

SOUTH GIPPSLAND SHIRE COUNCIL

# Special Meeting of Council

Council receives, consider and determine S223 Submissions to the Proposed Annual Budget 2018/19, Revised 2017-2021 Council Plan and Proposed Rating Strategy 2018/19

**30 May 2018**  
**Council Chambers, Leongatha**  
**Commencing at 11.00am**



# agenda



*South Gippsland  
Shire Council*

*Come for the beauty, Stay for the lifestyle*



## MISSION

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

### Privacy

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

Council undertakes audio recordings of Council Meetings as a contribution to good governance and accuracy of minutes. An audio recording of this meeting is being made for the purpose of verifying the accuracy of minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, and subpoena or by any other law such as the Freedom of Information Act 1982. It should be noted that other people present at the meeting may be recording the meeting and Council has limited power to regulate this. Council has developed a policy to regulate recordings, "*Sound Recording of Council Meetings*".

A copy of this policy is located on Council's website [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au).

## **SOUTH GIPPSLAND SHIRE COUNCIL**

Notice is hereby given that the Special Meeting of Council of the South Gippsland Shire Council which will be held on 30 May 2018 in the Council Chambers, Leongatha commencing at 11.00am

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

## **1. PRELIMINARY MATTERS**

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

To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded and published.

Anyone who is invited to read out a question or a presentation will be recorded and their voice, image and comments will form part of the live stream and recording.

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

Attendees are advised that they may be subject to legal action if their actions results in inappropriate and/or unacceptable behaviour and/or comments.

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

Thank you

### **1.2. WELCOME**

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

### **1.3. OPENING PRAYER**

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

Amen

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

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

**1.5. REQUESTS FOR LEAVE OF ABSENCE**

**1.6. APOLOGIES**

## 1.7. DECLARATION OF CONFLICT OF INTEREST FOR COUNCILLORS

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

An interest may be by close association, financial, conflicting duties or receipt of gifts. If 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 Council Business Department at South Gippsland Shire Council).
- Advise the Chair of the interest immediately before the particular item is considered (if attending the Meeting).
- Leave the Council Chamber or Meeting room while the item is being discussed and during any vote taken (if attending the Meeting).

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

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

## 1.8. DECLARATION OF CONFLICT OF INTEREST FOR STAFF

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

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

**Nil**

## **2. COUNCIL REPORTS**

### **2.1. PROPOSED RATING STRATEGY 2018/19, PROPOSED ANNUAL BUDGET AND REVISED 2017-2021 COUNCIL PLAN - S223 SUBMISSIONS**

Corporate and Community Services Directorate

#### **EXECUTIVE SUMMARY**

At the Special Meeting of Council 21 March 2018, Council endorsed the Proposed Rating Strategy 2018/19 (Proposed Rating Strategy), the Proposed Annual Budget 2018/19 (Proposed Budget) and the Revised Council Plan 2017-2021 (Revised Council Plan), including the four year Strategic Resource Plan and 2018/19 Annual Initiatives. Council resolved to invite formal submissions from the public under s.223 of the Local Government Act 1989 (Act) on these three strategic documents.

Council received five written submissions for the Proposed Rating Strategy, five written for the Proposed Budget and nine written submissions for the Revised Council Plan, by the closing date of Thursday 26 April 2018.

Thirteen people indicated they wanted to speak to their submissions; two speakers addressed both the Proposed Rating Strategy and Proposed Budget. The hearing of submissions was held by Council at two Special Meetings held on 23 May 2018. The 10.45am Special Meeting was for the Proposed Budget and Revised Council Plan and the 2.15pm Special Meeting for the Proposed Rating Strategy.

Following the Special Meetings, Council discussed the submissions and provided comments on all submissions at a Briefing Session on 23 May 2018.

The submissions have been reviewed and a response developed for each one for Council's final consideration and determination.

#### **RECOMMENDATION**

**That Council:**

- 1. Receives, considers and determines the five s.223 submissions (Attachment [2.1.1]) submissions to the Proposed Rating Strategy 2018/19, as follows:**
  - a. Submission 1 from Meg Knight re: Alternative Rating Strategy Model.**
    - i. That no changes be made to the Proposed Rating Strategy / Proposed Annual Budget and the review of**



**the Rating Strategy in 2018/19 will consider the feedback received in the five submissions.**

- b. Submission 2 from Ralph Gallagher re: Consider the principles Council has declared previously and determine its rating strategy for the next four years now based on existing strategy with minor adjustment.**
    - i. That no changes be made to the Proposed Rating Strategy / Proposed Annual Budget and the review of the Rating Strategy in 2018/19 will consider the feedback received in the five submissions.**
  - c. Submission 3 from Barry Gilbert re: Reconsider Draft Rating Strategy Committee Recommendations 2018-2022.**
    - i. That no changes be made to the Proposed Rating Strategy / Proposed Annual Budget and the review of the Rating Strategy in 2018/19 will consider the feedback received in the five submissions.**
  - d. Submission 4 from Foster Chamber of Commerce re: Reject the Rating Strategy Steering Committee recommendations and retain status quo.**
    - i. That no changes be made to the Proposed Rating Strategy / Proposed Annual Budget and the review of the Rating Strategy in 2018/19 will consider the feedback received in the five submissions.**
  - e. Submission 5 from Noelene Cosson - Korumburra Business Association re: Reject the recommendation of the Rating Review Committee to change the current rating strategy.**
    - i. That no changes be made to the Proposed Rating Strategy / Proposed Annual Budget and the review of the Rating Strategy in 2018/19 will consider the feedback received in the five submissions.**
- 2. Receives, considers and determines the five s.223 submissions (Attachment [2.1.2]) submissions to the Proposed Annual Budget 2018/19:**
- a. Submission 1 Lindsay Love re: Sec 223 Submission – Proposed Budget – 2018/19.**
    - i. That no changes to the Proposed Annual Budget / Revised Council Plan be made.**





- i. That the major initiative under Objective 3 in the Proposed Annual Budget and Revised Council Plan be amended to: ‘Complete a service level review of gravel roads and roadside maintenance, test assumptions and report the finding to Council with the review to include:
    - Development of a program to seal the top priority rural gravel roads over the next ten to twenty years;
    - Advocate to VicRoads to lower the speed limit of various roads to 80kph or lower, across the region;
    - Investigate how levels of service can be improved on unsealed roads.**
  
- f. Submission 6 Michael Lester – Fish Creek Community Development Group re: Request for sewerage provision in Fish Creek.**
  - i. That no changes to the Proposed Annual Budget / Revised Council Plan be made; and**
  - ii. Will provide support to the Fish Creek Community Development Group to have a community discussion on the cost/benefit of sewerage provision for Fish Creek.**
  
- g. Submission 7 Noelene Cosson President – Korumburra Business Association re: Korumburra Revitalisation Project – Support.**
  - i. Council notes the support for the Korumburra Revitalisation Project.**
  
- h. Submission 8 Lindsay Moore re: Residents of Ross St, Martins Road and Hewett Street, Meeniyan.**
  - i. That the major initiative under Objective 3 in the Proposed Annual Budget and Revised Council Plan be amended to: ‘Complete a service level review of gravel roads and roadside maintenance, test assumptions and report the finding to Council with the review to include:
    - Development of a program to seal the top priority rural gravel roads over the next ten to twenty years;
    - Advocate to VicRoads to lower the speed limit of various roads to 80kph or lower, across the region;
    - Investigate how levels of service can be improved on unsealed roads.**
  
- i. Submission 9 John Fleming re: Henrys Road, Nyora Loch and proposed new sealing program for priority roads.**

- i. That the major initiative under Objective 3 in the Proposed Annual Budget and Revised Council Plan be amended to: ‘Complete a service level review of gravel roads and roadside maintenance, test assumptions and report the finding to Council with the review to include:**
    - Development of a program to seal the top priority rural gravel roads over the next ten to twenty years;**
    - Advocate to VicRoads to lower the speed limit of various roads to 80kph or lower, across the region;**
    - Investigate how levels of service can be improved on unsealed roads.**
- 4. Notifies all submitters of Council’s decisions in regard to their submissions.**
- 5. Note the amended food business registration fees which more closely align South Gippsland with other Gippsland Councils. Not for profit and charitable organisations will retain a nil fee. Sporting clubs fees in 2018/19 will increase from nil to 25% of the full fee and 50% of the full fee in 2019/2020.**

## **REPORT**

The Proposed Annual Budget 2018/19 has been prepared following community consultation throughout the year and is guided by priorities outlined in its key strategic documents including the Revised Council Plan 2017-2021 and 15 Year Long Term Financial Strategies.

Following the Open Hearing of submissions on the Proposed Annual Budget 2018/19, Revised Council Plan 2017-2021 and Proposed Rating Strategy 2018/19 on 23 May 2018, Councillors held a Closed Briefing session to discuss the information contained in the submissions and provided comments on each submission.

The **Attachment [2.1.1]** – s.223 Submissions to the Proposed Rating Strategy 2018/19 and **Attachment [2.1.2]** – s.223 Submissions to the Proposed Annual Budget 2018/19 and the Revised Council Plan 2017-2021 encapsulate community feedback arising from the formal public exhibition of the Proposed Rating Strategy, Proposed Annual Budget and the Revised Council Plan. The attachments contain Council’s responses to each individual submission.

### **Summary of Proposed Rating Strategy Submissions**

Of the five submissions, four submissions are in support of the proposed Rating Strategy 2018/19 and to conduct a further review over the next twelve months. One submission requested that the Proposed Rating Strategy be extended to cover the period 2018-2022 with minor adjustments. Two submissions make reference to removing the Rural Residential Category. One submission was not in

support of the Proposed Rating Strategy and sought Council to reconsider the Rating Strategy Committee Recommendations 2018-2022.

### **Summary of Proposed Annual Budget Submissions**

Five submissions were received for the Proposed Budget. Majority of the submissions were seeking further clarification on various aspects of the budget. Three submissions related to various topics such as the Proposed Income Statement, Employee Costs, Legal Costs and costs related to specific Departments. One submissions highlighted the need for additional operating expenditure for the Foster Pool.

### **Summary of the Revised Council Plan Submissions**

No objections to the Council Plan were received by the nine submissions. Two of these submissions supported actions within the Revised Council Plan and the remaining seven sought additional or expanded projects to those already planned. The completion of Annual Initiatives included in 2018-2019 will pave the way for some of these additional works to be considered further by Council at later stages.

### **CONSULTATION**

The Proposed Budget, Revised Council Plan and Proposed Rating Strategy were placed on public exhibition from 27 March 2018 to 26 April 2018. Nineteen submissions were received and are attached for Council's consideration and determination (**Attachment [2.1.1]** and **Attachment [2.1.2]**).

Thirteen submitters spoke to their submissions. The presentations took place on 23 May 2018. The Councillors were provided with an opportunity to ask questions of the submitters and seek further clarification on their submissions.

### **RESOURCES**

The current Proposed Annual Budget 2018/19, Revised Council Plan 2017-2021 and Proposed Rating Strategy 2018/19 are sustainable and meet the requirements determined by the Local Government Act 1989. Council is required to ensure that a sustainable Budget can be passed that will not place a financial burden on future generations.

### **RISKS**

If Council determines that only insignificant changes be made to the Budget or Rating Strategy, then a final Budget and Rating Strategy can proceed with minor amendments to the adoption stage scheduled for the 27 June 2017 Ordinary Meeting of Council. This approach minimises Council's risk of breaching legislation.

If Council determines that significant changes are to be made to the Budget by either increasing or decreasing the Budget, and or Council services, and / or land differentials in the Rating Strategy then Council would be required to prepare a new Proposed Budget and undertake a further s.223 public consultation process.

In this situation a request to the Minister for Local Government for an extension of time would be required, with no guarantee of approval potentially leaving Council in breach of the Local Government Act 1989.

### **STAFF DISCLOSURE**

Nil

### **ATTACHMENTS**

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

1. S223 All Submissions - Proposed Rating Strategy **[2.1.1]**
2. S223 All Submissions - Annual Budget 2018-19 and Revised Council Plan 2017-2021 **[2.1.2]**

### **REFERENCE DOCUMENTS**

#### **Council Policy**

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

Long Term Financial Strategies 2016/17  
Proposed Rating Strategy 2018/19  
Proposed Revised Council Plan 2017-2021  
Proposed Annual Budget 2018-2019

#### **Legislative Provisions**

Local Government Act 1989

### **3. MEETING CLOSED**

#### **NEXT MEETING**

The next Ordinary Meeting of Council open to the public will be held on Wednesday, 30 May 2018 commencing at 2pm in the Council Chambers, Leongatha.