Rickards

A summary of the evaluation and the score sheet has been included as an **in-committee** document, refer to **Confidential Appendix 1**, and has been distributed separately to Councillors and Executive Leadership Team.

FINANCIAL CONSIDERATIONS

The purchase of signs will be within available budgets.

Council has spent between \$100,000 and \$150,000 per year on signs over the last two years.

It is estimated that approximately \$500,000 will be spent over the term of the contract.

This Contract shall be subject to 'rise and fall'. In the first year of the Contract term, the Contractor is to be paid at the rates specified in the Schedule of Rates. In the second and subsequent years of the Contract period, payments may be adjusted at the anniversary of the Commencement Date. The supplier must submit revised rates to the contract supervisor 2 months prior to the anniversary on the commencement date. The revised rates will be adopted on agreement between the contract supervisor and the supplier.

RECOMMENDATION

That Council:

1. Award the Tender SGC11/10 Provision of Traffic Management Signs and Associated Products to a Panel of Suppliers being:
 - a. Artcraft Pty Ltd;
 - b. Road Management Solutions;
 - c. DeNeefe Signs Pty Ltd; and,
2. Authorise the Chief Executive Officer to sign and affix the Common Seal to the Contract documents.

MOVED: Cr Kennedy

SECONDED: Cr Jackson

THAT THE RECOMMENDATIONS IN ITEMS E.13 AND E.14 BE ADOPTED.

CARRIED UNANIMOUSLY

E.14 ACCESS AND INCLUSION ADVISORY COMMITTEE - APPOINTMENT OF COUNCIL REPRESENTATIVES

Corporate Services Directorate

EXECUTIVE SUMMARY

There is the opportunity to appoint two Councillors to Council's Access and Inclusion Advisory Committee.

The Access and Inclusion Advisory Committee assists with the development of Council's Access and Inclusion Plan by providing strategic advice on disability related issues that can be dealt with at a Council level.

LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES

Local Government Act 1989 Section 86

Disability Discrimination Act 2006

Disability Act 2006

Victorian State Disability Plan

INTERNAL POLICIES / STRATEGIES / DOCUMENTS

Access and Inclusion Plan

COUNCIL PLAN

Strategic Goal:	1.0	A Vibrant, Engaged Community
Outcome:	1.2	Health and Wellbeing
Strategy No:	1.2.2	Community Health

REPORT

Council at its Statutory Meeting in December 2010 appointed Council representatives to a range of committees and organisations for 2011. Council at this time did not nominate representatives to the Access and Inclusion Advisory Committee. In 2010 Councillors Davies and Newton were members of this Committee.

Council agreed as part of the recent Advisory Committee Review that the Access and Advisory Committee continue operating.

RECOMMENDATION

That Council appoint Councillor Davies and Councillor Newton to the Access and Advisory Committee for 2011.

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 131.

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.13 (Clause 99) allows for urgent motions to be raised at Council provided the matter cannot be dealt with at the next ordinary meeting of Council or by officers under delegation.

It is necessary for the Councillor wishing to raise a matter of urgent business to raise a motion similar to the following: 'That consideration of (*the issue*) be dealt with as a matter of urgent business'.

In raising the motion the Councillor will be allowed a 'short period' to indicate the reason(s) why the matter should be considered as a matter of urgent business. If the Chairperson accepts the motion as meeting the urgent business criteria, normal debating rules will apply.

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

2. Other Business

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

Nil

SECTION G - GENERAL PRESENTATION AND QUESTION TIME

G.1 QUESTION TIME

Mr Philip Murphy asked questions relating to the submission process and timing for the Rural Land Use Strategy. Mr Murphy also drew attention to a petition of 2 years ago regarding this matter and asked why Council had disbanded the Rural Advisory Committee.

The Mayor responded that the Committee had never met. Cr Deane indicated that this Committee was not designed to consider issues about C48 but rather to consider issues arising from the drought response.

Mr David Amor asked questions in relation to:

- requirements on the construction of sheds on 3 acre subdivisions;
- penalties for locating a caravan on a 3 acre allotment;
- regulations relating to road side signage;
- responsibility for reporting and repairing of road damage and duty of care; and,
- Hard rubbish collection.

The Chief Executive Officer, Mr Tim Tamlin indicated that Council has a duty of care in respect of Council roads and the need to avoid the diversion of Council resources to roads that are the responsibility of VicRoads. Mr Tamlin further indicated that open communication between VicRoads and Council is necessary.

G.2 ANSWERS TO PREVIOUS QUESTIONS ON NOTICE

The following question was taken on notice at the Council Meeting of 23 February 2011 and a response below is provided.

Ms Fiona Mottram representative of the Foster Mirror asked the following question, “*Why wasn't Korumburra Hospital's helipad site included in the recommendation for the proposed redrafted amendment C54?*”

Answer to Question

The Korumburra cricket ground was not included in the C54 Amendment because the site was not identified by the State Government, Department of Health Service (DHS) in its Emergency Medical Services helipad study. Council queried this directly with DHS at the commencement of the process and were advised that it was not included because of low usage.

The helipad protection amendment is a DHS amendment, Council act on the information from the ministerial direction.

The Emergency Medical Services (EMS) helicopter lands at the Korumburra Cricket Ground on Richard Street and not at the showground as noted in the Foster Mirror.

Mr Paul Richardson asked questions in the Public Presentation Session of 16 March 2011, some of the questions were taken on notice.

Answers to questions were provided to Mr Richardson in the letter below.

7 April 2011



Dear Mr Richardson

Public Presentation Responses - 16 March 2011

I refer to your written questions raised at Council's Public Presentations held on Wednesday 16 March 2011. A response has been provided under each of the question headings.

Question 1 and 2 – Conflict of Interest

A response was provided in the meeting.

For a copy of responses provided in the meeting refer to Council Agenda – 27 April 2011, matters discussed at Council Briefing Sessions in March 2011.

Question 3 – Staff Code of Conduct

A response was provided in the meeting. The Staff Code of Conduct has been placed on Council's web site:

http://www.southgippsland.vic.gov.au/files/CodeOfConductStaff_100909.pdf

Question 4 – Freedom of Information (FOI)

A response was provided in the meeting.

In addition to the response provided, an FOI policy will be considered as part of Council's Policy Review program.

Question 5 – Council Services

Please find a list of Council services attached.

Further, I understand your question was directed toward services relating to large shopping centres. Council does not have large shopping complexes (such as a Westfield centre) as compared to metropolitan Councils. For this reason we can not directly compare or make reference to the types of services South Gippsland Shire Council provides to large shopping complexes.

Thank you for taking an interest in Council.

Yours sincerely

Tim Tamlin
Chief Executive Officer



COUNCIL SERVICES

DEVELOPMENT SERVICES

Economic Development

New business attraction
Business Support, Expansion Assistance and Workshops
Industry development E.g. - South Gippsland Olive Growers
Advocacy for major infrastructure - natural gas, telecommunications etc.
New resident attraction - Provincial Victoria Campaign
Promotion and approvals of film and television projects
Emergency response & recovery for businesses
Industry networks
Business and demographic statistics
Economic modelling
Business Newsletter and Grant Advice

Tourism

Operation of Accredited Visitor Information Centre network
Tourism Development
Tourism Business support and Workshops
Websites and Video Production
Tourism Strategic Planning - Rural Tourism Development Strategy
Industry Advocacy - Liquor Licensing
Event Promotion
Industry Development
Partnerships - Destination Gippsland
Partnerships - Prom Country Regional Tourism
Advocacy - Port Welshpool Long Jetty Refurbishment Etc.
Market Research and Statistics
Tourism Marketing and Promotion
Advertising and Brochure Development
Emergency response & recovery for businesses - bushfires

Strategic Planning

Guiding land use and development
Major Projects E.g. Rural Strategy, Outline Development Plans etc
Township Structure Plans
Rezoning of Land

Statutory Planning

Assessment of development and Subdivision applications
Public enquiries regarding land use and development
Ensure compliance with the Planning Scheme and issued Planning Permits

Coal Creek

Museum / curatorial
Events - Community and Corporate Functions
Education programs
Café and Community Park
Art Gallery
Mens Shed

Building

Provision of property information
Maintain building permit records
Issue building notices/orders and undertake prosecutions
Process report and consent applications E.g. siting variations
Undertake building audits E.g. swimming pool barriers

CORPORATE SERVICES

Finance

Strategic financial advice
Preparation of annual and longer term financial plans
Financial reporting
Management accounting support
Accounting / book keeping services
General revaluations
Supplementary and Insurance valuations
Rates Notices
Land Information Certificates
Maintaining Names and Address Register data base

Governance & Organisational Development

Community Grants Program
Advisory Committees
Organisational Development
Governance Operations
Legal & Contracts
Media
Publications
Australia Day Event Coordination
Grants
Human Resources
Risk Management
OH&S
Customer Service
Records Management
Information Technology
Disaster Recovery
Website Maintenance
Customer Request Management
Freedom of Information and Privacy
Section 86 Committees
Community Directories
New Residents Kits
Cleanaway Requests
Citizenship Ceremonies

ENGINEERING SERVICES

Engineering

Engineering
Project Design
Community Project Construction
Building Operations
Capital Works
Vehicle Fleet Management
Property Management
Property Development

Assets

Asset Management Planning
Opening of new roads
Closure of unused roads
Naming of unnamed roads
Civil Infrastructure Capital Works Program
Civil infrastructure Condition Assessments
Road Management Plan
Road Register
Swimming Pools

Infrastructure Maintenance

Infrastructure Maintenance
Parks & Gardens
Plant Maintenance / Workshop
Civil Works Program
Routine Maintenance
Road and Bridge Maintenance & Construction
Signage and Line Marking
Street Cleaning
Public Toilets Cleaning and Maintenance
Footpath Construction & Maintenance
Public Berbeques Cleaning and Maintenance
Kerb & Channel Construction and Maintenance
Boat Ramp and Jetty Maintenance
After Hours Call out service
Drainage Construction and Maintenance
Play Ground Construction and Maintenance
Road Resealing and Resheeting.
Tree and Roadside Vegetation Management



COMMUNITY SERVICES DIRECTORATE

Library Funding

Emergency Management

Emergency Centre Coordination to support Emergency Services Response
Community Recovery post Emergency
Public Education & Awareness
Strategic Fire Management Planning
Strategic Public Safety

Environment and Community Safety

Sustainability
Animal Control
Parking Control
Children's Crossings
Local Laws
Fire Prevention
Environmental Management
Bush Reserves Management
Track maintenance
Infrastructure management
Weed surveys and control
Fire management
Management surveys
Weed Management (Council Land)
Weed surveys/assessments
Weed Control
Public Health Planning
Food Safety Services
Personal Care Industries hygiene assessments
Caravan Park & Accommodation Premises hygiene assessments
Tobacco Surveillance
Infectious Disease Surveillance
Public Health Nuisance control
Community Sharps Disposal Service
Onsite Waste Water Management
Climate Change and Coastal Management
Council Energy Efficiency and Greenhouse Gas Emissions
Biodiversity

Council Volunteer Coordination

Support for Council's Volunteers
Volunteer's Week Events
International Volunteer Day

Rural Access & Inclusion

Events Coordination
Access & Inclusion Advisory Committee
Good Access is Good Business Program
Advice on developing inclusive communities

Recreation

Outdoor Pools
SG SPLASH
Recreation Reserves
Paths and Trails Planning
Facility developments and improvements
Recreation facility planning

Family Services

Service Planning
Immunisation
Maternal & Child Health (inc. Enhanced Maternal & Child Health)
Pre-school Inclusion Program
Play-group Support Coordinator (Blooms Playgroup)
Support for Senior Citizen groups
Seniors Festival Week

Community Planning

Integrated Community Planning
Community Engagement Conference
Mirboo North & District Bushfire Recovery Coordination
Toora / Welshpool Community Strengthening Initiative
Indigenous Networks support
Small Town Adaptation Project

Community Group Support

Town & Districts Association Network
Skills Workshops for volunteers
Community Project Planning Assistance
Grant Application Support
Event Promotion & Support

Arts & Culture Programs

South Gippsland Arts & Culture Brochure
Arts Network
Skills Workshops for Arts Community
Event Promotion & Support
Creative Gippsland Network

Youth Development

Youth Council
L2P (Learner Driver) Program
Youth Events Development and Support
Youth Agency Support

Waste Management & Recycling

Transfer Station Operations
Landfill design, construction & operation
Kerbside garbage & recycling collection services
Public litter bin services
Community waste education
Reporting to state government and regulators
Hard waste collection service (potentially)
Waste management planning

Home and Community Care Services

Assessment
General Home Care
Respite
Personal care
Home maintenance
Community Transport
Meals on Wheels
Extensive Planning Pilot Project

Public Transport and Road Safety

Transport Connections Program
South Gippsland Road Safety Committee

G.3 PRESENTATIONS

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 PROPOSED DEVELOPMENT

RECOMMEDATION

That Council close the Meeting to the public to allow for consideration of a proposed development pursuant to section 89 (2)(e) of the Local Government Act 1989.

Cr Fawcett left the Meeting at 10.55pm.

MOVED: Cr Davies

SECONDED: Cr Harding

THAT COUNCIL CLOSE THE MEETING TO THE PUBLIC TO ALLOW FOR CONSIDERATION OF A PROPOSED DEVELOPMENT PURSUANT TO SECTION 89 (2)(e) OF THE LOCAL GOVERNMENT ACT 1989.

CARRIED UNANIMOUSLY

The Open Meeting resumed at 11.08pm.

SECTION H - MEETING CLOSED

NEXT MEETING

The next Ordinary Council Meeting open to the public will be held on Wednesday, 25 May 2011 commencing at 2pm in the Council Chambers, Leongatha.

Meeting closed at 11.09pm.

Confirmed:.....

Cr Warren Raabe – Mayor

Date:.....