

SOUTH GIPPSLAND SHIRE COUNCIL

Council Minutes

Ordinary Meeting of Council

30 May 2018

Ordinary Meeting No. 423
Council Chambers, Leongatha
Commenced at 2pm



minutes



*South Gippsland
Shire Council*

Come for the beauty, Stay for the lifestyle



MISSION

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

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

PRESENT

COUNCILLORS:

<p>Cr Lorraine Brunt, Mayor Cr Aaron Brown, Deputy Mayor Cr Ray Argento Cr Don Hill Cr Maxine Kiel Cr Andrew McEwen Cr Jeremy Rich Cr Alyson Skinner Cr Meg Edwards</p>

COUNCILLORS
NOT PRESENT:

-

OFFICERS:

<p>Tim Tamlin, Chief Executive Officer Faith Page, Director Corporate and Community Services Anthony Seabrook, Director Infrastructure Services Bryan Sword, Director Development Services Rick Rutjens, Manager Executive Support and Community Information June Ernst, Coordinator Council Business Natasha Berry, Corporate and Council Business Officer Jodi Cumming, Corporate and Council Business Officer</p>

SOUTH GIPPSLAND SHIRE COUNCIL

Ordinary Meeting No. 423
 Wednesday 30 May 2018
 Council Chambers, Leongatha commenced at 2pm

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Tim Tamlin
Chief Executive Officer

1. PRELIMINARY MATTERS

1.1. LIVE-STREAMING COUNCIL MEETING DISCLAIMER

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

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. APOLOGIES

Nil

1.6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council Ordinary Meeting No. 422, held on Thursday 26 April 2018 in the Council Chambers, Leongatha be confirmed.

MOVED: Cr Kiel

SECONDED: Cr Argento

THAT THE MINUTES OF THE SOUTH GIPPSLAND SHIRE COUNCIL ORDINARY MEETING NO. 422, HELD ON THURSDAY 26 APRIL 2018 IN THE COUNCIL CHAMBERS, LEONGATHA BE CONFIRMED.

CARRIED UNANIMOUSLY

1.7. DECLARATION OF CONFLICTS 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.

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*.

Councillor Jeremy Rich declared a direct conflict of interest in Agenda Item 10.1 Urgent business – Walkerville Retarding Basin Report as he is 'a director of Ansevata Nominees a subject party to the' matter.

1.8. DECLARATION OF CONFLICTS 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. OBJECTIVE 1 - STRENGTHEN ECONOMIC GROWTH AND PROSPERITY

2.1. VISITOR INFORMATION SERVICES RESOLUTION

Development Services Directorate

EXECUTIVE SUMMARY

A review of Visitor Information Services was undertaken in the 2016/17 financial year. The purpose of the review was to evaluate the current service and to ensure that it was meeting contemporary visitor trends and offering value for the ratepayer's investment.

In 2015/16, visitation at the Foster Visitor Information Centre (VIC) was 12,421 and visitation at the Korumburra VIC was 7,161. Foster VIC provided a greater return on Council's investment and in the 2015/16 financial year the cost per visit at Foster was \$13.01 compared with \$22.71 at Korumburra. During the low season from May to October, visitation at Korumburra averaged 14 visitors per day.

Following two rounds of community consultation, the Visitor Information Services Review 2016/17 - Final Recommendation Report (The Report) was considered at the Ordinary Meeting of Council 28 June 2017. Council subsequently resolved to:

1. Continue to support a fully accredited Visitor Information Centre at Foster;
2. Defer consideration of the Korumburra Visitor Information Centre Service Review; and
3. Receive a future report which considers the required transitional arrangements, including development of a Digital Tourism Strategy, prior to determining the outcomes of the Korumburra Visitor Information Centre Service Review.

Recent changes to the Australian Tourism Accreditation Program (ATAP) have increased flexibility to visitor service delivery options for South Gippsland. These revised guidelines introduce new and updated models of accredited VICs and accredited supporting services which include:

- Amended operating hours;
- New Seasonal VIC and ancillary models; and
- Accredited ambassador programs and static displays.

Following these recent accreditation developments, this report recommends the continuation of a Visitor Information Service in a fully accredited VIC in Foster, and the introduction of a seasonally operated VIC for Korumburra. The Korumburra VIC is proposed to retain full accreditation and operate over a four month period from 1 December until one week after Easter. Services are proposed to continue uninterrupted until the end of Easter 2019, at which time the transition will commence.

RECOMMENDATION

That Council:

1. Maintain a fully accredited Visitor Information Centre in Foster;
2. Transition to a Seasonal Visitor Information Centre in Korumburra which will open on 1 December and close one week after Easter each year; and
3. Conduct a review of Visitor Information Services in 2021/22.

MOVED: Cr Brown

SECONDED: Cr McEwen

THAT COUNCIL:

1. **MAINTAIN A FULLY ACCREDITED VISITOR INFORMATION CENTRE IN FOSTER;**
2. **TRANSITION TO A SEASONAL VISITOR INFORMATION CENTRE IN KORUMBURRA WHICH WILL OPEN ON 1 DECEMBER AND CLOSE ONE WEEK AFTER EASTER EACH YEAR; AND**
3. **CONDUCT A REVIEW OF VISITOR INFORMATION SERVICES IN 2021/22.**

CARRIED UNANIMOUSLY

REPORT

A review of Visitor Information Services was undertaken in the 2016/17 financial year. The purpose of the review was to evaluate the current service and to ensure that it was meeting contemporary visitor needs and offering value for the ratepayer's investment.

In 2015/16, visitation at the Foster Visitor Information Centre (VIC) was 12,421 and visitation at the Korumburra VIC was 7,161. Foster VIC provided a greater return on Council's investment and in the 2015/16 financial year the cost per visit at Foster was \$13.01 compared with \$22.71 at Korumburra. The particulars of the VIC review can be obtained in the June 2017 Council report.

Following two rounds of community consultation, The Report was considered at the Ordinary Meeting of Council 28 June 2017. Council's resolution and corresponding actions undertaken are listed below.

1. Continue to support a fully accredited Visitor Information Centre at Foster

Council continues to operate a fully accredited VIC at Foster, 364 days per year.

2. Defer consideration of the Korumburra Visitor Information Centre Service Review

The Report of June 2017 recommended that Council cease operating the VIC at Korumburra. This recommendation was made on the following grounds:

- Visitors are accessing information and booking platforms in more contemporary ways than walk in Visitor Information Centres.
- A unit cost of \$22.71 to service each visitor to the Korumburra VIC is not a good return on Council's investment.
- A VIC can only maintain accreditation if it is open 364 days per year.

Council continues to operate a fully accredited VIC at Korumburra, 364 days per year. The Economic Development and Tourism team has worked with Council's Economic Development and Tourism Steering Committee to further consider transitional requirements culminating in this report.

Since Council's resolution, accreditation criteria has been relaxed following a review by the Victorian Tourism Industry Council (VTIC) and in response to the changing visitor trends.

3. Receive a future report which considers the required transitional arrangements, including development of a Digital Tourism Strategy, prior

to determining the outcomes of the Korumburra Visitor Information Centre Service Review.

Council is considering a draft Digital Strategy as a separate report in this Agenda, item 5.1 – Draft Digital Strategy 2018. This strategy, aims to provide an over-arching strategic framework for improving digital community services and for improving the efficiency and effectiveness of Council's IT systems.

Transition to an improved digital visitor information services model with a timeline over the following twelve months is recommended in this report. Council can continue to explore future opportunities around tourism digitalisation. This will be more effective if aligned to Council's over-arching digital strategic direction.

Transitional Arrangements

Visitor Information Services are proposed to continue uninterrupted until the end of Easter 2019, at which time the transition will commence. Under ATAP's revised guidelines, Council can operate a fully accredited Foster VIC (The Hub) year round and a Seasonal VIC in Korumburra during peak season. The Foster Hub will provide overall accreditation to the Korumburra Seasonal VIC, therefore, the Seasonal VIC will operate as, and maintain the benefits of a fully accredited VIC, including yellow 'i' status and directional road signage during operation.

A proposed Visitor Information Services Model (The Model) complete with a transition plan recommends to maintain a fully accredited Visitor Information Centre (VIC) in Foster and transition to a Seasonal VIC in Korumburra which will open on 1 December and close one week after Easter each year.

The Model will enable Council to work more closely with business and community and a formalised Tourism Ambassador Program (The Program) will be established to encourage active recruitment and positive community engagement year round. The Program will train and up-skill passionate volunteers in Foster and Korumburra to promote South Gippsland as a place to visit, and potentially live, work and invest.

The Model provides:

- A collaborative approach between Council, business, and the community
- Opportunity for future monitoring and review of visitor services and digitalisation in South Gippsland.
- Opportunity for continued further alignment of visitor information services with Council's vision, consumer needs and future industry trends.

A Visitor Information Services Transition and Engagement Plan (Transition and Engagement Plan **Attachment [2.1.1]**), has been developed to support Council, tourism businesses, and the broader community.

The Transition and Engagement Plan will ensure that The Model will be delivered respectfully to staff, tourism operators, businesses and the broader community and allow all stakeholders time to adapt to new processes which will enhance South Gippsland's visitor economy.

The option of transitioning the Korumburra VIC to a seasonal centre will ensure that Council continues to support the visitor economy in peak season and will reduce the cost burden of providing the service during off-peak times when visitation to the VIC is extremely low. During the 2015/16 low season visitation at Korumburra averaged 14 visitors per day. Changes to accreditation criteria means that Council can continue to operate the service in a seasonal manner but obtain the benefits of accreditation.

CONSULTATION

The proposed Visitor Information Services model was developed in consultation with Council and the Economic Development and Tourism Steering Committee.

A comprehensive consultation process will be undertaken regarding delivery of the Transition and Engagement Plan.

Previous consultation throughout the review process has included: Bass Coast Shire Council, Baw Baw Shire Council, Wellington Shire Council, Latrobe City Council, East Gippsland Shire Council, Prom Country Regional Tourism (PCRT), Destination Gippsland (DGL), and VTIC. Widespread consultation also included community information sessions, written submissions, and survey responses from industry representatives, businesses, tourism operators, visitors, residents, VIC staff and volunteers.

RESOURCES

No additional resources are required as implementation will be undertaken within existing resources.

Changes to the service at Korumburra will reduce the VIC operating cost by an estimated \$100,000 per annum.

RISKS

It is unlikely that there will be a reputational risk to Council if the Transition and Engagement Plan is delivered diligently. This plan is designed to ensure continuity of service and will be undertaken collaboratively with respect to local

tourism operators, the Korumburra Business Association (KBA) and Foster Chamber of Commerce (FCC), and the broader business community.

By continuing with the current service, Council may only reach a minimum percentage of the visitor economy. Therefore, if Council does not keep up with the trends, opportunities for growth may be lost in future and the audience reach may diminish.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Visitor Information Services - Transition and Engagement Plan **[2.1.1]**

REFERENCE DOCUMENTS

Council Policy

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

Economic Development and Tourism Strategy 2018-2020

The Council Plan - Objective 1: Strengthen Economic Growth and Prosperity

2.2. VENUS BAY ACTIVITY CENTRE PLAN

Development Services Directorate

EXECUTIVE SUMMARY

At the Ordinary Meeting of Council 28 February 2018, Council resolved that a report be prepared to discuss options, timing and costings for the development of a Venus Bay 'Precinct Plan'. This report is now more appropriately named the Venus Bay Activity Centre Plan (the Plan) to reflect its intended geographical focus.

The Plan will consider how open space networks, transport networks, employment provision, infrastructure and natural systems can be managed and improved over the next 10-20 years in the Venus Bay town centre and its immediate surrounds. The Plan is to consider the anticipated seasonal and long term population growth and to deliver positive economic and community activity in the area. The proposed boundary of the study area is in **Attachment [2.2.1]**.

RECOMMENDATION

That Council commence the development of a Venus Bay Activity Centre Plan with an associated funding allocation of \$35,000.

MOVED: Cr Skinner

SECONDED: Cr Rich

THAT COUNCIL COMMENCE THE DEVELOPMENT OF A VENUS BAY ACTIVITY CENTRE PLAN WITH AN ASSOCIATED FUNDING ALLOCATION OF \$35,000.

CARRIED

FOR: Councillors Skinner, Brown, McEwen, Argento, Hill, Rich, Kiel and Brunt.

AGAINST: Councillor Edwards

REPORT

Council has identified a desire to undertake further strategic planning for the township of Venus Bay in the central activity centre that encompasses the retail land, community facilities, open space and visitor parking as indicated by the proposed study area in **Attachment [2.2.1]**.

A review of the urban development potential of the wider Venus Bay township was undertaken in the recently adopted Housing and Settlement Strategy.

If adopted, the Plan will require an assessment of services and infrastructure commensurate to expected population and visitor growth/contraction (including seasonal population variation and continued development activity), potential environmental impacts and economic growth opportunities.

The assessment will consider, amongst other matters:

- Impact of future population changes from seasonal variation, increases in permanent residential occupation and new development of vacant land on long term economic opportunities and services needs within the township.
- Open Space Network (Parks and Gardens, public land, location of the proposed skate park)
- Public Infrastructure and services (Roads, Footpaths, Electricity Supply, Drains, Parking, Community Facilities)
- Transport networks / services (Road, Public Transport, Cycle, Pedestrian)
- Employment land provision, location and implementation (commercial / tourism land supply)
- Urban streetscape design principles
- Natural systems

Many of these issues are interrelated (e.g. parking affects visual amenity and open space affects natural systems) and require the Plan to be prepared with the input of a diverse working group drawing on a broad range of skills within Council and from external agencies and consultants .

The Plan will be closely linked to the Housing and Settlement Strategy, Venus Bay Urban Design Framework, Venus Bay Traffic Study (2009), Community Infrastructure Plan – Tarwin Lower/Venus Bay (June 2014) and the future Open Space and Paths and Trails Strategies (currently under review/development).

Proposed Timeline

Activity	Proposed Timeline
Research and data analysis	July 2018
Community engagement	October/November 2018
Activity Centre Plan adoption	Mid-2019

CONSULTATION

Extensive community collaboration will be required to engage the variety of interest groups, (permanent residents, part time residents, businesses, agencies, visitors) and demographics (aged, youth, families, employed, unemployed) in identifying the challenges, opportunities and strategies for improvement. This level of engagement ensures that as many needs as possible can be expressed and included in policy and future decision making.

RESOURCES

The Activity Centre Plan will be completed by the Strategic Planning team. However, the project will require a budget of \$35,000 to undertake any additional work required to inform the outcomes of the study. These additional costs will cover public consultation, traffic assessment, economic analysis and urban design work.

RISKS

Council is aware that a range of views exist in the Venus Bay community regarding the location of key community features including the proposed skate park. There is a risk that including features such as the skate park in the project scope may generate community concern that impacts the preparation and delivery of the Plan.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Venus Bay Activity Centre Plan/Map [2.2.1]

REFERENCE DOCUMENTS**Council Policy**

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

South Gippsland Planning Scheme

Legislative Provisions

Planning and Environment Act 1987

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

3.1. COMMUNITY LEADERSHIP AND PARTICIPATION OPPORTUNITIES FOR LEONGATHA

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

Council is seeking to work with the Leongatha community to explore new opportunities for local collaboration. A process to encourage a community conversation can be implemented within a reasonably short time-frame without incurring significant expenditure. The process outlined will not place an unreasonable burden on local volunteers and can build on the strong level of community participation that already exists in the Leongatha community.

RECOMMENDATION

That Council:

1. Endorses the proposed steps to engage the Leongatha community;
2. Allocate a further \$5,000 in the 2018/19 Annual Budget to support implementation of this process; and
3. Receive a further report on 26 September 2018 Ordinary Council Meeting outlining the extent of interest expressed by the Leongatha Community in establishing a new community collaboration and leadership structure.

MOVED: Cr Hill

SECONDED: Cr Rich

THAT COUNCIL:

1. **ENDORSES THE PROPOSED STEPS TO ENGAGE THE LEONGATHA COMMUNITY;**
2. **ALLOCATE A FURTHER \$5,000 IN THE 2018/19 ANNUAL BUDGET TO SUPPORT IMPLEMENTATION OF THIS PROCESS; AND**
3. **RECEIVE A FURTHER REPORT ON 26 SEPTEMBER 2018 ORDINARY COUNCIL MEETING OUTLINING THE EXTENT OF INTEREST EXPRESSED BY THE LEONGATHA COMMUNITY IN ESTABLISHING A NEW COMMUNITY COLLABORATION AND LEADERSHIP STRUCTURE.**

CARRIED

FOR: Councillors Skinner, Brown, Argento, McEwen, Brunt, Hill and Rich.

AGAINST: Councillors Kiel and Edwards.

REPORT

Background

Council resolved at the Ordinary Meeting of Council 26 April 2018:

That Council:

- 1. Receive a report by 30 May 2018 on how to conduct and convene with local organisations workshops/consultation on the desirability of collaboratively establishing an appropriate leadership structures and process for Leongatha and developing a Community plan and vision.*
- 2. Identify any additional resource requirements for implementing such an approach.*

Council staff have for many years been directly involved in supporting South Gippsland communities to enhance their local community leadership and collaboration networks. This work has previously included:

- Implementing a version of a small towns Charrette program during the period 2000 to 2004 where communities were allocated \$10,000 and supported to work collaboratively to allocate these funds to local projects.
- Establishing and facilitating a Towns and Districts Associations Network from 2004 to the present time. This Network provides a regular opportunity for representatives from Progress Associations, Community Development Associations, and locality based Business Groups (e.g. Chambers of Commerce, Resident and Ratepayers Associations) to share information, provide peer support and gain information via guest speakers and working with Council staff on initiatives and projects that could assist their communities to grow and improve.
- From 2010 onwards assisting individual communities to develop Community Plans, known as Community Directions Statements. These Statements are locally driven and owned, with the local community generally presenting them to Council for noting, and Council assisting with implementation initiatives where the Community Statement and Council Plan have common interest. The only town in South Gippsland without a Community Directions Statement/Plan at this time is Leongatha. The level of officer support required to assist with developing the current Community Statements has varied from town to town, often related to the capacity of the local civic sector to lead the process.

- Providing skills development opportunities for community volunteers in areas such as leadership, partnership, collaboration, recruiting new members, communication and promotion.
- Assisting community event and festival planning committees with information and advice on ways to increase the range of groups and individuals who can assist with the implementation of these events.

Leongatha organisations have been involved in all of the aforementioned processes but generally to a lesser extent than smaller communities. The Leongatha community, under the leadership of the now defunct Leongatha Progress Association, committed significant time to a 'Planning For Real' community planning process in 2007, with the assistance of a \$10,000 grant from Council. However, this process, whilst it generated a wide range of project ideas, did not result in an ongoing community development practice. This community has however continued to be effective in initiating and implementing many valuable and successful projects that enhance the community, particularly in the areas of recreation.

Proposed Steps to Engage the Leongatha Community

The following steps can help determine the level of interest the Leongatha Community has in creating additional, more formal community development process to existing formal processes:

1. Research and map the range and number of community and business networks based in Leongatha and obtain current contact information for these groups. (June 2018)
2. Write to all the known groups outlining Councils desire to support the community to enhance community collaboration and leadership with staff time and other resources. (This information would include examples community leadership structures that are proving effective in both South Gippsland and other like rural communities in Victoria). (July 2018)
3. Invite interested groups to provide initial comments on enhancing community collaboration and leadership. (July/August 2018)
4. Create an online forum for discussion on enhancing community collaboration and leadership. (July/August 2018)
5. In conjunction with the online forum conduct three community forums to explore the value of establishing new collaboration structures in Leongatha. (August 2018)

6. Provide a report to Council on the interest expressed by the community in establishing a formal structure and what form it might take. (26 September 2018 Ordinary Council Meeting)
7. If the outcomes from the online consultation and workshops are in support of this structure, Council will proceed with establishing an identified structure /model for Leongatha. (October 2018)

The development of a Leongatha Community Directions Statement (The Plan) will also be canvassed through this process and work to assist the community to develop and commence in October 2018. Previous experience in South Gippsland and other Gippsland localities indicates that a process that enables wide and deliberative participation with appropriate community review of proposals needs a minimum six to eight months.

CONSULTATION

Councillors have consulted with some community members and some Leongatha based organisations on the value of undertaking this work. The local media has generated a high level of awareness in the Leongatha community that Council is seeking to support the community to consider a model for increased collaboration between local organisations. Council staff, particularly from the Community Strengthening, Economic Development and Tourism, and Strategic Planning teams have been directly involved in collaborative projects with a wide range of community organisations in this area over the previous eighteen months.

RESOURCES

Some additional resource may be required to undertake this work, depending on the level of interest expressed by the local community and the level of leadership and resourcing they choose to provide. The communication work outlined in steps one to four can be accommodated within the existing Community Strengthening staff and program budgets.

Convening the series of three forums may require an extra allocation of funds for venues and promotion and potentially some external specialist presenter's .The maximum additional funding to support this process is anticipated to be no more than \$5,000.

If the community decides to proceed with developing a structure similar to the Korumburra Round Table and seeks the same level of secretariat support then Council would need to allocate up to 20 extra work days (\$7,000) per annum, or reduce the level of service available to other smaller South Gippsland townships and district's to release the necessary officer time, as happened with the decision to provide secretarial support for the Korumburra Round Table.

Development of a community plan of a similar style to the ones created by the Korumburra and Mirboo North communities will not require additional resources unless the Leongatha community chooses to hire external specialists and undertakes a process such as 'Planning For Real'. This type of externally facilitated Place Making process is likely to cost over \$10,000.

RISKS

A high level of collaboration between organisations in Leongatha already exists when developing new projects and supporting long term projects. Council may suffer reputational risk if the community sector chooses not to respond to the invitation to consider a new model for collaboration and leadership.

This process will require additional commitment of volunteer time from a community that already contributes this at a much higher level than the state average. The civic community may feel this process is an unreasonable extra burden and that it takes away from their existing commitments to specific clubs/processes.

Expectations of the level of resourcing that Council can make available to support the establishment and ongoing support of new leadership structures across the Shire may be raised by undertaking this work.

A new leadership structure may be established that remains reliant on Council to support funding, creating a dependency on Council resources that does not currently exist and may not be sustainable.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

*Documents are available on Council's website: www.southgippsland.vic.gov.au
Council Plan 2017-2021*

3.2. STRATEGY ADOPTION - 2018 PATHS AND TRAILS STRATEGY

Infrastructure Directorate

EXECUTIVE SUMMARY

A desktop review / update of the *2010 Paths & Trails Strategy* (2010 Strategy) has been undertaken. The review outlines the projects completed from the 2010 Strategy and describes a number of new projects for Council's future consideration. The revised project list focusses on the spine of the Great Southern Rail Trail (GSRT) and spurs linking to this spine.

Of the ninety-six (96) projects listed in the 2010 Strategy, seventeen (17) have been completed, and ten (10) are either nearly completed, designed, budgeted, or included in other projects. Council funding for the *Paths & Trails Program* was suspended when rate capping was introduced by the State Government.

In response to the public submissions received on the draft *2017 Paths & Trails Strategy* (2017 Strategy), a number of amendments have been made and are listed below:

- “Ewens Road” was changed to “Gassons Road” under *Section 6.7 - Agnes River Road Walk*.
- A possible trail was added to complete the “Korumburra Skip Track” between Coal Creek and Ritchies Reserve in Korumburra.
- The proposed “Waratah Way” path, whilst included in the 2018 Strategy, will not be included on the project list (*Section 9.1 - 2018 Project Priorities List*) at present due to significant impacts and difficult issues associated with possible alignments.
 - Option 1 follows the previously cleared firebreak / weed management access track and is located on the northern side of the sand dunes, partly on crown land and partly on private land. This option cannot be considered by Council until the Sandy Point Community Group and Foreshore Committee resolve the land tenure issue with the owners of the adjacent farm land who are opposed to the path being on their property. When this issue has been addressed, the “Waratah Way” project can be placed onto the project list.
 - Option 2 is entirely located on crown land, however, it extends into the sand dunes by up to 45 metres and requires extensive vegetation removal and earthworks. This is not considered feasible due to the significant impacts this option would have on the fragile single crown

dune system. Disruption of this extent to the dune system could result in sea inundation into adjacent properties.

- Review all on-road line marking and signage projects over the next 12 months to confirm their viability (will conform with current on-road cycling design standards) and then adopt a program for implementation.

Following consideration of the submissions received from the community, a final draft *2018 Paths & Trails Strategy* (2018 Strategy) was prepared. The 2018 Strategy separates 'trails and shared path' projects from 'footpath extension' projects due to the *Footpath Extension Program* having a separate budget in the *Capital Works Program*. The review of the 2010 Strategy presents a revised list of projects under *Section 9.1 - 2018 Project List*.

Consultation with the community and research over the past twenty years has indicated that walking, cycling, and horse riding constitute the largest recreational activity group undertaken by community members.

RECOMMENDATION

That Council:

1. Having considered all submissions received from the public, adopts the 2018 Paths & Trails Strategy (Attachment [3.2.1]) and publish on Council's website.
2. Provide all submitters with a copy of the adopted 2018 Paths & Trails Strategy and thank them for their contribution.
3. Considers the allocation of funds towards the implementation of the recommendations in the 2018 Paths & Trails Strategy in future budget processes (Paths & Trails Program).

Councillor Skinner moved a Motion that is different to the Recommendation.

MOVED: Cr Skinner

SECONDED: Cr Rich

THAT COUNCIL:

- 1. HAVING CONSIDERED ALL SUBMISSIONS RECEIVED FROM THE PUBLIC, ADOPTS THE 2018 PATHS & TRAILS STRATEGY (ATTACHMENT [3.2.1]), INCLUDING:**
 - a. THE 'WARATAH WAY' PATH/ TRAIL IN THE PROJECT LIST:**
 - i. THAT THE WARATAH WAY PATH IS UNFUNDED AND NEEDS FURTHER INVESTIGATION BY THE COMMUNITY, AND**
 - ii. THAT THERE WILL BE NO COMPULSORY ACQUISITION OF FARM LAND FOR THE PROJECT, TO GIVE SURETY TO PROPERTY OWNERS.**
- 2. PROVIDE ALL SUBMITTERS WITH A COPY OF THE ADOPTED 2018 PATHS & TRAILS STRATEGY AND THANK THEM FOR THEIR CONTRIBUTION.**
- 3. CONSIDERS THE ALLOCATION OF FUNDS TOWARDS THE IMPLEMENTATION OF THE RECOMMENDATIONS IN THE 2018 PATHS & TRAILS STRATEGY IN FUTURE BUDGET PROCESSES (PATHS & TRAILS PROGRAM).**
- 4. PUBLISH THE ADOPTED STRATEGY ON COUNCIL'S WEBSITE.**

MOVED: Cr Rich

SECONDED: Cr McEwen

THAT COUNCILLOR RICH SPEAKING TIME BE EXTENDED BY 3 MINUTES.

CARRIED

FOR: Councillor Skinner, Hill, McEwen, Argento and Rich.

AGAINST: Councillor Kiel, Edwards, Brunt and Brown.

The Motion was CARRIED.

FOR: Councillor Skinner, Argento, Hill, Rich and McEwen.

AGAINST: Councillor Brown, Brunt, Kiel and Edwards.

REPORT

In accordance with Council's corporate timetable, the 2010 Strategy was scheduled for review and adoption this financial year.

Council engaged consultant, Andrew Nixon Land Use Management, to undertake a desktop review / update of the 2010 Strategy in line with the Council Plan 2017-2022, item 2.2.2 - *Review and update the Paths and Trails Strategy to determine where regional and local connections are required*. The review concluded in September 2017 and the draft 2017 Strategy was prepared and presented to Council in an open briefing to the public on 20 September 2017 in readiness for community consultation.

2017 Desktop Review / Update of the 2010 Strategy

The desktop review / update of the 2010 Strategy builds on the previous 2010 Strategy which in turn was built from the 2001 Paths & Trails Strategy. The 2010 Strategy was prepared by consultant, Andrew Nixon, Land Use Management, who was also engaged to undertake this review and produce a revised strategy.

The review has included new projects identified through desktop research, community feedback, and submissions. A review and update of the 2010 Project Priority Matrix (PPM) has also been undertaken. The PPM has excluded footpath extension projects as these projects are included in a separate criticality table that informs the funded *Footpath Extension Program*.

The review identifies some new projects linking townships, reconfirms previous projects, and briefly outlines some of the new projects.

Project types include:

- Creation of new off-road shared paths;
- Walking paths;
- Sealing road shoulders and line marking for safer cycling; and
- Improving bicycle signage of designated routes.

Strategy Review Objectives

The objectives of the desktop review of the 2010 Strategy are to:

- Review the 2010 Strategy and examine how effective it was, i.e. what were the outcomes and how it can be improved.

- Determine what the community and user expectations are and what can realistically be achieved where stated.
- Establish a project list of routes, trails, paths, linkages, and circuits categorised into three project classes consisting of:
 - Construction Projects (**Attachment [3.2.1]** – *Section 9.1.1*).
 - On-road Line-marking & Signage Projects (**Attachment [3.2.1]** – *Section 9.1.2*).
 - Projects on VicRoads Roads (**Attachment [3.2.1]** – *Section 9.1.3*).
- Allocate project priorities to currently funded projects only.
- Update and establish the cost of constructing bicycle, walking, riding paths, and trails, and to review and examine alternative methods and materials (using the rates in Appendix 2 of the 2018 Strategy (**Attachment [3.2.1]** – *Section 9.2 - Costs Table*)).
- Determine ongoing management responsibilities, particularly maintenance being the highest cost, together with risk and liability.
- Provide a strategic approach to the provision of a comprehensive cycling and walking network.
- Present review outcomes for Council including a draft five plus year action plan (**Attachment [3.2.1]** – *Section 8.1 - 2018 Strategy Action Plan*).
- Provide some recommendations for improved processes relating to Council's paths and trails.
- Review all on road line marking and signage projects over the next 12 months to confirm their viability (will conform with current on road cycling design standards) then adopt a program for implementation.

CONSULTATION

Included in the brief for Andrew Nixon's desktop review of the 2010 Strategy was to consider inputs from the community. Andrew Nixon has included inputs from community plans, town infrastructure blueprints, town infrastructure plans, community requests, meeting feedback notes with Council officers and relevant community representatives, outcomes from the *Our Say* internet community consultation, and the *Capital Works Program* budget submission process. It has also taken into account feedback to the Andrew Nixon from proponents of some of the new projects.

An internal working group of relevant Council officers was convened to oversee the desktop review / update of the 2010 Strategy.

2017 Strategy (draft for community consultation)

The draft 2017 Strategy was prepared and presented to Council in an open briefing to the public on 20 September 2017. The recommended action from this briefing was for Council to consider the draft 2017 Strategy and commence the public consultation process by releasing the draft 2017 Strategy to the broader community.

The draft 2017 Strategy was advertised requesting public feedback from 9 October 2017 to 6 November 2017. The draft 2017 Strategy was available on Council's website, was sent to all libraries in the Shire, and forwarded to eight identified interest groups.

Outcome of the Public Submission Process

Council received a total of 33 submissions to the draft 2017 Strategy and copies are included in **Confidential Attachment [15.1.1]**. These submissions have been summarised in **Table 1** located at the end of this report.

A number of requests were received in anticipation of the review of the 2010 Strategy with one request supporting the "Hoddle Mountain Trail" and five addressed the "Waratah Way" path proposal. These requests were included in the review process in developing the draft 2017 Strategy.

The public consultation process has resulted in several significant stand-out matters which are discussed below:

- **Korumburra Skip Track:** Addition of a trail between Coal Creek and Ritchies Reserve in Korumburra along the creek reserve where there is currently a missing link in the "Korumburra Skip Track".
- **Waratah Way:** The proposed "Waratah Way" path has been included in the 2018 Strategy, however, will not be included on the project list (**Attachment [3.2] – Section 9.1 - 2018 Project List**) at present due to significant impacts and difficult issues associated with both possible alignments.
 - Option 1 follows the previously cleared firebreak / weed management access track and is located on the northern side of the sand dunes, partly on crown land and partly on private land. This option cannot be considered by Council until the Sandy Point Community Group and Foreshore Committee resolve the land tenure issue with the owners of the adjacent farm land who are opposed to the path on their property. When this has been addressed, the "Waratah Way" project can be placed onto the project list.

- Option 2 is entirely located on crown land, however, it extends into the sand dunes by up to 45 metres and requires extensive vegetation removal and earthworks. This is not considered feasible due to the significant impacts this option would have on the fragile single crown dune system. Disruption of this extent to the dune system could result in sea inundation into adjacent properties.
- **Hoddle Mountain Trail:** There were ten submitters in favour of the “Hoddle Mountain Trail”, by far the most support for any trail proposal. The status of the road reserve used by the “Hoddle Mountain Trail” is that it is currently a public road and that Council has determined that this road reserve, namely the Fish Creek Quarry Road, between Fish Creek Foster Road and Beards Road, be opened to public traffic to enable it to be used as part of the “Hoddle Mountain Trail”. The continuity of the “Loader Trail” and “Hoddle Mountain Trail” has been resolved with the new quarry lease excluding the area required for the “Hoddle Mountain Trail”.
- **Jumbunna Road, Korumburra Path:** There was significant support for the shared path proposal along Jumbunna Road between Guys Road and the Korumburra Secondary College. This project is programmed for detailed design this financial year with funding currently included in the forward budget for the 2018/19 financial year for construction of the shared pathway.
- **Project List:** Projects were prioritised based on Council’s Project Priority Matrix (PPM) which is an internal reference document to the strategy. Due to the complexity of the PPM, this document was not made available to the public and has not been included as part of the strategy. There was concern raised by the community in regards to the prioritisation (numbering order) of the projects. Based on community concern and as the PPM is an internal reference document for Council, project prioritisation (numbering order) was removed and projects have been separated into “funded” and “not funded” for the three project classes (**Attachment [3.2]** – *Section 9.1 - 2018 Project List*).

Summary of Submissions

Refer to **Table 1** at the end of this report. A copy of all the public submissions received on the draft 2017 Strategy are included in **Confidential Attachment [15.1.1]**.

RESOURCES

The 2018 Strategy Action Plan (**Attachment [3.2]** – *Section 8.1*) will be reviewed annually as part of Council’s budgeting process, and where budget allows, projects will be incorporated into the *15-year Capital Works Program*.

RISKS

The community may be disappointed that there is currently no budget allocation for more paths and trails for recreational use. It is proposed that Council considers the allocation of funds towards the implementation of the recommendations in the 2018 Strategy in future budget processes (*Paths & Trails Program*).

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. 2018 Paths & Trails Strategy [3.2.1]

CONFIDENTIAL ATTACHMENTS

Confidential Attachment [15.1.1] – Submissions (Draft 2017 Paths & Trails Strategy) – has been provided in accordance with s.77(2)(c) of the Local Government Act 1989, the Chief Executive Officer designates this item as confidential information on the grounds that it relates to s.89(2)(h) - any other matter which the Council or Special Committee considers would prejudice the Council or any persons.

This item is deemed confidential to protect the privacy of the submitters.

REFERENCE DOCUMENTS

Council Policy

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

15-year Capital Works Program

Paths & Trails Strategy

Recreation Strategy

Legislative Provisions

Local Government Act 1989

Table 1 - Summary of Submissions

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#1.	Dr W M Ellis <i>Fish Creek</i> 15 Oct 2017	<p>Hoddle Mountain Trail is not new and has been used for 29 plus years. Interesting scenery, geology, botany, etc.</p> <p>The Hoddle Mountain Trail would be a significant addition to the GSRT which has proven beneficial for the Shire and is used by thousands of people every year. Believes the Loader Trail is on Parks Vic managed crown reserve. Old Quarry Road is a public road and walkers are not trespassing. Beards Road is used by walkers and quarry trucks – not safe.</p>	<p>Noted support for the Hoddle Mountain Trail and included as a proposed 'official' walking track. Council resolved (26 April 2018) that Fish Creek Quarry Road (between Fish Creek Foster Road and Beards Road) be opened to public traffic to enable it to be used as part of the Hoddle Mountain Trail.</p>	✓
		<p>Waratah Way is not a viable proposal. People should use the beach. The Shire should take heed of the science pointing to climate change and the prospect of sea level rise this century, almost certainly within the time frame of the proposed Way. There is just one row of dunes between the sea and the farm land. Any disturbance of vegetation keeping the dunes intact will seriously weaken this defence. There is only one dune between the beach and Waratah Bay township.</p>	<p>Noted objection to the Waratah Way trail. Option 1 will be further considered following resolution of land tenure and biodiversity impacts on adjacent farm land. The environmental impacts of Option 2 for this trail are considered unacceptable as along the south side, the proposal would likely impact on the single crown dune system. Any damage to the dune system could place Waratah Bay at risk from inundation arising from predicted rising sea levels. A community consultative process was undertaken on 3 May 2018 to present the Ethos environmental report in relation to the Waratah Way proposals.</p>	* Recognised but not on the project list.

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#2.	Syd Whyte Korumburra Community Development Association 17 Oct 2017	Jumbunna Road, Korumburra – support for the new shared path from Guys Road to the Korumburra Secondary School.	Noted support for shared path and included in the 2018 Strategy. Currently listed in the 2018/19 Capital Works Program with a budget of \$922,500.	✓
		Isabella Boulevard to Hannah Rise – supports the inclusion of a walking track between Isabella Boulevard and Hannah Rise Crescent.	Noted support for this shared path and included in the 2018 Strategy. Planned to be incorporated in any future subdivision of the land between Isabella Boulevard and Hannah Rise Crescent. Council’s Planning Department has advised that the future connection between Hanna Rise Crescent and Isabella Boulevard is planned to be a shared pedestrian / bike connection point. Although it is steep, it is the only east / west connection in the southern growth area of Korumburra. For this reason, this project has the highest status as part of future subdivision of the land between Hanna Rise Crescent and Isabelle Boulevard.	✓

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#3.	<p>Noelene Cosson Korumburra Business Association Inc 27 Oct 2017</p>	<p>Korumburra Industrial Estate to Commercial Street – request to include a walking path to connect the Korumburra Industrial Estate to Commercial Street as highlighted in the Korumburra Directions Statement (April 2017). People are seen on the highway as they make their way to and from the main street with no designated walkway until the Warragul Road intersection which is dangerous, particularly if pushing a pram.</p>	<p>Noted support. Priority project listed in the Korumburra Directions Statement – has been included in the Footpath Extension Program.</p>	<p>✘</p>
#4.	<p>Tony Walker Hoddle Mountain Trail Management Group 29 Oct 2017</p>	<p>Hoddle Mountain Trail – supports the inclusion as it creates a 17km return journey from Fish Creek out through spectacular scenery overlooking Wilsons Promontory and Corner Inlet.</p>	<p>Noted support and included as a proposed 'official' walking track.</p>	<p>✓</p>
		<p>Concerns about perceived inaccuracies in the draft 2017 Strategy and believes the Hoddle Mountain Trail traverses public land only.</p>	<p>Council resolved (26 April 2018) that Fish Creek Quarry Road (between Fish Creek Foster Road and Beards Road) be opened to public traffic to enable it to be used as part of the Hoddle Mountain Trail.</p>	<p>N/A</p>
#5.	<p>Dan Drummond Leongatha South 30 Oct 2017</p>	<p>Korumburra Skip Track – requests the inclusion of path from Coal Creek to Ritchies Reserve.</p>	<p>Noted support and included in the draft 2017 Strategy.</p>	<p>✓</p>

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#6.	Peter Biggins Rotary Club of Korumburra 31 Oct 2017	Korumburra Skip Track - requests the inclusion of path from Coal Creek to Ritchies Reserve and construction of the missing link in this track currently used for and damaged by cattle grazing.	Noted support and included in the 2018 Strategy.	✓
#7.	Terry Waycott Korumburra Roundtable 2 Nov 2017	Jumbunna Road, Korumburra – supports the inclusion of walking track as highlighted in the Korumburra Directions Statement as a priority project.	Noted support and currently listed in the 2018/19 Capital Works Program.	✓
#8.	Robin Stevens Fish Creek Landcare 3 Nov 2017	Hoddle Mountain Trail – supports the inclusion as it creates a 17km return journey from Fish Creek out through spectacular scenery overlooking Wilsons Promontory and Corner Inlet.	Noted support and included as a proposed 'official' walking track.	✓
		Concerns about the perceived inaccuracies in the draft 2017 Strategy and believes the trail traverses public land only.	Council resolved (26 April 2018) that Fish Creek Quarry Road (between Fish Creek Foster Road and Beards Road) be opened to public traffic to enable it to be used as part of the Hoddle Mountain Trail.	N/A
#9.	Michael Lester Fish Creek Community Development Group 3 Nov 2017	Hoddle Mountain Trail – supports the inclusion as it creates a 17km return journey from Fish Creek out through spectacular scenery overlooking Wilsons Promontory and Corner Inlet.	Noted support and included as a proposed 'official' walking track.	✓

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#10	Michael Brody <i>Fish Creek</i> 3 Nov 2017	Hoddle Mountain Trail – supports the inclusion.	Noted support and included as a proposed 'official' walking track.	✓
#11	Carolyn Fryer <i>Fish Creek General Store & Newsagency</i> 6 Nov 2017	Hoddle Mountain Trail – requests Council to formally recognise and support the trail both from its historic importance to the district, for its future benefits to the economy of South Gippsland, and to the recreational and environmental experiences for tourists to the area.	Noted support and included as a proposed 'official' walking track.	✓
#12	David Pilkington & Frances Toohey <i>Sandy Point</i> 6 Nov 2017	Waratah Way – concerns as landowners regarding the Sandy Point to Waratah Bay "Waratah Way" track as the proposal traverses extremely close to their existing farm infrastructure and believe it would adversely impact on current farming practices, farm biosecurity, and adversely impact on livestock, animal and human welfare, and amenity.	Noted objection to the Waratah Way trail. Option 1 will be further considered following resolution of land tenure and biodiversity impacts on adjacent farm land. The environmental impacts of Option 2 for this trail are considered unacceptable as along the south side, the proposal would likely impact on the single crown dune system. Any damage to the dune system could place Waratah Bay at risk from inundation arising from predicted rising sea levels. A community consultative process was undertaken on 3 May 2018 to present the Ethos environmental report in relation to the Waratah Way proposals.	* Recognised but not on the project list.

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#13	Gary Wallis Fish Creek 6 Nov 2017	Hoddle Mountain Trail – supports retention of the trail in the strategy, named in the 2010 Strategy as “Mt Nicoll – SGSC Quarry Fish Creek” facility, being the creation of a circuit walk when incorporating the Great Southern Rail Trail, using unused road, gravel pit, and Hoddle Road. Provided a history of the Hoddle Mountain Trail usage since the 1880s plus photos of its use since 1988.	Noted support and included as a proposed ‘official’ walking track.	✓
#14	Cathy Giles Sandy Point Community Group 6 Nov 2017	Waratah Way – supports the inclusion of the trail.	Noted support for the trail. Option 1 will be further considered following resolution of land tenure and biodiversity impacts on adjacent farm land.	✗ Recognised but not on the project list.
		Concerns with: <ul style="list-style-type: none"> • The emphasis on the GSRT as this may preclude the completion of many smaller tracks. • Does not capture the benefits of tracks in coastal areas. • Inaccuracies with Waratah Way trail detail. 	Notwithstanding, the environmental impacts of the options for this trail are considered unacceptable. Along the north side, the proposal significantly impacts farming operations and along the south side, the proposal would likely impact on the single crown dune system. Any damage to the dune system could place Waratah Bay at risk from inundation arising from predicted rising sea levels. A community consultative process is being undertaken on 3 May 2018 to present the Ethos environmental report in relation to Waratah Way proposals.	N/A

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
		Requests that the speed limit along Gale Street be reduced to 80km/h.	The existing 80 km/h speed limit commences approximately 700 metres east of Moongana Street. The speed limit changes to 50km/h approximately 220 metres east of Moongana Street. The section of Gale Street between the 80km/h sign and Fish Creek Waratah Road is not classed as a built up area and as such it has a default speed limit of 100kph. In addition, the VicRoads speed zoning guidelines do not support any reduction in the speed limit. An application to change the 50km/h speed limit in the township to 40km/h is currently with VicRoads for approval – this is anticipated to be forthcoming by the end of May 2018.	N/A
		Does not support the Project Priority Matrix.	The Project Priority Matrix used in the Paths & Trails Strategy is based on the “Prioritisation of Bicycle Infrastructure Proposals” commissioned by the Australian Cycling Council and prepared by the Australian Road Research Board Group Pty Ltd. A detailed description of the PPM is included in the Draft Strategy.	N/A
#15	Ian Chalmers <i>Fish Creek</i> 6 Nov 2017	Concerns with the lack of mention of horse riding in the Guiding Principles and the majority of the draft 2017 Strategy	Horse riding is mentioned 11 times, pedestrian is mentioned 19 times, cyclist is mentioned 20 times, and walker is mentioned 7 times. Horse riding has been addressed throughout the draft 2017 Strategy in positive and supportive terms.	N/A

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#16	Paul Katsieris <i>Walkerville Ratepayers and Residents Association</i> 6 Nov 2017	Acacia Way and Walkerville Foreshore Shared Paths – supports the overall draft 2017 Strategy, in particular the Acacia Way and Walkerville Foreshore Shared Paths as both projects would bring much needed linkages to existing pathways and trails, pedestrian safety, and clearer circulation systems between pedestrians, cyclists, and drivers throughout the community. Supports the seven Guiding Principles, key observations, and recommendations of the draft 2017 Strategy.	Noted support and included in the 2018 Strategy.	✓
#17	Bridget Crowe <i>Fish Creek</i> 6 Nov 2017	Hoddle Mountain Trail – supports the inclusion of trail.	Noted support and included as a proposed 'official' walking track.	✓
		Concerns about perceived inaccuracies in the draft 2017 Strategy such as project being referred to as 'new' when it was recognised in the 2010 Strategy and is currently used.	Noted.	N/A
		Concerns with the lack of recognition for the Fish Creek Community Development Group and Hoddle Mountain Trail Management Group for many years of commitment to the track.	Council recognises the efforts of the community groups in maintaining the track known as the Hoddle Mountain Trail.	N/A

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#18	Michael Chang <i>Fish Creek</i> 6 Nov 2017	Hoddle Mountain Trail – supports the inclusion of the trail as an important community asset and the economic benefit to the area. Felt the tone of the draft 2017 Strategy was negative towards the Hoddle Mountain Trail.	Noted support and included as a proposed 'official' walking track.	✓
#19	Tom Holman <i>Foster Community Association</i> 6 Nov 2017	Link from Foster township to the GSRT - supports the inclusion of a link from township to the GSRT which will then provide a link from the township to the cemetery.	Noted support and included in the draft 2018 Strategy.	✓
		Cement Hill Trail – supports the trail for mountain bikes.	Noted support and included in the draft 2018 Strategy.	✓
		Foster Township to Foster Cemetery – support to allow foot traffic.	Noted support and included in the Footpath Extension Program.	✗
		Foster to Tidal River – support for trail to Wilson Promontory.	Noted support and included in the 2018 Strategy.	✓
		Concerns with the lack of empirical data and appears to be a less than serious examination of the success of the previous plans, the emanating actions and the priorities looking forward to 2022.	The draft 2017 Strategy was a desk top review of 2010 Strategy. A Project Priority Matrix (PPM) has been used in both the 2010 and 2017 strategies including estimated costs. The PPM was not included in the Strategy as it is a technical support document to the Strategy.	N/A
		Wants paths to be 4 metres wide.	The width of shared paths will conform to current Australian Standards.	N/A

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
		Cover of draft 2017 Strategy indicates “Contains a prioritised costed project list with descriptions” – not included, but has preliminary work re new proposals including 5 pages on Hoddle Mountain Trail indicating this project has gained priority.	Noted. The draft 2017 Strategy was a desk top review of 2010 Strategy. PPM has been used in both the 2010 and 2017 Strategies including estimated costs. The PPM was not included in the Strategy as it is a technical support document to the Strategy.	N/A
		Too much detail on Hoddle Mountain Trail – should be consistent with level of detail for all projects.	Noted.	N/A
		Principle 7 Economy and Tourism – Council should already have a significant tourism and economic strategy in place.	Council has the recently adopted 2018-2020 Economic Development and Tourism Strategy.	N/A
		Priority Projects should include upgrades and maintenance of existing routes, not just new projects.	Noted. Will be included in the review of the 2018 Paths & Trails Strategy scheduled in 2022.	N/A
		Only 69% of 2010 projects completed – how is Council to improve this completion rate?	Restricted Council funding due to Rate Capping.	N/A
		Are Footpath Extension Projects linked to Paths & Trails Strategy?	Links between footpaths and paths & trails are considered in planning for paths & trails.	N/A
		No maps provided. Paths and trails mapping should be done immediately and urgently.	Mapping is being undertaken and included in Council’s GIS mapping system.	N/A

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
		Strongly supports on-line project mapping.	Maybe considered in the future as a consultative process.	N/A
		Was not consulted.	The review of the 2010 Strategy was a desk top review, not a comprehensive review including extensive consultation by the consultant.	N/A
		Should have more than a desk top review.	Funding allocation was only sufficient for a desk top review.	N/A
		The Co-ordination Committee should include a community representative.	If this committee is established this will be considered.	N/A
		Data collection to support / clarify project assumptions should be immediate & ongoing, not just on-going.	Data collection methods and processes are currently being developed.	N/A
		Consistency between the Open Space Strategy and the Paths & Trails Strategy should be achieved.	Noted.	N/A
		Detailed costs for all projects, not just Waratah Way .	Noted.	N/A
		Foster Community Plan not referenced.	Noted.	N/A
		The Foster Community Association's new "Access Foster" concept means finding ways to link all trails and paths in the district. The Foster Community Association wish to work with Council & others to achieve this objective.	It will be considered when the "Access Foster" document is provided to Council.	N/A

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#20	Meg Parkinson <i>Fish Creek</i> 6 Nov 2017	Supports the intention to put white lines on the sides of roads, signs, and other safety matters.	Noted support and included in the 2018 Strategy.	N/A
		Supports the use of bicycles trails where it is safe and realistic to do so.	Noted support and included in the 2018 Strategy.	N/A
		Supports the Guiding Principles and Objectives of the draft 2017 Strategy and the majority of the Action Plan and Project Priorities.	Noted support and included in the 2018 Strategy.	N/A
		<p>Hoddle Mountain Trail - support the proposed trail – with following concerns:</p> <ul style="list-style-type: none"> • Trail is not appropriate if adjoining property owner’s object; • Access is required for water meter reading; • Not just for walkers; • Would need to be made safe; • Privacy issues need to be addressed; • Maintenance of the trail would need to be to Council standards. 	Noted support and included as a proposed ‘official’ walking track.	✓

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
		<p>Tarwin Lower Road – concerns with this path as it is quite narrow at times and has problems with its structure when there is a lot of rain.</p>	<p>Tarwin Lower Road is a VicRoads road and does not have a bicycle / walking path. Notwithstanding, it is believed that this submitter maybe referring to the path between Tarwin Lower and Venus Bay along the Inverloch Venus Bay Road. This path is inspected in accordance with the Road Management Plan. Last maintenance was carried out in February 2018 which included removal of tripping hazards, pothole filling, and vegetation trimming.</p>	N/A
#21	<p>Sally and Andy Moseby <i>Venus Bay</i> 6 Nov 2017</p>	<p>Concerns on the impact the increased traffic (vehicles & pedestrian) will have on the wildlife and requests Council make plans for the future of Venus Bay in an attempt to maintain an environment that is conducive to the health of the wildlife, advocate on behalf of the wildlife, and educate others.</p>	<p>Not relevant to the 2018 Strategy.</p>	N/A
#22	<p>Carl Talbot <i>Fish Creek</i> 6 Nov 2017</p>	<p>Hoddle Mountain Trail - supports the inclusion of the trail subject to all requirements including affected landowner concerns and risks are covered.</p>	<p>Noted support and included as a proposed 'official' walking track. However, would be difficult to appease the concerns and risks to the satisfaction of the submitter.</p>	✓

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
		<p>As a landowner, is not supportive of putting agriculture land and animals at unnecessary risk of affecting farming family's income and amenity. Includes financial viability of farm, biosecurity risks, risk of fire, weeds, stock out on road, animal welfare affected by dogs (particularly when not on leads), walkers still using a road with heavy trucks, rubbish, trespass, and malicious damage already occurring. Also, working in road reserve without permission, felling trees / branches then pushing them into fences, damage to property owner's gates and signs stolen by walkers trespassing.</p>	<p>Working in a Road Reserve permit is required by volunteer groups undertaking works on a road reserve. These groups will be advised accordingly.</p>	<p>N/A</p>
		<p>Financial viability of theirs and their neighbour's dairy farm is reliant on using the submitter's land with access across the road reserve.</p>	<p>In the past, Mr Talbot has asked to purchase the road reserve between his and the Bennett's farms.</p>	<p>N/A</p>

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
		<p>Puts forward a number of positive alternatives without negative consequences for the Hoddle Mountain Trail. Supported alternatives for Hoddle Trail include:</p> <ul style="list-style-type: none"> • Using the Rail Trail to Shields Road, along Shields Road, down Beards Road to Hoddle Mountain Trail at quarry – NO impact on farming, uses existing roads and trail. • Old Waratah Road – route would be Old Waratah Rd, Meeniyan Prom Rd to Dancooks Rd, cross Dancooks Rd, then along short section of road reserve at rear of the Bennett's and Talbot's farms onto Beards Rd. This could be extended in the future to Foster Promontory Rd and possibly to the Prom. This alternative does not impact farming operations and would have greater benefits to the community. • Wants the road reserve closed between the Bennett's farm and their farm and sold to adjoining property owners. Funds from sale could be used to provide one of the alternative routes. 	<p>Alternative routes are subject to safety issues for walkers and are not considered the better trail routes.</p>	<p style="text-align: center;">*</p>

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
		GSRT Korumburra to Leongatha – focus should be on extending the rail trail as it would be a greater benefit to community	Noted support and included in the 2018 Strategy. The extension of the Rail Trail from Korumburra to Leongatha is in the forward Capital Works Program for the 2019/20 with a budget of \$3.5m.	✓
SUBMISSIONS RECEIVED AFTER CLOSING DATE OF 6 NOVEMBER 2017				
#23	Sean Taylor-Lyons Loch Community Development Association Inc. 8 Nov 2017	GSRT - Nyora to Loch (5km) – supports the draft 2017 Strategy, the Vision, and that priority should be given to the GSRT Nyora to Loch, ideally to Hilda Falls (2.2km).	Noted support and included in the 2018 Strategy. The extension of the Rail Trail from the western boundary of the Shire to Korumburra is listed in the forward Capital Works Program for 2022/23 with a budget of \$2.7m.	✓
		Consultation – the draft 2017 Strategy states that <i>“various groups have been consulted”</i> . They were not consulted. Would welcome engagement with SGSC.	Only a few groups were consulted on complex or sensitive new projects and was undertaken by the consultant, bearing in mind the project was only a desk top review.	N/A
		Loch footpaths – requests that Council provide a firm commitment of the Loch Streetscape, otherwise the construction of footpaths on the north side of Victoria Street and the east side of Smith Street needs to be prioritised.	The Loch Streetscape (Stage 1) is currently listed in the forward Capital Works Program for 2018/19 with a budget of \$710,582.	✗
		Loch Lap is being re-addressed by the LCDA to reduce its footprint. The Loch Community Plan 2010 is a priority for review by the LCDA as there are out-of-date items.	Noted support and included in the 2018 Strategy. The revised documents for the Loch Lap and the Loch Community Plan will be considered by Council when submitted by the LCDA.	✓

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#24	Milton, Linda & Brett Heywood Sandy Point 8 Nov 2017	Waratah Way – concerns as landowners of any proposal to use their land for the track between Waratah Bay and Sandy Point because there is already a beautiful walk along the beach between these two small towns. Duplicating this is an unnecessary expense in the Council budget, especially, as previously mentioned, the beautiful beach alternative already exists.	Noted objection to the Waratah Way trail. Option 1 will be further considered following resolution of land tenure and biodiversity impacts on adjacent farm land.	* Recognised but not on the project list.
		As of 1 October 2017, all farmers have new Biosecurity Rules to adhere to which involves the landowner to document every person who enters their land and to assess the risks they pose. These new laws cover humans and animals, whether feral or farm related, and include horses and dogs.	The changes to biosecurity rules will be taken into consideration.	N/A
#25	Margaret & John Ryan Fish Creek 8 Nov 2017	Hoddle Mountain Trail – supports the trail and states they had been using the road reserve known as Hoddle Trail until it was fenced off. Submitter's family was involved with quarry operations since 1920. Submitter's brother built the road from the quarry to the Fish Creek rail siding.	Noted support and included as a proposed 'official' walking track.	✓

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#26	Paul Boys Korumburra Secondary College 13 Nov 2017	Jumbunna Road, Korumburra – supports the upgrade of the existing footpath between Hannah Rise and Korumburra Secondary College for the safety of school children and families.	Noted support for shared path and included in the 2018 Strategy. Currently listed in the 2018/19 Capital Works Program with a budget of \$922,500.	✓
#27	Kathy Whelan Toora 14 Nov 2017	Ewens Road is incorrect in relation to the connection from the GSRT to Agnes Falls Road. It should be Gassons Road.	Noted and strategy updated.	N/A
#28	Melanie Mitchell Prom Coast MTB Club 29 Jan 2018	Cement Hill Trail – supports the trail for mountain bikes.	Noted support and included in the 2018 Strategy.	✓
#29	Helen Ritt Fish Creek 19 Jan 2018	Hoddle Mountain Trail – supports the inclusion of the trail.	Noted support and included as a proposed 'official' walking track.	✓
#30	Dr W M Ellis Fish Creek 25 Jan 2018	Hoddle Mountain Trail – combined with submission #1 – same submitter.	Noted support and included as a proposed 'official' walking track.	✓
#31	Roslyn Spratt Leongatha South 22 Jan 2018	Hoddle Mountain Trail – supports the inclusion of the trail.	Noted support and included as a proposed 'official' walking track.	✓

NO.	FROM	MAIN POINTS OF SUBMISSION	OFFICERS COMMENTS	2018 STRATEGY PROJECT LIST
#32	Peter Constantine & Richard Dargaville Hoddle Mountain Trail Management Group 18 Jan 2018	Hoddle Mountain Trail – supports the inclusion of the trail.	Noted support and included as a proposed 'official' walking track.	✓
#33	Michael Blyth Venus Bay 20 Jan 2018	Hoddle Mountain Trail – supports the inclusion of the trail.	Noted support and included as a proposed 'official' walking track.	✓

3.3. DISABILITY ACTION PLAN 2018-2022 - DRAFT

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

A Disability Action Plan (DAP) enables an organisation to address access and inclusion issues for people with disability. A DAP is mandated by Section 38 of the Disability Act 2006 for all public sector bodies including Local Government.

Council has effectively implemented the 2013-2016 Disability Action Plan, and staff have undertaken extensive discussions within Council to develop an achievable DAP for the coming four year period.

RECOMMENDATION

That Council:

1. Adopts the proposed Draft Disability Action Plan 2018-2022 (Attachment [3.3.1]);
2. Receive a report on implementation of the Disability Action Plan prior to 30 June 2019.

Cr Skinner left the Council Meeting at 3.30pm.

MOVED: Cr Brunt

SECONDED: Cr McEwen

THAT COUNCIL:

1. **ADOPTS THE PROPOSED DRAFT DISABILITY ACTION PLAN 2018-2022 (ATTACHMENT [3.3.1]);**
2. **RECEIVE A REPORT ON IMPLEMENTATION OF THE DISABILITY ACTION PLAN PRIOR TO 30 JUNE 2019.**

Cr Skinner returned to the Council Meeting at 3.31pm.

Cr Edwards left the Council Meeting at 3.31pm.

CARRIED UNANIMOUSLY

Noting that Cr Edwards was not present for the vote.

REPORT

South Gippsland Shire Council first implemented a Disability Action Plan (DAP) in 2007, known at that time as the Access and Inclusion Plan. The most recent version of Council's DAP (2013-2016) was adopted in 2012. A review of the DAP 2013-2016 has been undertaken as part of the development of the Draft DAP 2018-2022 (**Attachment [3.3.1]**).

Key achievements of the 2013-2016 DAP include:

- (it's no) drama project - an opportunity for performers with and without disability to develop and deliver an original work, in partnership with local artists and the Creative Arts Industry.
- The annual Community Engagement Conference includes a focus on accessibility, inclusion and supporting community organisations to provide inclusive services, facilities and information.
- Council business is now more accessible: improvements to Council's website; a focus on communication access (inclusion of public documents in MS Word format) and Council Meetings being available via live stream.

CONSULTATION

Specific consultation to develop the Plan was undertaken between October and December 2017. The engagement included:

- Meetings with community members and Council Staff;
- Meetings with and presentations to, the Access and Inclusion Advisory Committee;
- Request for comment from external agencies.

Informal consultation on what actions Council can take to support access for people of all abilities is ongoing and occurs via the work of Council's Access and Inclusion Advisory Committee, Council's Rural Access Officer, a range of special interest networks convened by the Community Strengthening team, and direct representations made to Council by community members for improved accessibility to Council services and facilities.

RESOURCES

The resources required to implement the actions outlined in the proposed DAP are largely included in the current financial and human resource allocations. However, the role of monitoring the implementation of Council's DAP has been led by Council's Rural Access Officer, a role that is majority funded by the

State Government. State government funding for Rural Access positions via the Building Inclusive Communities (BIC) program is currently listed to finish on 30 June 2019. Council's responsibility to have a DAP will however continue so Council will need to consider resourcing of the monitoring function.

Council will need to consider an allocation of up to \$8,000 per annum from financial year 2020/21 to undertake suitable monitoring of and reporting on the implementation of this DAP.

RISKS

Council is required to develop, implement and report on the DAP. This is "business as usual" so there are no additional risks associated with undertaking this work. There is risk to reputation/legislative compliance if Council does not adopt and effectively implement a DAP.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Draft Disability Action Plan 2018-2022 **[3.3.1]**

REFERENCE DOCUMENTS

Council Policy

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

Council Plan 2017-2021

Legislative Provisions

Disability Discrimination Act 1992

Disability Act 2006

Public Health and Wellbeing Act 2008

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

4.1. SRV APPLICATIONS - TOORA POOL STAGE 2 UPGRADE - MIRBOO NORTH ACTIVE PLAY - VENUS BAY SKATE PARK - LEONGATHA REC RESERVE PRECINCT MASTER PLAN (CSIF)

Infrastructure Directorate

EXECUTIVE SUMMARY

Sport and Recreation Victoria's *Community Sports Infrastructure Fund* is a Victorian Government funding program that helps provide high-quality, accessible community sport and recreation facilities across Victoria. Funding is available under the following categories; Better Pools, Major Facilities, Small Aquatic Projects, Minor Facilities, and Planning.

There are four projects eligible for the 2019/20 funding program:

1. Toora Swimming Pool (Stage 2) Upgrade (*Small Aquatic Projects*).
2. Mirboo North Active Play - Baromi Park Enhancements (*Minor Facilities*)
3. Venus Bay Skate Park Development (*Minor Facilities*)
4. Leongatha Recreation Reserve Precinct Master Plan (*Planning*)

RECOMMENDATION

That Council:

1. Applies for funding to Sport and Recreation Victoria - 2019/20 Community Sports Infrastructure Fund (CSIF) for the following projects:
 - a. Toora Swimming Pool (Stage 2) Upgrade project for \$250,000 under the Small Aquatic Projects category.
 - i. Notes Council's contribution for the Toora Swimming Pool (Stage 2) Upgrade of \$350,311 has already been allocated through the 2019/20 Capital Works Program.
 - b. Mirboo North Active Play - Baromi Park project for \$200,000 under the Minor Facilities category.
 - i. Notes Council's contribution for the Mirboo North Active Play - Baromi Park project of \$175,000 has already been allocated through the Community Budgeting process.

- c. Venus Bay Skate Park Development project for \$125,000 under the Minor Facilities category.
 - i. Notes Council's contribution for the Venus Bay Skate Park Development of \$125,000 has already been allocated through the Community Budgeting process.
 - d. Leongatha Recreation Reserve Precinct Master Plan project for \$30,000 under the Planning category.
 - i. Allocates \$10,000 from the 2019/20 Community Infrastructure Projects budget towards the Leongatha Recreation Reserve Precinct Master Plan if the application is approved by Sport and Recreation Victoria.
2. Notes that any cost overruns for the projects will be met by Council.
3. Provides staff resources within funding allocated in the total project costs for management of the projects if approved by Sport and Recreation Victoria in the 2019/20 financial year.

MOVED: Cr Kiel

SECONDED: Cr Argento

THAT COUNCIL:

1. **APPLIES FOR FUNDING TO SPORT AND RECREATION VICTORIA - 2019/20 COMMUNITY SPORTS INFRASTRUCTURE FUND (CSIF) FOR THE FOLLOWING PROJECTS:**
- a. **TOORA SWIMMING POOL (STAGE 2) UPGRADE PROJECT FOR \$250,000 UNDER THE SMALL AQUATIC PROJECTS CATEGORY.**
 - i. **NOTES COUNCIL'S CONTRIBUTION FOR THE TOORA SWIMMING POOL (STAGE 2) UPGRADE OF \$350,311 HAS ALREADY BEEN ALLOCATED THROUGH THE 2019/20 CAPITAL WORKS PROGRAM.**
 - b. **MIRBOO NORTH ACTIVE PLAY - BAROMI PARK PROJECT FOR \$200,000 UNDER THE MINOR FACILITIES CATEGORY.**
 - i. **NOTES COUNCIL'S CONTRIBUTION FOR THE MIRBOO NORTH ACTIVE PLAY - BAROMI PARK PROJECT OF \$175,000 HAS ALREADY BEEN ALLOCATED THROUGH THE COMMUNITY BUDGETING PROCESS.**
 - c. **VENUS BAY SKATE PARK DEVELOPMENT PROJECT FOR \$125,000 UNDER THE MINOR FACILITIES CATEGORY.**

- i. **NOTES COUNCIL'S CONTRIBUTION FOR THE VENUS BAY SKATE PARK DEVELOPMENT OF \$125,000 HAS ALREADY BEEN ALLOCATED THROUGH THE COMMUNITY BUDGETING PROCESS.**
- d. **LEONGATHA RECREATION RESERVE PRECINCT MASTER PLAN PROJECT FOR \$30,000 UNDER THE PLANNING CATEGORY.**
 - i. **ALLOCATES \$10,000 FROM THE 2019/20 COMMUNITY INFRASTRUCTURE PROJECTS BUDGET TOWARDS THE LEONGATHA RECREATION RESERVE PRECINCT MASTER PLAN IF THE APPLICATION IS APPROVED BY SPORT AND RECREATION VICTORIA.**
2. **NOTES THAT ANY COST OVERRUNS FOR THE PROJECTS WILL BE MET BY COUNCIL.**
3. **PROVIDES STAFF RESOURCES WITHIN FUNDING ALLOCATED IN THE TOTAL PROJECT COSTS FOR MANAGEMENT OF THE PROJECTS IF APPROVED BY SPORT AND RECREATION VICTORIA IN THE 2019/20 FINANCIAL YEAR.**

Cr McEwen left the Council Meeting at 3.33pm and returned at 3.35pm.

CARRIED UNANIMOUSLY

Noting that Cr Edwards was not present for the vote.

REPORT

On the 19 April 2018, the Hon John Eren MP, Minister for Sport, officially launched the 2019/20 Community Sport Infrastructure Fund (CSIF). The 2019/20 CSIF is a Victorian Government funding program that helps provide high quality, accessible community sport and recreation facilities across Victoria.

Community Sport Infrastructure Fund (CSIF) Program

The CSIF provides grants for planning, building new, and improving existing facilities where communities conduct, organise, and participate in sport and recreation.

Applications to the CSIF program close Monday 25 June 2018.

Detailed information on the CSIF program categories and program guidelines is available on SRV's website¹. In summary, funding is available under the following categories:

- *Better Pools, Major Facilities or Small Aquatic Projects Category*

Only one project can be submitted collectively under this category. The funding ratio is SRV \$1: Local \$1. Funding is available under this category as follows:

- Better Pools: Grants of up to \$3M are available to provide high-quality aquatic leisure facilities through new or redeveloped aquatic leisure centres.
- Major Facilities: Grants of up to \$800,000 (where the total project cost is more than \$500,000, excluding GST) are available to develop or upgrade sub-regional and regional sport and active recreation facilities.
- Small Aquatic Projects: Grants of up to \$250,000 are available to improve and upgrade aquatic facilities, seasonal pools and develop new water play spaces.

It is proposed to submit an application for the Toora Swimming Pool (Stage 2) Upgrade.

¹ **Community Sports Infrastructure Fund:** <http://www.sport.vic.gov.au/grants-and-funding/our-grants/community-sports-infrastructure-fund>

- Minor Facilities Category

Councils may apply for the maximum grant amount for up to two projects from this category. The funding ratio is SRV \$2: Local \$1. Funding is available under this category as follows:

Grants of up to \$250,000 for any one project are available to provide community sport and active recreation groups, working in partnership with local government, to develop or upgrade community sport and active recreation infrastructure.

It is proposed to submit applications for the Mirboo North Active Play Project (Baromi Park) and the Venus Bay Skate Park Development project.

- Planning Category

Councils may apply for the maximum grant amount for one project. The funding ratio is SRV \$2: Local \$1. Funding is available for planning initiatives that address the future sport and recreation needs of communities through better information gathering, consultation and strategic planning, including:

- Grants of up to \$30,000 for projects focusing on recreation planning or facility feasibility in one municipality
- Grants of up to \$50,000 for regional planning initiatives that demonstrate inter-municipal needs and financial support from multiple local government authorities.

It is proposed to submit an application for the Leongatha Recreation Reserve Precinct Master Plan project.

Projects to Submit

Four projects have been internally assessed as eligible for the 2019/20 program:

1. Toora Swimming Pool (Stage 2) Upgrade

Stage 2 is for the installation of an interactive children's water play feature into the existing toddler's pool to encourage more families to use the pool. The project will also include improvements to the car park. Stage 1, which includes refurbishment of the male and female change rooms, inclusion of a family/accessible change room and toilet, and accessible path to access the pools, will be delivered in the 2018/19 Capital Works Program.

Estimated Total Cost:	\$600,311
SRV Small Aquatics Category:	\$250,000
Recommended Council Contribution (2019/20 Capital Works Program):	\$350,311

2. Mirboo North Active Play Project (Baromi Park)

As identified in the Baromi Park Master Plan 2018, the project is for the enhancement of the existing skate bowl by refurbishing and extending the current bowl to develop a skate park with elements similar to the Leongatha facility. Council has already allocated funding through the Community Capital Works Allocation process. The project will also include the development of a basketball half-court and will be enhanced by providing connecting paths, a shared shelter, a drinking fountain, and landscaping.

Estimated Total Cost:	\$300,000
SRV Minor Facilities Category:	\$200,000
Recommended Council Contribution (Community Budgeting process):	\$100,000

3. Venus Bay Skate Park Development

The project is for the development of a new skate park facility as requested by the Venus Bay community through Council's Community Budgeting process. The project will involve the demolition of the existing skate park, site identification for the new site, and construction of a suitable new skate park in Venus Bay. The community have indicated that their preferred location for the new skate part is on the corner of Jupiter Boulevard and Centre Road, Venus Bay.

Estimated Total Cost:	\$250,000
SRV Minor Facilities Category:	\$125,000
Recommended Council Contribution (Community Budgeting process):	\$125,000

4. Leongatha Recreation Reserve Precinct Master Plan

The overall aim of the master plan is to establish clear directions for the future use and development of the Leongatha Recreation Reserve. The plan will help guide Council, the Leongatha Recreation Reserve Committee of Management, various users of the reserve, and the broader community, to strategically maximise the opportunity for co-location and shared use of facilities while ensuring they are fit-for-purpose. The plan will take into consideration the previous Leongatha Recreation Reserve

Master Plan that primarily focused on individual users of the reserve and their future needs.

Estimated Total Cost:	\$40,000
SRV Planning Category:	\$30,000
Recommended Council Contribution (<i>Not yet allocated</i>):	\$10,000

CONSULTATION

Toora Swimming Pool (Stage 2) Upgrade project was presented to Council in April 2014, endorsed for public exhibition, and adopted by Council on 25 June 2014, as part of the Poowong and Toora Pools Master Plan.

Mirboo North Active Play project is an outcome of the master plan development for the enhancement of Baromi Park. The enhancement of Baromi Park is a supported project through the Community Budgeting process which was approved by Council on 14 December 2016.

Venus Skate Park Development project is a supported project through the Community Budgeting process which was approved by Council on 14 December 2016. Preliminary discussions have taken place with SRV to confirm project eligibility. The community have indicated that their preferred location for the new skate park is on the corner of Jupiter Boulevard and Centre Road, Venus Bay. This was supported by a petition from the community containing approximately 331 signatures in total (263 signatures from residents within the Shire and 68 signatures from residents outside the Shire). The petition, background information, and consultation undertaken on the project is available in the Ordinary Council Meeting Minutes 28 March 2018².

Leongatha Recreation Reserve Precinct Master Plan project has been discussed by officers with the Leongatha Recreation Reserve Committee of Management who are w supportive of the proposal.

A Confidential Briefing was presented to Council on 4 April 2018 detailing the four projects proposed to be submitted under SRV's CSIF program. Council direction and feedback on project preference was sought at the briefing.

² Council Minutes 28 March 2018 - http://www.southgippsland.vic.gov.au/meetings/meeting/106/council_meetings_-_agendas_and_minutes

RESOURCES

Council's contribution for the Toora Swimming Pool (Stage 2) Upgrade of \$350,311 has already been allocated through the 2019/20 Capital Works Program.

Council's contribution of \$100,000 for the Mirboo North Active Play and \$125,000 for the Venus Bay Skate Park Development has already been allocated through the Community Budgeting process.

Funding of \$196,817 is available through Council's Long Term Financial Plan for community infrastructure projects. This will cover Council's contribution in 2019/20 of \$10,000 for the Leongatha Recreation Reserve Precinct Master Plan.

It is anticipated that, should the proposed four applications be successful, Council's total contribution of \$585,311 would be used to leverage \$605,000 from SRV. The total value of the four projects would be \$1,190,311.

RISKS

If Council does not support all four projects, it will miss an opportunity to obtain external funds to assist in improving recreational facilities within the Shire.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

Documents are available on Council's website: www.southgippsland.vic.gov.au
[C09 - Community Infrastructure Project Management Policy](#)
[C32 Procurement Policy](#)
[Long Term Financial Strategies](#)

Legislative Provisions

Local Government Act 1989

4.2. SRV APPLICATION - KORUMBURRA RECREATION RESERVE CHANGEROOMS REDEVELOPMENT (WGFF)

Infrastructure Directorate

EXECUTIVE SUMMARY

Sport and Recreation Victoria's *World Game Facilities Fund* is a Victorian Government funding program that assists local football (soccer) clubs and organisations to upgrade existing facilities or develop new facilities across metropolitan Melbourne and regional Victoria.

The Korumburra Recreation Reserve Changeroom Redevelopment project is the only project considered eligible and 'shovel ready' for the 2018/19 funding program which would be submitted by Council on behalf of the Korumburra City Soccer Club.

RECOMMENDATION

That Council:

1. Applies for \$250,000 in the next round of the Sport and Recreation Victoria 2018/19 World Game Facilities Fund (WGFF) for the Korumburra Recreation Reserve Changeroom Redevelopment project on behalf of the Korumburra City Soccer Club.
2. Notes Council's contribution of \$130,000 for the Korumburra Recreation Reserve Changeroom Redevelopment project has already been directed towards the project through the Community Budgeting process.
3. Advises the Korumburra City Soccer Club Committee and the Korumburra Recreation Reserve Section 86 Committee of Management that any project overruns will be drawn from the remaining funds allocated through the Community Budgeting process for the reserve. Should these funds be exhausted, the Korumburra City Soccer Club will be required to meet any additional costs as per Council's Community Infrastructure Project Management Policy.
4. Note that if there are any funds remaining from the Community Budgeting process allocation at the completion of the Korumburra Recreation Reserve Changeroom Redevelopment project, the Korumburra Recreation Reserve Section 86 Committee of Management will determine how these funds will be expended.
5. Provides staff resources within funding allocated in the total project cost for management of the project if approved by Sport and Recreation Victoria in the 2018/19 financial year.

MOVED: Cr Brown

SECONDED: Cr Brunt

THAT COUNCIL:

1. **APPLIES FOR \$250,000 IN THE NEXT ROUND OF THE SPORT AND RECREATION VICTORIA 2018/19 WORLD GAME FACILITIES FUND (WGFF) FOR THE KORUMBURRA RECREATION RESERVE CHANGEROOM REDEVELOPMENT PROJECT ON BEHALF OF THE KORUMBURRA CITY SOCCER CLUB.**
2. **NOTES COUNCIL'S CONTRIBUTION OF \$130,000 FOR THE KORUMBURRA RECREATION RESERVE CHANGEROOM REDEVELOPMENT PROJECT HAS ALREADY BEEN DIRECTED TOWARDS THE PROJECT THROUGH THE COMMUNITY BUDGETING PROCESS.**
3. **ADVISES THE KORUMBURRA CITY SOCCER CLUB COMMITTEE AND THE KORUMBURRA RECREATION RESERVE SECTION 86 COMMITTEE OF MANAGEMENT THAT ANY PROJECT OVERRUNS WILL BE DRAWN FROM THE REMAINING FUNDS ALLOCATED THROUGH THE COMMUNITY BUDGETING PROCESS FOR THE RESERVE. SHOULD THESE FUNDS BE EXHAUSTED, THE KORUMBURRA CITY SOCCER CLUB WILL BE REQUIRED TO MEET ANY ADDITIONAL COSTS AS PER COUNCIL'S COMMUNITY INFRASTRUCTURE PROJECT MANAGEMENT POLICY.**
4. **NOTE THAT IF THERE ARE ANY FUNDS REMAINING FROM THE COMMUNITY BUDGETING PROCESS ALLOCATION AT THE COMPLETION OF THE KORUMBURRA RECREATION RESERVE CHANGEROOM REDEVELOPMENT PROJECT, THE KORUMBURRA RECREATION RESERVE SECTION 86 COMMITTEE OF MANAGEMENT WILL DETERMINE HOW THESE FUNDS WILL BE EXPENDED.**
5. **PROVIDES STAFF RESOURCES WITHIN FUNDING ALLOCATED IN THE TOTAL PROJECT COST FOR MANAGEMENT OF THE PROJECT IF APPROVED BY SPORT AND RECREATION VICTORIA IN THE 2018/19 FINANCIAL YEAR.**

Cr Hill left the Council Meeting at 3.38pm and returned at 3.40pm.

Cr Edwards returned to the Council Meeting at 3.39pm.

CARRIED UNANIMOUSLY

REPORT

On the 26 March 2018, the Hon John Eren MP, Minister for Sport, officially launched the 2018/19 World Game Facilities Fund (WGFF). The 2018/19 WGFF is a Victorian Government funding program that provides grants to assist local football (soccer) clubs and organisations to upgrade existing or develop new facilities across metropolitan Melbourne and regional Victoria.

World Game Facilities Fund (WGFF) Program

The WGFF aims to support local football (soccer) clubs and organisations with grants of up to \$250,000 for projects such as lighting, pitch redevelopments, synthetic pitch developments, and unisex accessible change rooms. Detailed information on the WGFF program guidelines is available on SRV's website³.

Applications to the WGFF program close Wednesday 30 May 2018 and must be submitted by Council. Councils may be successful in receiving the total maximum funding of \$250,000 consisting of up to two applications per financial year.

The funding ratio is SRV \$2: Local \$1.

Korumburra Recreation Reserve Changeroom Redevelopment Project

The Korumburra City Soccer Club is located at the Korumburra Recreation Reserve in Ritchie Street, which is a Council owned reserve managed by the Korumburra Recreation Reserve Section 86 Committee of Management. The reserve is also home to the Korumburra Cricket Club.

The project scope includes the development of two changerooms, umpires changerooms, all person toilet/shower and baby changeroom, and the upgrade of the female and male toilets.

Estimated Total Cost:	\$380,000
SRV World Game Facilities Fund:	\$250,000
Recommended Council Contribution (Community Budgeting process):	\$130,000

The proposed project will meet the Football Federation Victoria's facility recommendations and the Community Cricket Guidelines for changerooms.

CONSULTATION

In 2017, Council submitted an Expression of Interest (EOI) for the Korumburra Recreation Reserve Changeroom Redevelopment project to the 2018/19

³ World Game Facilities Fund: <http://sport.vic.gov.au/grants-and-funding/our-grants/world-game-facilities-fund>

Community Sport Infrastructure Fund (CSIF). Maximum funding available through the CSIF program was \$100,000. Korumburra City Soccer Club requested that Council withdraw the EOI as the club was not in a position to allocate the required funds for the project.

The 2018/19 WGFF provides an opportunity to seek up to \$250,000 which now makes the project more realistic. Therefore the Korumburra City Soccer Club has requested that Council submit an application to the 2018/19 WGFF for the Korumburra Recreation Reserve Changeroom Redevelopment Project.

Council staff have liaised with representatives from SRV to ensure that the project is considered eligible and complies with Football Federation Victoria recommended facility recommendations and the Community Cricket Guidelines for changerooms.

RESOURCES

Korumburra Recreation Reserve was allocated \$175,000 through the Community Budgeting process. To date, \$10,000 has already been expended on design fees. Council's contribution of \$130,000 along with any cost overruns will be drawn from the remaining \$165,000. If there is a surplus of funds remaining at the completion of the project, the Korumburra Recreation Reserve Section 86 Committee of Management will determine how this will be expended.

RISKS

If Council does not support the project, it will miss an opportunity to obtain external funds to redevelop the changerooms at the Korumburra Recreation Reserve to address the inadequate facilities.

To mitigate the risk of project cost overruns, it is recommended that the Korumburra City Soccer Club be advised that any overruns are its responsibility to fund in accordance with Council's [Community Project Management Policy](#). This states that if funds are not available within the overall project budget, the applicant will be required to provide the additional funding.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

Documents are available on Council's website: www.southgippsland.vic.gov.au
[C09 Community Infrastructure Project Management Policy](#)
[C32 Procurement Policy](#)
[Long Term Financial Strategies](#)

Legislative Provisions

Local Government Act 1989

4.3. PROPOSED ROAD OPENING OFF FOSTER MOUNT BEST ROAD, MOUNT BEST

Infrastructure Directorate


EXECUTIVE SUMMARY

An existing section of government road reserve off Foster Mount Best Road, Mount Best is required to be open to public traffic to allow reasonable access to three properties (no's 912, 914, and 916). There is currently a grazing license over the government road and a formed road that provides access.

In accordance with s.204(1) and s.223 of the Local Government Act 1989, Council is required to commence the statutory procedures and commence a formal submission process by publishing a notice of the proposed road opening of a section of government road reserve located off Foster Mount Best Road, Mount Best by inviting written submissions from the community (the proposal).

RECOMMENDATION

That Council:

1. Commence the statutory procedures pursuant to s.204(1) and s.223 of the Local Government Act 1989 to declare a section of unused government road off Foster Mount Best Road, Mount Best (being an approximate area of 3742.7m² shown cross hatched  in Figure 1) is required to be a public highway and open for public traffic (the proposal).
2. Gives public notice in accordance with s.223 of the Local Government Act 1989 of the proposal (item 1 above) in the local newspapers in the week commencing 4 June 2018 and invites written submissions from the community by 5.00pm on Monday 2 July 2018.
3. Authorises the Chief Executive Officer to undertake the administrative procedures necessary to enable the Council to carry out its functions under s.223 of the Local Government Act 1989 in respect of the proposal (item 1 above).
4. If submissions are received to the public notice (item 2 above):
 - a. Authorises the Chief Executive Officer to set the time, date, and place to hear submissions.
 - b. Hears submitters who elected to speak to their submission at a Special Committee of Council in open session comprising of:

- i. The Mayor (or substitute) who will chair the meeting;
 - ii. Not less than two other Councillors; and
 - iii. The Director Infrastructure for administrative purposes.
- c. Consider submissions and determine proposal at the Ordinary Council Meeting to be held 22 August 2018.
5. If no submissions are received by the closing date to the public notice:
- a. Write to the Department of Environment Land Water and Planning (DELWP) requesting that the existing grazing licence be revoked (item 1 above).
 - b. Publish the road declaration in the Victorian Government Gazette (item 1 above).

MOVED: Cr Argento

SECONDED: Cr McEwen

THAT THE RECOMMENDATIONS IN ITEMS 4.3 AND 4.4 BE ADOPTED.

CARRIED UNANIMOUSLY

REPORT


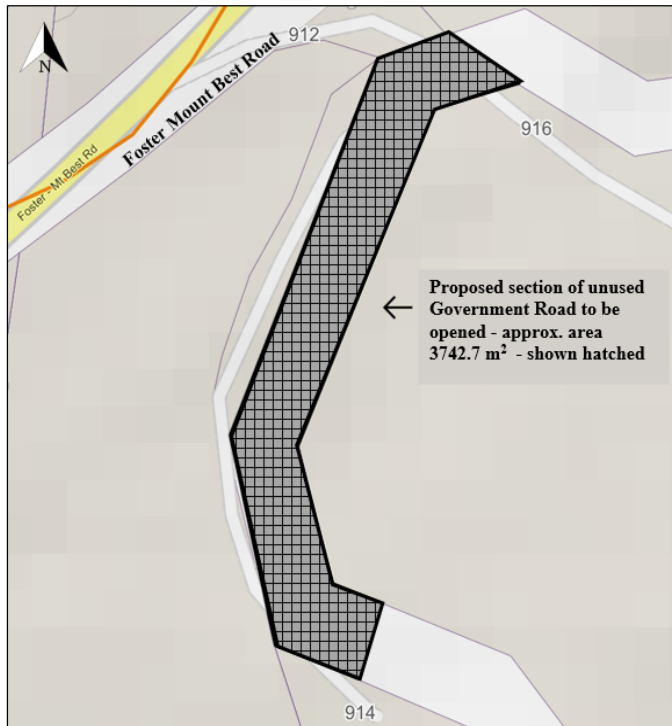
The section of government road reserve located off Foster Mount Best Road, Mount Best is required to be open to public traffic to allow reasonable access to three properties (no's 912, 914, and 916) shown as  in **Figure 1**.

Figure 1 – Proposed Section of Road to be Opened



Access from Foster Mount Best Road traverses in a westerly direction via Road 1 PS 714796 being a Council owned road. An existing road had been extended a further 250 metres in a southerly direction to allow access to property no. 914.


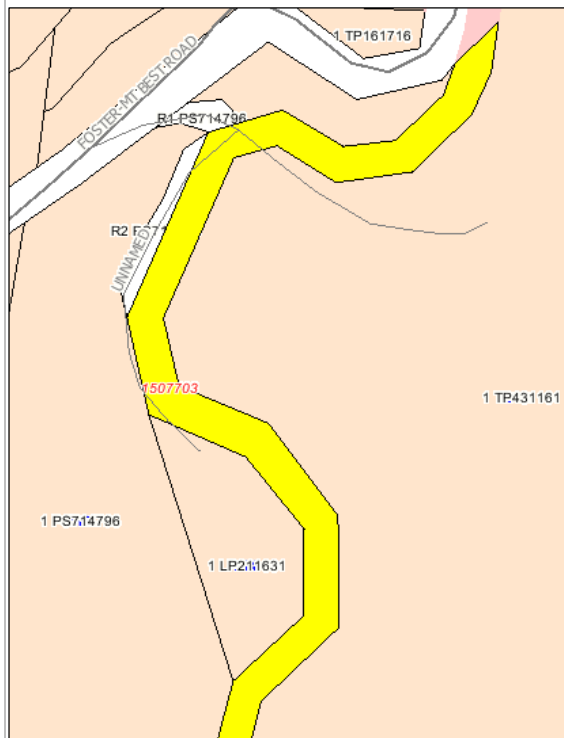
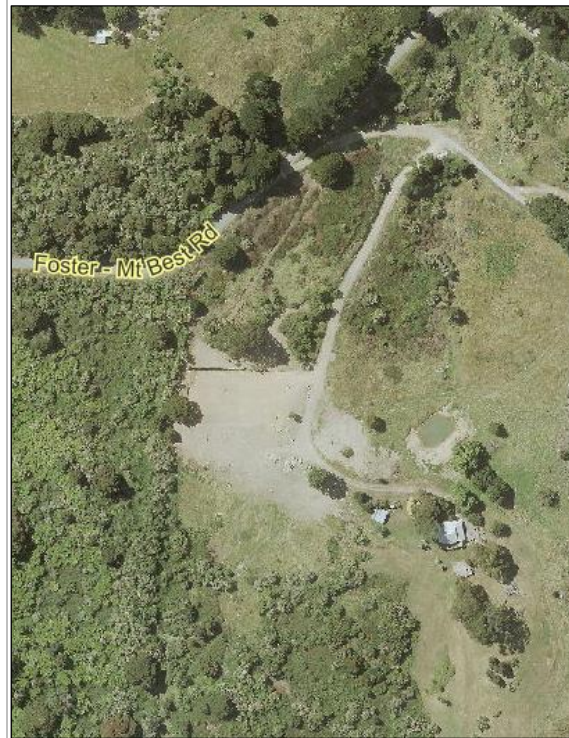
The proposed section of unused government road to be open has an Agricultural Licence (1507703 grazing licence) in place (shown as  in **Figure 2**) and this will need to be removed prior to the road being Gazetted. If the proposed road opening is approved, Council will write to the DELWP requesting the existing grazing licence be revoked. An aerial image of the subject area is included in **Figure 3**.

Figure 2 - DELWP Agricultural Licence**Figure 3 - Aerial Image**

This road will also need to be formally named at a future date to be determined if the proposal is adopted.

CONSULTATION

Consultation has occurred between the affected property owners of 914 Foster Mount Best Road, DELWP, and Council.

Discussions have been held between officers in the Infrastructure Planning department in regards to the need to construct road access and open the road to public traffic. This will commence when Council publicly notifies its intention on the proposed declaration and calls for submissions in accordance with s.223 of the Local Government Act 1989.

Correspondence will also be sent to affected parties detailing the proposal and inform them of the public notification.

The submission period is 28 days from publication. If submissions are received to the public notice, submitters will have the choice to be heard in support of their submission at a Special Committee of Council. All submissions will be considered and the proposal determined at the Ordinary Council Meeting 22 August 2018 in open session. If no submissions are received to the public notice, officers will write to DELWP requesting that the grazing licence be revoked and publish the declaration of the road opening in the Victorian Government Gazette.

RESOURCES

The maintenance cost for this section of road are accommodated in the Operations department budget for road construction and maintenance when required.

RISKS

If Council does not open the road, there will be no reasonable access via an opened road to the affected properties no's 912, 914, and 916. Council is authorised to address this risk as the responsible road authority.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

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

Infrastructure Design Manual

Road Management Plan

Road Opening Procedure

Legislative Provisions

Local Government Act 1989

Road Management Act 2004

4.4. PROPOSED ROAD OPENING OFF MAIN STREET, STONY CREEK

Infrastructure Directorate


EXECUTIVE SUMMARY

An existing section of government road reserve off Main Street, Stony Creek is required to be open to public traffic to allow reasonable access to four allotments being Lots CA 13, 14, 15 and 16 - F\PP5734 Parish of Stony Creek. There is already a formed track and once opened to public traffic will be constructed to Council standards.

In accordance with s.204(1) and s.223 of the Local Government Act 1989, Council is required to commence the statutory procedures and commence a formal submission process by publishing a notice of the proposed road opening of a section of government road reserve located off Main Street, Stony Creek by inviting written submissions from the community (the proposal).

RECOMMENDATION

That Council:

1. Commence the statutory procedures pursuant to s.204(1) and s.223 of the Local Government Act 1989 to declare that section of unused government road off Main Street, Stony Creek (being an area of 3420m² shown cross hatched  in Figure 1) is required to be a public highway and open for public traffic (the Proposal).
2. Gives public notice in accordance with s.223 of the Local Government Act 1989 of the proposal (item 1 above) in the local newspapers edition week commencing 4 June 2018 and invites written submissions from the community by 5.00pm on Monday 2 July 2018.
3. Authorises the Chief Executive Officer to undertake the administrative procedures necessary to enable the Council to carry out its functions under s.223 of the Local Government Act 1989 in respect of the proposal (item 1 above).
4. If submissions are received to the public notice (item 2 above):
 - a. Authorises the Chief Executive Officer to set the time, date, and place to hear submissions.
 - b. Hears submitters who elected to speak to their submission at a Special Committee of Council in open session comprising of:

- i. The Mayor (or substitute) who will chair the meeting;
 - ii. Not less than two other Councillors; and
 - iii. The Director Infrastructure for administrative purposes.
 - c. Consider submissions and determine proposal at the Ordinary Council Meeting to be held 22 August 2018.
5. If no submissions are received by the closing date to the public notice:
- a. Write to the Department of Environment Land Water and Planning (DELWP) requesting that the existing grazing licence be revoked (item 1 above).
 - b. Publish the road declaration in the Victorian Government Gazette (item 1 above).

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 67.

REPORT


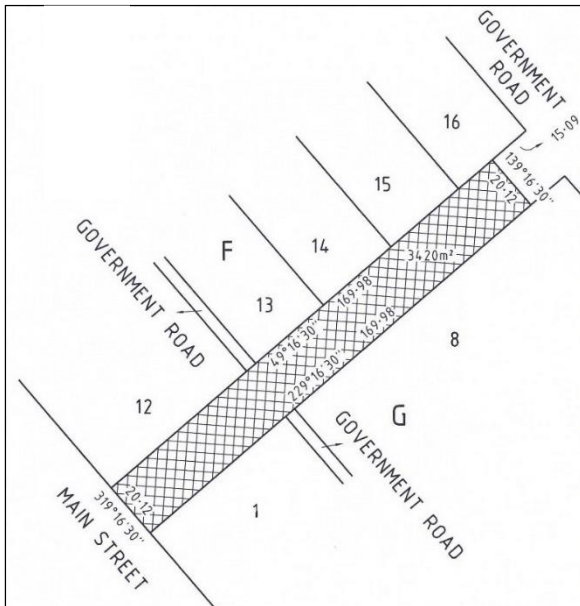
Council received an application to open a section of government road reserve located off Main Street, Stony Creek from the current land owner of four 1821m² allotments (lots CA 13, 14, 15 and 16 - F\PP5734 Parish of Stony Creek Township) being an area of 3420m² shown as  in **Figure 1**. A larger copy of **Figure 1** is available in **Attachment [4.4.1]**. These lots currently do not have legal road abuttal.

Figure 1 – Proposed Section of Road to be Opened




Access from Main Street traverses in a north - easterly direction via the unused government road. A 135 metre existing all-weather track has been constructed by the applicant. This section along with an additional 35 metres will need to be upgraded to Council’s standards by the applicant (shown as  in **Figure 2**).

Figure 2 – Aerial Map of Subject Area

The standard of construction shall be that required for an urban access place road described in the Infrastructure Design Manual. The roadway shall incorporate a 5.5 metre carriageway with a spray seal bitumen surface with SM2 kerbing. No footpath is required, but a provision for car parking within the carriageway on one side is required.

The proposed section of unused government road to be open has an Agricultural Licence (1509592 grazing licence) in place (shown as XXXXXX in **Figure 2** above) with the applicant being the licensee. This will need to be removed prior to the road being Gazetted. If the proposed road opening is approved, Council will write to the Department of Environment Land Water and Planning (DELWP) requesting the existing grazing licence be revoked.

This road will also need to be named at a future date to be determined if the proposal is adopted.

CONSULTATION

Consultation has occurred between the property owner and Council.

Discussions have been held between officers in the Infrastructure Department in regards to construct road access and open the road to public traffic.

Council will publicly notify its intention on the proposed declaration and call for submissions in accordance with Section 223 of the Act.

Correspondence will also be sent to affected parties detailing the Proposal and inform them of the public notification.

The submission period is 28 days from publication. If submissions are received to the public notice, submitters will have the choice to be heard in support of their submission at a Special Committee of Council. All submissions will be considered and the proposal determined at the Ordinary Council Meeting 22 August 2018 in open session. If no submissions are received to the public notice, officers will write to DELWP requesting that the grazing licence be revoked and publish the declaration of the road opening in the Victorian Government Gazette.

RESOURCES

There will be no cost to Council as all costs for the design and construction of the road are to be funded by the applicant.

The future maintenance cost for this section of road is accommodated in Operations department budget for road construction and maintenance when required.

RISKS

If Council does not open the road there will be no reasonable access to the affected allotments. Council is authorised to address the risks as the responsible road authority.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Plan of Road Opening - Stony Creek **[4.4.1]**

REFERENCE DOCUMENTS

Council Policy

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

Infrastructure Design Manual

Road Management Plan

Road Opening Procedure

Legislative Provisions

Local Government Act 1989

Road Management Act 2004

4.5. AWARD CONTRACT CON/171 - PROVISION OF DOMESTIC ANIMAL POUND SERVICES

Development Services Directorate

EXECUTIVE SUMMARY

Innovative Health Pty Ltd, trading as Korumburra - Kooweerup Veterinary Clinics (KKVC) provides Council's dog and cat pound service. The current contract expires on 30 June 2018. Consequently, Expressions of Interest (EOIs) were sought for the Provision of Dog and Cat Pound Services in The Age and local newspapers. The EOI resulted in KKVC being issued a closed Request for Tender (RFT). As only one EOI was received, the tender process was limited to assessing the single proposal.

The current arrangement with KKVC process has worked successfully for the last five years and has reduced the prior need for Council to explore a long-term strategy for dog and cat pound services within the Shire. Since adoption of the prior contract, Council officers have explored the option for Council to own and operate a pound facility or enter into a shared services arrangement with a neighbouring Council. The outcomes of this review were presented to Council at a Strategic Briefing 6 December 2017, where it was agreed that operating our own facility was not an economical option and that we go out to the market to seek interest from private companies to provide this service on Council's behalf.

KKVC has submitted a tender that demonstrates they are capable of providing a dog and cat pound service that meets Council's requirements. The fee proposed is \$130,469 (incl. GST) per annum for a five year period commencing 1 July 2018, subject to annual CPI adjustment.

This report recommends that KKVC is awarded the contract for a five year term to provide dog and cat pound services on behalf of Council.

RECOMMENDATION

That Council:

1. Award Contract CON/171 to Innovative Animal Health Pty Ltd for the amount of \$130,469 (incl. GST) per annum for a five year period commencing 1 July 2018, which will be subject to annual CPI adjustment;
2. Authorise the Chief Executive Officer to sign and affix the common seal of the municipality to the contract documents.

MOVED: Cr Brown

SECONDED: Cr Skinner

THAT COUNCIL:

- 1. AWARD CONTRACT CON/171 TO INNOVATIVE ANIMAL HEALTH PTY LTD FOR THE AMOUNT OF \$130,469 (INCL. GST) PER ANNUM FOR A FIVE YEAR PERIOD COMMENCING 1 JULY 2018, WHICH WILL BE SUBJECT TO ANNUAL CPI ADJUSTMENT;**
- 2. AUTHORISE THE CHIEF EXECUTIVE OFFICER TO SIGN AND AFFIX THE COMMON SEAL OF THE MUNICIPALITY TO THE CONTRACT DOCUMENTS.**

CARRIED UNANIMOUSLY

REPORT

The current contract for Pound Services with the KKVC expires on 30 June 2018. Consequently, EOIs were sought for the provision of these services in The Age and through Council's Noticeboard in local newspapers. The purpose of the EOI was to shortlist suitable respondents for a closed RFT.

Whilst there were a number of phone enquiries regarding the tender parameters, Council only received one submission from the current service provider. Whilst it is disappointing to receive only one submission, it is not surprising as there are significant costs and regulatory barriers for new dog and cat pound service providers, especially if they do not have a physical facility. It should also be noted that the EOI submitted demonstrated that the KKVC is capable of providing dog and cat pound services that meet the community's increasing demands.

On 6 December 2017 Council was briefed and informed that it would advertise an invitation to tender for the provision of pound services for a period of five years. Councillors were also advised that the tender price was likely to be higher than the current contract due to recent changes to the Department of Primary Industries "Code of Practice for the Management of Dogs and Cats in Shelters and Pounds" and an increase in the scope of the dog and cat pound service that Council requires.

The pound is required to be managed in accordance with the Department of Primary Industries "Code of Practice for the Management of Dogs and Cats in Shelters and Pounds." The Code specifies the minimum standards of accommodation, management and care that are appropriate to the physical and behavioral needs of dogs and cats housed in Council pounds.

CONSULTATION

Council gave public notice in accordance with s.223 of the Local Government Act 1989 of the Tender in Council's Noticeboard section of the Local newspapers on 5 February 2018 and the Public Notice section of the Age newspaper on 3 February 2018.

RESOURCES

The pound services will be provided for the amount of \$130,469 (incl. GST) per annum for a five year period commencing 1 July 2018, subject to annual CPI adjustment.

RISKS

The current five year dog and cat pound contract ends on 30 June 2018. If the contract is not awarded to the KKVC there is a risk that Council will not have a dog and cat pound service after 30 June 2018.

STAFF DISCLOSURE

Nil

CONFIDENTIAL ATTACHMENTS

Confidential Attachment [15.2.1] – Award Contract CON/171 - Provision of Domestic Animal Pound Services has been provided in accordance with s.77(2)(c) of the Local Government Act 1989, the Chief Executive Officer designates this item as confidential information on the grounds that it relates to s.89(2)(d) - contractual matters.

This is deemed confidential to protect the name, tender scores and tendered amount submitted by the contractor for consideration.

REFERENCE DOCUMENTS

Council Policy

Documents are available on Council's website: www.southgippsland.vic.gov.au
Domestic Animal Management Plan

External Documents

Department of Primary Industries "Code of Practice for the Management of Dogs and Cats in Shelters and Pounds"

Legislative Provisions

Domestic Animals Act 1994
Local Government Act 1989

4.6. AWARD CONTRACT CON/179 - ANNUAL SUPPLY OF CONCRETING SERVICES

Infrastructure Directorate

EXECUTIVE SUMMARY

Council requires the provision of concreting services in order to deliver the annual road and footpath maintenance and construction programs, including the projects in the adopted *Capital Works Program* eg. Footpath Replacement Program.

In accordance with Council's Procurement Policy and procedures, Council is required to follow an open tender process for the provision of concreting services. In response to Council's Request for Tender RFT/179 Annual Supply of Concreting Services, four tenders were received. It is recommended that Council accepts all four tenders and award Contract CON/179 for the annual supply of concreting services to a panel of preferred suppliers.

The panel shall operate on a schedule of rates basis and will be for a one year term commencing 1 July 2018.

Council has a good working relationship with each of the recommended contractors and has found their works to be of an acceptable standard. In previous years, works have been awarded to several contractors to provide the maximum flexibility in operations and this has been most successful.

RECOMMENDATION

That Council:

1. Awards contract CON/179 Annual Supply of Concreting Services for a one year term commencing 1 July 2018 to a panel of preferred suppliers as follows:
 - a. ADA Construction Services Pty Ltd
 - b. M Mileto and B Whale t/a M & M Paving
 - c. C & D Earthworks Pty Ltd
 - d. M & HM Whelan
2. Authorise the Chief Executive Officer to sign and affix the Common Seal of the Municipality to the contract documents.

MOVED: Cr Argento

SECONDED: Cr Kiel

THAT THE RECOMMENDATIONS IN ITEMS 4.6 AND 4.7 BE ADOPTED.

CARRIED UNANIMOUSLY

REPORT

In response to Council's Request for Tender RFT/179 Annual Supply of Concreting Services, Council received a total of four tender submissions.

Each of these contractors submitted schedule of rates prices for the provision of concreting services.

So that Council may obtain value for money, and to ensure the supply of a diverse range of products from across the Shire, the evaluation panel has proposed to accept all four tenders received in response to RFT/179. These successful tenderers will be placed on a panel of preferred suppliers.

For larger construction projects over \$20,000, or products not listed in the schedule of rates, Council may choose to seek quotes from the panel and/or from other suppliers.

CONSULTATION

Tender specifications were developed in consultation with all relevant officers involved in the hiring of concreting services.

RTF/179 was advertised on 24 March 2018 and closed on 17 April 2018.

The tenders were assessed in accordance with the criteria specified in the contract documentation by an evaluation panel on 30 April 2018. The evaluation panel consisted of the Manager Operations, Coordinator Works, Coordinator Sealed Roads Planning, and Contract Administrator.

A summary of the tender evaluation has been included in **Confidential Attachment [15.3.1]**.

RESOURCES

The purchase of concreting services is accommodated within Council's annual maintenance budget, capital works budget, and in Council's Long Term Financial Plan. For the past two years, Council has spent approximately \$150,000 per annum on concreting services.

RISKS

A panel of suppliers will reduce the risk of supply issues and logistics across the Shire.

STAFF DISCLOSURE

Nil

CONFIDENTIAL ATTACHMENTS

Confidential Attachment [15.3.1] – Tender Evaluation Summary - RFT/179 Concreting Services – has been provided in accordance with s.77(2)(c) of the Local Government Act 1989. The Chief Executive Officer designates this item as confidential information on the grounds that it relates to s.89(2)(d) - contractual matters.

This item is deemed confidential to protect the privacy of the contractors, tender scores, and tendered amounts submitted for consideration.

REFERENCE DOCUMENTS

Council Policy

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

Long Term Financial Plan

Procurement Policy

Road Management Plan

Legislative Provisions

Local Government Act 1989

Occupation Health and Safety Act 2004

4.7. AWARD CONTRACT CON/173 - SUPPLY, DELIVERY, AND LAYING OF HOT AND COLD BITUMINOUS ASPHALT PRODUCTS

Infrastructure Directorate

EXECUTIVE SUMMARY

Council is responsible for the maintenance and upkeep of approximately 796.4km of sealed roads. This requires the supply, delivery, and laying of large amounts of hot and cold bituminous asphalt products to keep our sealed road network safe and trafficable for all road users.

In accordance with Council's Procurement Policy and procedures, Council is required to go out to open tender for the supply, delivery, and laying of hot and cold bituminous asphalt products.

In response to Council's Request for Tender RTF/173 Supply, Delivery, Laying of Hot and Cold Bituminous Asphalt Products, four conforming tenders were received. It is recommended that Council accepts all four tenders submitted and award the contract for the supply, delivery, and laying of hot and cold bituminous products to a panel of preferred suppliers.

The panel shall operate on a schedule of rates basis and will be for a three year term commencing 1 July 2018.

Council has a good working relationship with each of the recommended contractors and has found their work to be of an acceptable standard. In previous years, works have been awarded to several contractors to provide the maximum flexibility in operations and this has been most successful.

RECOMMENDATION

That Council:

1. Awards contract CON/173 Supply, Delivery, and Laying of Hot and Cold Bituminous Asphalt Products for a three year term commencing 1 July 2018 to a panel of preferred suppliers as follows:
 - a. Gippsland Asphalt Pty Ltd
 - b. Fowlers Asphalting Pty Ltd
 - c. A1 Asphalting Pty Ltd
 - d. A1 Asphalt Supplies Pty Ltd
2. Authorise the Chief Executive Officer to sign and affix the Common Seal of the Municipality to the contract documents; and

3. Authorise the Chief Executive Officer to approve any extensions subject to satisfactory contractor performance review.

NOTE: The recommendation was CARRIED UNANIMOUSLY as part of a single motion, refer to page 81.

REPORT

In response to Council's Request for Tender RFT/173 Supply, Delivery, and Laying of Hot and Cold Bituminous Asphalt Products, Council received a total of four conforming tender submissions.

Each of these contractors submitted schedule of rates prices for the provision of the supply, delivery, and laying of hot and cold bituminous asphalt products.

The suppliers were encouraged to propose innovative service delivery arrangements, technical expertise, and alternative products aimed at enhancing the achievement of Council's service objectives.

So that Council may obtain value for money, and to ensure the supply of bituminous asphalt products from across the Shire, the evaluation panel has proposed to accept all four tenders received in response to RFT/173. Successful tenderers will be placed on a panel of preferred suppliers. Due to the difference in these products, Council requires the flexibility to select the appropriate product for each situation. No one supplier offers the full range of products.

CONSULTATION

Tender specifications were developed in consultation with all relevant officers involved in the use of hot and cold bituminous asphalt products.

RTF/173 was advertised on 24 February 2018 and closed on 20 March 2018.

The tenders were assessed in accordance with the criteria specified in the contract documentation by an evaluation panel on 30 April 2018. The evaluation panel consisted of the Manager Operations, Coordinator Works, Coordinator Sealed Roads Planning, and Contracts Administrator.

A summary of the tender evaluation has been included in **Confidential Attachment [15.4.1]**.

RESOURCES

The purchase for the supply, delivery, and laying of hot and cold bituminous asphalt products is accommodated within Council's annual maintenance budget, capital works budget, and in Council's Long Term Financial Plan.

The estimated value of the contract is \$1,600,000 over the three years, subject to variations in the *Capital Works Program*.

RISKS

A panel of preferred suppliers will reduce the risk of supply issues and logistics across the Shire.

STAFF DISCLOSURE

Nil

CONFIDENTIAL ATTACHMENT

Confidential Attachment [15.4.1] – Tender Evaluation Summary – RTF/173 Hot and Cold Bituminous Asphalt Products – has been provided in accordance with s.77(2)(c) of the Local Government Act 1989. The Chief Executive Officer designates this Agenda Item as confidential information on the grounds that it relates to s.89(2)(d) - contractual matters.

This item is deemed confidential to protect the privacy of the contractors, tender scores, and tendered amounts submitted for consideration.

REFERENCE DOCUMENTS

Council Policy

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

Long Term Financial Plan

Procurement Policy

Road Management Plan

Legislative Provisions

Local Government Act 1989

Occupation Health and Safety Act 2004

Dangerous Goods Act 1985

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

5.1. DRAFT DIGITAL STRATEGY 2018

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

The draft Digital Strategy and Action Plan provide a framework to guide Council's role in the development of digital projects and services in South Gippsland.

The revised document reflect Councillors' interest in community projects as well as work proposed to develop digital channels for Council services.

RECOMMENDATION

That Council adopts the Draft Digital Strategy 2018 (Attachment **[5.1.1]**) as an overarching framework for digital service provision internally and to the South Gippsland community.

MOVED: Cr McEwen

SECONDED: Cr Hill

THAT COUNCIL ADOPTS THE DRAFT DIGITAL STRATEGY 2018 (ATTACHMENT [5.1.1]) AS AN OVERARCHING FRAMEWORK FOR DIGITAL SERVICE PROVISION INTERNALLY AND TO THE SOUTH GIPPSLAND COMMUNITY.

CARRIED UNANIMOUSLY

REPORT

On 4 October 2017 Councillors discussed the key principles that would inform a Digital Strategy and were briefed about work already in hand to improve the efficiency and effectiveness of Councils systems and processes.

Councillors considered and commented on the Draft Digital Strategy 2018 (**Attachment [5.1.1]**) in November 2017 and the amended version was presented at a strategic briefing on 7 February 2018.

Councillors expressed interest in including support for digital tourism and destination marketing under this Strategy. This was further discussed at the Economic Development and Tourism Steering Committee briefing on 7 March 2018.

As a result, the Draft Digital Strategy and action plan now provide a framework within which Council can work to:

- Meet customer needs and expectations for modern service delivery through digital channels; and
- Advocate for and explore opportunities to support local businesses and the tourism economy through digital innovation.

The Strategy envisages that Council will act to facilitate community participation through encouraging the use of smart digital technologies that connect people, by sharing data and supporting the community to engage with Council and each other.

Council will seek local, regional and State opportunities to benefit communities through digital innovation and engagement. Council will also seek to partner appropriately with peer councils and other agencies to introduce fresh ideas on building smart communities in South Gippsland.

The Draft Digital Strategy also expects that the services Council delivers will be modernised to reduce barriers to doing business with Council. Our services have a significant impact on customers' lives and must be user-friendly, accessible and easy for customers and staff.

Service modernisation will involve delivering a measurably more efficient and effective back office that will reduce cost-to-serve. Process automation and standardisation will promote collaboration between councils, enabling more sharing of resources and systems.

CONSULTATION

Councillors, the Executive Leadership Team, Management Team and other councils have been consulted in preparing this Strategy.

RESOURCES

The implementation of this Strategy is likely to require additional investment and resources which will be prioritised project by project.

RISKS

Without a Digital Strategy Council would lack a structured framework to guide the identification, prioritisation and implementation of digital projects and services.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Draft Digital Strategy 2018 [5.1.1]

REFERENCE DOCUMENTS

Legislative Provisions

Privacy and Data Protection Act 2014

Public Records Act 1973

6. OTHER COUNCIL REPORTS

6.1. CIRCUMSTANCES REQUIRING SPECIAL URGENT MEETING HELD - 11 APRIL 2018

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

Clause 13(b) of Council's Meeting Procedures Local Law No3. 2010, requires the Chief Executive Officer (CEO) or Senior Officer to submit a written report of the circumstances requiring the calling of a Special Urgent Meeting to be prepared for inclusion in the Agenda of the next Ordinary Meeting of Council.

The Minutes of the Special Urgent Meeting held on 11 April 2018 have been tabled in this 30 May 2018 Ordinary Meeting Agenda. This report provides information on the circumstances that required the Special Urgent Meeting (Urgent Meeting) of Council to be called and held at 10.30am on 11 April 2018.

RECOMMENDATION

That Council notes this report.

MOVED: Cr Hill

SECONDED: Cr Brunt

THAT COUNCIL NOTES THIS REPORT.

CARRIED UNANIMOUSLY

REPORT

The Local Government Act 1989, (Act) s.84 allows at least three Councillors to call a Special Meeting of Council.

Councillors Hill, Rich and McEwen called a Special Urgent Meeting of Council for 11 April 2018 to seek a resolution to relist Notice of Motion 714 – Leadership Plan for Leongatha, that had been lost at the 28 March 2018 Ordinary Council Meeting.

The Local Law No3, 2010, reads:

“Unless the Council resolves to re-list at a future meeting a notice to amend or rescind which has been lost, a similar motion must not be put before the Council for at least three months from the date it was last considered.”

The three Councillors called the Special Urgent Meeting so that Council could consider relisting the lost Notice of Motion within the three month exclusion timeframe. They deemed the matter urgent as they sought to include the Notice of Motion in the agenda for the Ordinary Meeting to be held on 26 April 2018. The Agenda for that Meeting was due to be published on the afternoon of Wednesday 11 April 2018.

The Councillors cited the following reasons for requesting the Notice of Motion be relisted:

- 1. Recent developments in the Murray Goulburn takeover have potential serious repercussions in the area:*
- 2. The ongoing issue of vacant shops; and*
- 3. The absence of a community plan for Leongatha means decisions are taken on individual issues without the framework that is represented by a township plan.*

CONSULTATION

In the instance of a Special Urgent Meeting being called due to urgent or extraordinary circumstances, the Local Government Act 1989 (Act) s.89(4A) requires that Council must give such public notice as is practicable and specifying the urgent or extraordinary circumstances which prevented the Council from complying with the required minimum seven days' notice for Ordinary and Special Meetings as per s89(4) of the Act. The following actions were taken to comply with s.89(4A) of the Act:

1. Councillors were notified by email on Friday 6 April 2018 that a Special Urgent Meeting had been called by Councillors Hill, Rich and McEwen, to

be held on Wednesday 11 April 2018 at 10.30am with the business to be transacted.

2. The local media was advised on Friday 6 April 2018 that a Special Urgent Meeting had been called with the date, time and business to be transacted included.
3. The Special Urgent Meeting Agenda was included on Council's website and a further Notice was posted onto Council's Facebook page.
4. Public Notices were included in the local newspapers.

These notifications were undertaken to provide Councillors and the community with as much public notice as was practicable.

RISKS

Risks to Council's image and reputation, along with concerns for good governance, need to be considered when utilising the provision for calling and holding Special Urgent Meetings of Council.

It is important for the Mayor, or at least three Councillors calling a Special Urgent Meeting, to take care when determining if matters to be transacted are of a sufficiently urgent or extraordinary nature. As notification times can be quite short for Special Urgent Meetings, interested people may not receive information that the meeting has been scheduled and the matter is being presented to Council as an exceptional circumstance. This may deny these people the right to be involved in informing Council's decision.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

Documents are available on Council's website: www.southgippsland.vic.gov.au
Local Law No. 3 2010, Processes of Municipal Government (Meeting Procedures and Common Seal) clause 13.

Legislative Provisions

Local Government Act 1989 ss.84(1) and 89(4A)

7. NOTICES OF MOTION AND/OR RESCISSION

7.1. NOTICE OF MOTION 720 - QUESTIONS IN COUNCIL MEETINGS

PURPOSE

To improve the transparency and governance processes of the shire by allowing questions to be asked at Council meetings.

MOTION

I, Councillor Don Hill, advise that I intend to submit the following motion to the Ordinary Meeting of Council scheduled to be held on 30 May 2018.

That Council:

1. Review and amend the appropriate policies that currently define how questions may be asked at Council meetings to include the following:
 - a. Public Question Time - Members of the public in addition to supplying questions in writing and in advance for responses to a particular council meeting to be made, may ask questions in the open council meeting with or without notice. If the questions have not been supplied prior to meeting the questions may be taken on notice if not able to be answered properly on the day. For questions supplied in advance as per the current policy, the member of the public can ask the question live in person on the day of the council meeting.
 - b. Include a section called "Councillor Question Time" for Councillors to ask questions which can also be with or without notice. This section to follow immediately after the Public Question Time slot in the council meeting.
2. Bring the amended policy documents to the Ordinary Council Meeting 27 June 2018.

MOVED: Cr Hill

SECONDED: Cr McEwen

THAT COUNCIL:

1. **REVIEW AND AMEND THE APPROPRIATE POLICIES THAT CURRENTLY DEFINE HOW QUESTIONS MAY BE ASKED AT COUNCIL MEETINGS TO INCLUDE THE FOLLOWING:**
 - a. **PUBLIC QUESTION TIME - MEMBERS OF THE PUBLIC IN ADDITION TO SUPPLYING QUESTIONS IN WRITING AND IN ADVANCE FOR RESPONSES TO A PARTICULAR COUNCIL MEETING TO BE MADE, MAY ASK QUESTIONS IN THE OPEN COUNCIL MEETING WITH OR WITHOUT NOTICE. IF THE QUESTIONS HAVE NOT BEEN SUPPLIED PRIOR TO MEETING THE QUESTIONS MAY BE TAKEN ON NOTICE IF NOT ABLE TO BE ANSWERED PROPERLY ON THE DAY. FOR QUESTIONS SUPPLIED IN ADVANCE AS PER THE CURRENT POLICY, THE MEMBER OF THE PUBLIC CAN ASK THE QUESTION LIVE IN PERSON ON THE DAY OF THE COUNCIL MEETING.**
 - b. **INCLUDE A SECTION CALLED "COUNCILLOR QUESTION TIME" FOR COUNCILLORS TO ASK QUESTIONS WHICH CAN ALSO BE WITH OR WITHOUT NOTICE. THIS SECTION TO FOLLOW IMMEDIATELY AFTER THE PUBLIC QUESTION TIME SLOT IN THE COUNCIL MEETING.**
2. **BRING THE AMENDED POLICY DOCUMENTS TO THE ORDINARY COUNCIL MEETING 27 JUNE 2018.**

LOST

FOR: Councillors Skinner, Hill, McEwen and Rich.

AGAINST: Councillor Edwards, Argento, Brunt, Brown and Kiel.

Cr Edwards anticipated moving a foreshadowed Motion.

The Mayor ruled that a foreshadowed Motion cannot be moved in respect of a Lost Notice of Motion (clause 89).

BACKGROUND

The current policy has not resulted in improved governance or transparency. Members of the public are confused by the process and council has received less and less questions since this new policy was implemented compared to previous times.

Members of the press and/or public have not been able to ask questions that have occurred as a result of the meeting on the day to clarify some particular matter.

Whilst some questions and questioners might be considered by some to be troublesome this is just something democracies must tolerate if they are to allow the necessary open and transparent governance processes to succeed.

Councillors being able to ask questions of the council is an important governance mechanism in our Westminster style democratic system. Having less questions limits scrutiny. It is not transparent to be the judge and jury over what questions can be asked and accountability is limited.

8. PROCEDURAL REPORTS

8.1. ORGANISATIONAL PERFORMANCE REPORT - JULY 2017 TO MARCH 2018

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

The Organisational Performance Report for the period July 2017 to March 2018 (refer to **Attachment [8.1.1]**) provides detailed reporting on Council's performance against the 2017/18 Annual Initiatives, Performance Indicators, Capital Works Program and Department Highlights.

The covering report outlines the key achievements, updates and events that occurred during this reporting period and highlights the progress against the Council Plan 2017-2021 and Annual Initiatives.

Council's 2017-2021 Council Plan is reviewed annually and includes key Strategic Outcomes, Objectives and Initiatives. A series of indicators are allocated to the four Outcomes of the Council Plan and progress against these indicators and service performance measures are outlined within the report.

The alignment of the Council Plan, Organisational Performance Report and Council Agenda topics in Ordinary Meetings of Council all outline the various activities and initiatives that work towards achieving the Council Plan Strategic Outcomes and Strategies.

This Organisational Performance Report (**Attachment [8.1.1]**) will be presented to Council's Audit Committee in June 2018.

RECOMMENDATION

That Council:

1. Receives and notes the Organisational Performance Report for the period July 2017 to March 2018 (Attachment [8.1.1]);
2. Publishes the Organisational Performance Report (Attachment [8.1.1]) to Council's website and distributes it to local libraries; and
3. Presents the Organisational Performance Report (Attachment [8.1.1]) to Council's Audit Committee in June 2018.

MOVED: Cr Kiel

SECONDED: Cr Argento

THAT COUNCIL:

- 1. RECEIVES AND NOTES THE ORGANISATIONAL PERFORMANCE REPORT FOR THE PERIOD JULY 2017 TO MARCH 2018 (ATTACHMENT [8.1.1]);**
- 2. PUBLISHES THE ORGANISATIONAL PERFORMANCE REPORT (ATTACHMENT [8.1.1]) TO COUNCIL'S WEBSITE AND DISTRIBUTES IT TO LOCAL LIBRARIES; AND**
- 3. PRESENTS THE ORGANISATIONAL PERFORMANCE REPORT (ATTACHMENT [8.1.1]) TO COUNCIL'S AUDIT COMMITTEE IN JUNE 2018.**

CARRIED UNANIMOUSLY

REPORT

Background

The 2017/18 Annual Budget (inclusive of the Annual Initiatives) was adopted by Council on 28 June 2017. It sets the indicators and initiatives/activities which are reported in the Organisational Performance Report – July 2017 to March 2018.

The 2017-2021 Council Plan adopted in June 2017 and reviewed annually, includes key Strategic Outcomes, Objectives and Strategies. A series of indicators are allocated to the four Outcomes and progress against these indicators is included in the Annual Plan 2017/18 Performance Update. These indicators have been reviewed annually and are also reflected in the 2017/18 Annual Budget.

Discussion

This report provides an overview of the major activities undertaken by Council for the previous nine months. Where possible, comparisons of results have been made and reflected throughout the report.

Significant highlights during the period include:

- 81 per cent of the 26 Annual Plan initiatives for 2017/18 are on track or have been completed by March 2018.
- 100 per cent of the ten Council Plan Performance Indicators for 2017/18 are on track or have been completed by March 2018.
- 88 per cent of the 154 Capital Works Program initiatives for 2017/18 are on track or have been completed by March 2018.

CONSULTATION

Each Directorate has contributed to the report. The Organisational Performance Report – July to March 2018 (**Attachment [8.1.1]**) will be presented to Council's Audit Committee in June 2018.

RESOURCES

The 2017/18 Annual Initiatives and Capital Works Program are funded through the 2017/18 Budget.

RISKS

The Organisational Performance Report – July 2017 to March 2018 (**Attachment [8.1.1]**) mitigates the risk of annual initiatives and capital works

activities not being managed, as every Department is required to monitor and report on the progress of their respective responsibilities on a regular basis.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Organisational Performance Report – July 2017 to March 2018 **[8.1.1]**

REFERENCE DOCUMENTS

Council Policy

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

Council Plan 2017-2021

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

Legislative Provisions

Local Government Act 1989, ss.125, 127 and 223

Local Government Act 1989, Environmental Upgrade Agreement, s.138

Local Government Better Practice Guide 2016/17 – Performance Reporting Framework Indicator Workbook, Version 1, April 2017

8.2. COUNCILLOR EXPENDITURE REPORT - JULY TO MARCH 2018

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

The Councillor Expenditure Report **Attachment [8.2.1]** - Councillor Expenditure - March 2018 provides Council with an update on councillor expenditure from 1 July 2017 to 31 March 2018.

RECOMMENDATION

That Council receive and notes the Councillor Expenditure Report March 2018 (Attachment [8.2.1]) for the period 1 July 2017 to 31 March 2018.

MOVED: Cr Kiel

SECONDED: Cr Skinner

THAT COUNCIL RECEIVE AND NOTES THE COUNCILLOR EXPENDITURE REPORT MARCH 2018 (ATTACHMENT [8.2.1]) FOR THE PERIOD 1 JULY 2017 TO 31 MARCH 2018.

CARRIED UNANIMOUSLY

REPORT

The Councillor Expenditure Report provides Council with an update on Councillor Expenditure from 1 July 2017 to 31 March 2018.

Councillor expenditure of \$311,818 for the period ended 31 March 2018 was below budget by \$31,786.

RISKS

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

ATTACHMENTS

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

1. Councillor Expenditure Report - March 2018 **[8.2.1]**

REFERENCE DOCUMENTS

Council Policy

*Documents are available on Council's website: www.southgippsland.vic.gov.au
{council-policy}*

Legislative Provisions

Local Government Act 1989

8.3. ASSEMBLY OF COUNCILLORS 22 MARCH TO 21 APRIL 2018

Corporate and Community 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 at Ordinary Council Meetings.

The matters listed in this report were presented or considered, at either an Advisory Committee Meeting, Councillor Strategic Briefing Session or Public Presentation Session between 22 March 2018 and 21 April 2018.

RECOMMENDATION

That Council receives and notes this report.

MOVED: Cr Kiel

SECONDED: Cr Skinner

THAT COUNCIL RECEIVES AND NOTES THIS REPORT.

CARRIED UNANIMOUSLY

REPORT

Meeting Title	Details
Wednesday 28 March 2018	
Public Presentations Open Session	Councillors Attending: Councillors McEwen, Skinner, Argento, Brown, Brunt and Kiel and Rich. Conflict of Interest: Nil Disclosed.
<p>A Presentation was made to Council by the following community members:</p> <p>Yasmin Hadfield, regarding Council Agenda Item Council Agenda Item 2.2 Planning Permit Application 2017/285 - 141-143 Jupiter Boulevard, Venus Bay - Native Vegetation Removal and 3.2. Petition Response: Establishment Of A Skate Park Facility In Venus Bay.</p> <p>John Lancaster, regarding Council Agenda Item Council Agenda Item 2.2 Planning Permit Application 2017/285 - 141-143 Jupiter Boulevard, Venus Bay - Native Vegetation Removal and 3.2. Petition Response: Establishment Of A Skate Park Facility In Venus Bay.</p> <p>Viki Sinclair, Susan Koci and Rosemary Cousin, regarding Council Agenda Item Council Agenda Item 7.3 Notice of Motion 716 – Proposed Mirboo North Logging Coups.</p> <p>Jeremy Rich, regarding Council Agenda Item 6.1 Walkerville Retarding Basin Report.</p>	
Council Agenda Item 6.1. Walkerville Retarding Basin Report	Councillors Attending: Councillors Skinner, Argento, Brown, Brunt and Kiel. Conflict of Interest: Cr Jeremy Rich did not attend the assembly due to a direct Conflict of Interest with Agenda Item 6.1. WALKERVILLE RETARDING BASIN REPORT as he is a Director of the company [Ansevata Nominees] that is the subject of the report. Matters Considered: Councillors considered information from Council's lawyers for this matter, Russell Kennedy Lawyers.

Meeting Title	Details
Wednesday 28 March 2018	
Ordinary Council Agenda Topics Discussion 28 March 2018	<p>Councillors Attending: Councillors Skinner, Argento, Brown, Brunt and Kiel.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered and asked questions relating to Agenda items for the Ordinary Meeting 28 March 2018.</p>
Wednesday 4 April 2018	
Open Space Strategy	<p>Councillors Attending: Councillors Skinner, Argento, Brunt, Kiel and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered the context of an Open Space Strategy and how its broad framework can support the provision of a wide range of valued uses of public open space for the community.</p>
Disability Action Plan 2018 – 2021	<p>Councillors Attending: Councillors Skinner, Argento, Brunt, Kiel and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered a draft Disability Action Plan, which is used to address access and inclusion for people with a disability and is a legislative requirement.</p>
Arts Officer Update	<p>Councillors Attending: Councillors Skinner, Argento, Brunt, Kiel, Hill and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered an update on the progress on the new Arts Officer role.</p>

Meeting Title	Details
Wednesday 4 April 2018	
Proposed Applications to the Sport and Recreation Victoria Program	<p>Councillors Attending: Councillors Skinner, Argento, Brunt, Kiel, Hill and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered proposed applications for the 2019/20 Sport and Recreation Victoria – Community Sports Infrastructure Fund.</p>
GLGN Shared Services Initiative Update	<p>Councillors Attending: Councillors Skinner, Argento, Brunt, Kiel, Hill, Edwards, and Rich.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered a high level business case for the Gippsland Local Government Network (GLGN) Shared Services initiative.</p>
Executive Update Session	<p>Councillors Attending: Councillors Skinner, Argento, Brunt, Kiel, Hill, Rich and Brown.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • Communication protocol for Councillors • Shared Services with Baw Baw, Risk Management • Conflict of Interest – training • Animal registration and deceased animals • Waste management impacts with respect of recent industry changes to Policy in China.
Waratah Bay Caravan Park Update & Capital Works	<p>Councillors Attending: Councillors Skinner, Argento, Brunt, Kiel, Hill, Edwards and Rich.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered and noted the progress and capital works required at the Waratah Bay Caravan Park.</p>

Meeting Title	Details
Wednesday 4 April 2018	
Planning Briefing	<p>Councillors Attending: Councillors Skinner, Argento, Brunt, Kiel, Hill, Edwards, Rich and Brown.</p> <p>Conflict of Interest: Cr Argento declared a direct interest with item C116 Land subject to inundation as land he owns is subject to this, the matter was not discussed. Cr Hill declared a direct interest in item C115 Mirboo North Structure Plan as land he owns is in Mirboo North, he left the Council Chamber when the matter was discussed. Cr Rich declared a direct interest in item C90 Housing and Settlement Strategy as a company he is Director [Ansevata] made a submission on the matter, the matter was not discussed. Director Development Services, declared an indirect interest by close association for planning application 945 Koonwarra–Inverloch Road and 85 Merricks Track Leongatha as he is an executive member of the Leongatha Golf Club who made a submission to the application, he left the Council Chamber when the matter was discussed.</p> <p>Matters Considered: Councillors considered an update on planning matters of community interest.</p> <ul style="list-style-type: none"> • Infrastructure Design Manual • Strategic Planning Project list • Planning Applications of interest • Decisions for February 2018 • VCAT decisions
Korumburra Caravan Park Update	<p>Councillors Attending: Councillors Skinner, Argento, Brunt, Kiel, Hill, Edwards and Rich.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered a current update of concerns regarding the Park's operations and conditions.</p>

Meeting Title	Details
Wednesday 11 April 2018	
Workshop: South Gippsland Coastal Strategy	<p>Councillors Attending: Councillors Kiel, McEwen, Argento, Rich and Skinner.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors undertook a workshop with respect of a Coastal Strategy, in order to clarify the scope of the Strategy, its likely cost and complexity.</p>
Wednesday 18 April 2018	
Councillor Support and Expenditure Policy – Audit Committee Report (RSD)	<p>Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner and Brown.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered proposed changes to Council Agenda Item 5.3. POLICY AMENDMENT - C51 COUNCILLOR SUPPORT AND EXPENDITURE POLICY.</p>
Provision of Domestic Animal Pound Services	<p>Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Brown and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered expressions of interest for the Provision of Dog and Cat Pound services.</p>
Synergy Wind Pty Ltd re: Alberton Wind Farm	<p>Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Brown, Edwards and Rich.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered an external presentation from Synergy Wind Pty Ltd regarding a proposed wind farm project in Alberton.</p>

Meeting Title	Details
Wednesday 18 April 2018	
Strategy Review: Recreation Vehicle (RV) Strategy	Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Brown, Edwards and Rich. Conflict of Interest: Nil disclosed. Matters Considered: Councillors considered the Recreational Vehicle Strategy including documentation on existing caravan and camping sites, long vehicle parking and dump points in South Gippsland.
Kerbside Food Organics/ Green Organics Open Session	Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Brown, Edwards, Rich and Hill. Conflict of Interest: Nil disclosed. Matters Considered: Councillors considered a briefing on kerbside organic waste management services which is anticipated for consideration at a future Ordinary Meeting of Council.
VicRoads Update: South Gippsland Highway Coal Creek Realignment Open Session	Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Brown, Edwards, Rich and Hill. Conflict of Interest: Nil disclosed. Matters Considered: Councillors considered an external briefing from VicRoads regarding the planning for a proposed realignment of the South Gippsland Highway at Korumburra (Coal Creek).

Meeting Title	Details
Wednesday 18 April 2018	
Public Presentations Open Session	Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Brown, Edwards, Rich and Hill. Conflict of Interest: Nil disclosed.
<p>A Presentation was made to Council by the following community members:</p> <p>Fred Weight, regarding the Boating Facilities in Foster – submission consideration.</p> <p>Rhett McLaren, Director/Event General Manager - UNIFY: A Heavy Music Gathering, regarding UNIFY 2018 Review and Plans for 2019.</p> <p>Ailsa Brown, Proprietor 37-43 Bair Street Leongatha, regarding Future Planning for Leongatha Library and Community Centre.</p> <p>Margaret Robertson, Merran Wilde and Joan Liley, regarding Council Agenda Topic – 26 April, Item 2.1. Planning Scheme Amendment C90 - Housing And Settlement - Submissions Consideration And Planning Panel Referral.</p> <p>Helen and Lindsay Broad, regarding Council Agenda Topic – 26 April, Item 2.1. Planning Scheme Amendment C90 - Housing And Settlement - Submissions Consideration And Planning Panel Referral.</p> <p>Paul Hamlett, regarding Council Agenda Topic – 26 April, Item 2.1. Planning Scheme Amendment C90 - Housing And Settlement - Submissions Consideration And Planning Panel Referral.</p>	
Executive Update / Discussion	Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Brown, Rich and Hill. Conflict of Interest: Nil disclosed. Matters Considered: <ul style="list-style-type: none"> • 26th Scout Jamboree • Bald Hills wind farm • Rail Freight Alliance membership • Victorian Local Government Australia membership • Councillor Policy - bring your own device

Meeting Title	Details
Wednesday 18 April 2018	
Ordinary Council Meeting Agenda Topics Discussion 26 April 2018	<p>Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Brown, Rich and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered one of the agenda items, item 2.1. Planning Scheme Amendment C90 - Housing And Settlement - Submissions Consideration And Planning Panel Referral.</p>
Thursday 19 April 2018	
Korumburra Round Table (KRT)	<p>Councillors Attending: Councillors Brunt, McEwen and Brown.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • Council Update: <ul style="list-style-type: none"> ○ Merit of lodging a written or oral presentation to the Council budget submission process. ○ Information on planning statistics ○ Visitor Information services report and recommendations • Korumburra Rail Precinct • Inviting politicians to attend KRT • KRT membership • Review of Korumburra Community Directions • Community group activity update

REFERENCE DOCUMENTS

Council Policy

Public Participation in Meetings with Council Policy (C65)

Legislative Provisions

Local Government Act 1989

8.4. DOCUMENTS SEALED AWARDED OR EXTENDED BY CEO 24 MARCH TO 27 APRIL 2018

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

This document reports to Council the following actions undertaken by the Chief Executive Officer (CEO) which occurred during the period from 24 March to 27 April 2018, as required by the Council's Instrument of Delegation to the Chief Executive Officer and Procurement Policy:

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

RECOMMENDATION

That Council receive and note this report.

MOVED: Cr Kiel

SECONDED: Cr Skinner

THAT COUNCIL RECEIVE AND NOTE THIS REPORT.

CARRIED UNANIMOUSLY

REPORT

Documents Sealed

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

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

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

In accordance with the Local Law and Instrument of Delegation, the following are presented to Council as documents sealed during the period from 24 March to 27 April 2018:

1. Section 173 Agreement between South Gippsland Shire Council and the owner of 6 Gary Court, Venus Bay in relation to the development of a dwelling and associated outbuilding – Seal Applied 4 April 2018.
2. Section 173 Agreement between South Gippsland Shire Council and the owner of 26 Atherton Drive, Venus Bay in relation to the development of land with a dwelling – Seal Applied 3 April 2018.
3. Section 173 Agreement between South Gippsland Shire Council and the owner of 10 Woorak Avenue, Venus Bay in relation to development of land with a dwelling – Seal Applied 10 April 2018.
4. Section 173 Agreement between South Gippsland Shire Council and the owner of 310 Wisdoms Road, Pound Creek in relation to use of existing building for group accommodation – Seal Applied 16 April 2018.
5. Section 173 Agreement between South Gippsland Shire Council and the owner of 23 Atherton Drive, Venus Bay in relation to development of land with dwelling and removal of native vegetation – Seal Applied 16 April 2018.
6. Instrument of Delegation South Gippsland Shire Council to Members of Council Staff – Seal Applied 26 April 2018.

Contracts awarded after a public tender process within the CEO's delegation

The CEO's delegation from Council allows the CEO to award contracts up to the value of \$250,000 (inclusive of GST), with the exception of Annual WorkCover and Council insurance premiums.

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

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

The following contracts were awarded during the period 24 March to 27 April 2018 under the CEO's financial delegation of \$250,000 (inclusive of GST) following a public tender.

1. Nil.

Contracts awarded after a public tender process under the Statutory threshold by Staff other than the CEO

The CEO has, within his Instrument of sub-delegation by the CEO to Staff delegated the power to enter into contracts (inclusive of GST), to specific staff as outlined within Council's Procurement Manual.

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

1. Nil.

Contract variations approved by the CEO

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

The following variations to a contract which exceeds the CEO's delegation, approved by the CEO during the period 24 March to 27 April 2018:

1. Nil.

Contract extensions approved by the CEO

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

The following contract extensions approved by the CEO during the period 24 March to 27 April 2018:

1. Nil.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

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

Local Law No. 3 2010, Processes of Municipal Government (Meeting Procedures and Common Seal)

Procurement Policy, 28 June 2017

Instrument of Delegation to the Chief Executive Officer, 22 February 2017

Legislative Provisions

Local Government Act 1989 (the Act), ss.5 and 186

9. COUNCILLOR REPORTS

9.1. REQUESTS FOR LEAVE OF ABSENCE

Nil

9.2. COUNCILLOR UPDATES

Cr Argento

Cr Argento addressed Council by informing them of a new initiative, 'Gippsland Business Connect Program' details are available on Council's website:

http://www.southgippsland.vic.gov.au/news/article/102/gippsland_business_connect_is_now_live

Cr Edwards

Cr Edwards addressed Council by reporting on her attendance at the Rural Councils Conference held in Lakes Entrance.

Cr Kiel

Cr Kiel addressed Council by reporting on her attendance at:

- Citizens Advice Bureau's 40th anniversary celebrations
- Poowong Antique Fair
- Destination Gippsland Plan forum

Cr Rich

Cr Rich addressed Council by reporting on his attendance at the South East Australian Transport Strategy (SEATS) meeting held in Shell Harbour, Sydney.

Cr Brunt

Cr Brunt addressed Council by reporting on her attendance at:

- Municipal Association Victoria (MAV) State Council Meeting held in Melbourne.
- Young Achievers Awards held at Flemington Event Centre.

9.3. COMMITTEE UPDATES

Nil

10. URGENT OR OTHER BUSINESS

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

1. Urgent Business

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

The Meeting Procedure Local Law No. 3 (Clause 46) allows for where a situation has not been provided for under the Local Law, the Council may determine the matter by resolution. Established practice has provided for urgent motions to be raised at Council provided the matter cannot be dealt with at the next Ordinary Meeting of Council or by Officers under delegation.

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

'That consideration of (the issue) be dealt with as a matter of urgent business and Councillor....be allowed a 'short period' to indicate the reason(s) why the matter should be considered as a matter of urgent business.' If the Chairperson accepts the motion as meeting the urgent business criteria, normal meeting procedures in Local Law No. 3 will apply.

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

2. Other Business

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

Councillor Jeremy Rich left the Council Meeting at 4.47pm with declared a direct conflict of interest in Agenda Item 10.1 Urgent business – Walkerville Retarding Basin Report as he is ‘a director of Ansevata Nominees a subject party to the’ matter.

10.1 WALKERVILLE RETARDING BASIN REPORT

RECOMMENDATION TO CONSIDER AS AN URGENT ITEM

That Council considers Item 10.1 WALKERVILLE RETARDING BASIN REPORT as urgent in order to commence action that is required within 14 days of 22 May 2018, the date of the incoming correspondence.

MOVED: Cr Skinner

SECONDED: Cr Kiel

THAT COUNCIL CONSIDERS ITEM 10.1 WALKERVILLE RETARDING BASIN REPORT AS URGENT IN ORDER TO COMMENCE ACTION THAT IS REQUIRED WITHIN 14 DAYS OF 22 MAY 2018, THE DATE OF THE INCOMING CORRESPONDENCE.

CARRIED UNANIMOUSLY

10.1 WALKERVILLE RETARDING BASIN REPORT

Executive Office

EXECUTIVE SUMMARY

Council received a report, item 6.1. WALKERVILLE RETARDING BASIN REPORT at its Ordinary Meeting of Council No. 421 - 28 March 2018 where the following was resolved:

THAT COUNCIL:

1. ACCEPT THIS REPORT REFLECTING AND ANSWERING THE CONCERNS OF ANSEVATA NOMINEES PTY LTD AND THE PROPOSED ACTIONS BY COUNCIL.
2. PROCEED WITH THE MINOR WORKS TO REINSTATE THE CAPACITY OF THE WALKERVILLE RETARDING BASIN.
3. CONTINUE TO MEET ITS OBLIGATIONS UNDER THE 1990 AGREEMENT BETWEEN THE SHIRE OF WOORAYL AND ANSEVATA NOMINEES PTY LTD IN RELATION TO:
 - a. MAKING THE WATER SUPPLY AVAILABLE;
 - b. PROVIDING DETAILS OF MONITORING.
4. IN ACCORDANCE WITH ITS STATUTORY AND REGULATORY RESPONSIBILITIES, CONTINUE WITH THE MANAGEMENT, REVIEW AND ASSESSMENT OF SEPTIC TANK WASTE WATER SYSTEMS WITHIN PROMONTORY VIEWS ESTATE.
5. INVITE ANSEVATA TO COLLABORATIVELY RENEGOTIATE THE TERMS OF THE 1990 AGREEMENT, INCLUDING ANY WISH BY ANSEVATA ITSELF TO MEASURE, MANAGE OR TREAT THE BASIN WATER, BEFORE IT TAKES THAT WATER FOR ITS OWN PURPOSES.

Since that time there have been a number of developments, including correspondence from Ansevata dated 22 May 2018, which states:

...that unless your client (Council) notifies us within 14 days of the date of this letter that it proposes to stop the flow of water into the dam, pending implementing remedial measures to ensure the water flowing into the dam is not polluted and is fit for irrigation and stock use, then our client will commence proceedings seeking both damages and an order restraining the continued flow of water into the dam.

This report tables the correspondence for Council to note and recommends that a report will be provided at Council's June meeting detailing how to best respond to this correspondence.

RECOMMENDATION

That Council:

1. Receives and notes the report provided by Council's engineering consultant GHD titled "Walkerville Basin Volume Assessment" dated 2 March 2018 (Attachment [10.1.1]).
2. Receives and notes the recent correspondence received from Ansevata Nominees Limited:
 - a. Letter to Council dated 13 April 2018 titled "Proposed walks [sic] on Walkerville Retarding basin" (Attachment [10.1.2]).
 - b. Letter to Council dated 17 April 2018 titled "Proposed walks [sic] on Walkerville Retarding Basin" (Attachment [10.1.3]).
 - c. Letter to Council dated 9 May 2018 titled "Proposed works at Walkerville retarding basin" (Attachment [10.1.4]).
 - d. Letter to Council dated 22nd of May 2018 titled "Ansevata Nominees Limited v South Gippsland Shire Council" (Attachment [10.1.5]).
 - e. Letter to Environment Protection Authority dated 22 May 2018 titled "Ansevata Nominees Limited v South Gippsland Shire Council - Walkerville Retarding Basin" (Attachment [10.1.6]).
 - f. Statement of Expert Evidence dated 1 May 2018 by Peter J Ramsay and Associates (Attachment [10.1.7]).
 - g. Supplementary Statement of Expert Evidence dated 22 May 2018 by Peter J Ramsay and Associates (Attachment [10.1.8]).
3. Instructs its lawyers to:
 - a. Provide advice to Council on how to best respond to the recent correspondence at its June 2018 Ordinary Meeting
 - b. Write to Ansevata's lawyers advising that:
 - i. Fourteen days is not a practical or possible timeframe for Council to receive advice and determine a response to

Ansevata's request to stop the water flow into the retarding basin by 5 June 2018,

- ii. Council will advise Ansevata of its response to the above matters within three business days following its June 2018 meeting.
4. Receives a report at its June 2018 Ordinary Meeting addressing the matters raised in the recent correspondence.

MOVED: Cr Argento

SECONDED: Cr Brunt

THAT COUNCIL:

1. **RECEIVES AND NOTES THE REPORT PROVIDED BY COUNCIL'S ENGINEERING CONSULTANT GHD TITLED "WALKERVILLE BASIN VOLUME ASSESSMENT" DATED 2 MARCH 2018 (ATTACHMENT [10.1.1]).**
2. **RECEIVES AND NOTES THE RECENT CORRESPONDENCE RECEIVED FROM ANSEVATA NOMINEES LIMITED:**
 - a. **LETTER TO COUNCIL DATED 13 APRIL 2018 TITLED "PROPOSED WALKS [SIC] ON WALKERVILLE RETARDING BASIN" (ATTACHMENT [10.1.2]).**
 - b. **LETTER TO COUNCIL DATED 17 APRIL 2018 TITLED "PROPOSED WALKS [SIC] ON WALKERVILLE RETARDING BASIN" (ATTACHMENT [10.1.3]).**
 - c. **LETTER TO COUNCIL DATED 9 MAY 2018 TITLED "PROPOSED WORKS AT WALKERVILLE RETARDING BASIN" (ATTACHMENT [10.1.4]).**
 - d. **LETTER TO COUNCIL DATED 22ND OF MAY 2018 TITLED "ANSEVATA NOMINEES LIMITED V SOUTH GIPPSLAND SHIRE COUNCIL" (ATTACHMENT [10.1.5]).**
 - e. **LETTER TO ENVIRONMENT PROTECTION AUTHORITY DATED 22 MAY 2018 TITLED "ANSEVATA NOMINEES LIMITED V SOUTH GIPPSLAND SHIRE COUNCIL - WALKERVILLE RETARDING BASIN" (ATTACHMENT [10.1.6]).**
 - f. **STATEMENT OF EXPERT EVIDENCE DATED 1 MAY 2018 BY PETER J RAMSAY AND ASSOCIATES (ATTACHMENT [10.1.7]).**

REPORT

Background

In the report received by Council at its March meeting the following commentary was made in the risks section:

It is possible that the consideration and sound rebuttal of the Ansevata concerns through this report and recommendations, may trigger some further legal action by Ansevata. Note that litigation is regularly threatened and is already a risk. Council must consider how it should react to such threats if they are followed through. It may be that some form of litigation is an inevitable outcome of this ongoing issue and will continue to be a drain on Council resources and time.

Ansevata Pty Ltd continues to pursue Council over matters which it believes contrary to the 1990 water taking agreement.

1. Retarding Basin Structure

Council engaged GHD (Consulting Engineers) to undertake a volume assessment of the retarding basin structure (Attachment **[10.1.1]**).

Council provided Ansevata a plan of the proposed maintenance works on the 12 April 2018.

Ansevata engaged Mr David Stewart - Australian Dams and Water Consultants Pty Ltd to undertake a review of Council's proposed maintenance works. This review was included in the letter to Council dated 9 May 2018 titled "Proposed works at Walkerville retarding basin" (Attachment **[10.1.4]**).

Council has also received the final report on the DELWP Local Government Association Dam Safety Program from Southern Rural Water which provided three reports on four dams within the shire including the Walkerville Basin. The relevant findings in the report by Mr David Stewart were generally consistent with that of Southern Rural Water's report. The inspection Report is included in (Attachment **[10.1.9]**)

GHD is currently reviewing Council's design plans to ensure any relevant matters raised by Mr David Stewart and Southern Rural Water report are addressed on the drawings and included in the specification for the works.

2. Water Quality

Ansevata engaged the services of Peter J Ramsay and Associates to investigate water quality matters relating to the retarding basin. Their Supplementary Expert Witness Report (Attachment **[10.1.8]**) states: "*I am of the opinion that it cannot be*

confidently determined that the dam water is suitable for unencumbered irrigation of pasture and crops, and watering of livestock. Therefore, it must be considered that the water is unsuitable..."

This is in direct conflict with the findings of RMCG's Water and Sediment Quality Assessment Walkerville Retarding Basin report presented as part of the last report to Council. It is noted that Peter J Ramsay and Associates do not seem to have undertaken a site visit nor taken any samples of the basin water.

3. Notification to the Environment Protection Authority (EPA)

Ansevata has chosen to, without warning to Council, have its solicitors report Council to the EPA. This appears to be a report of highly questionable foundation designed to bring attention on Council from this regulator.

The letter to Environment Protection Authority dated 22 May 2018 is included (Attachment **[10.1.6]**).

4. Council Must Stop the Flow of Water

Ansevata's lawyers, in the letter dated 22nd May (Attachment **[10.1.5]**), state:

We are instructed to inform you that unless your client (Council) notifies us within 14 days of the date of this letter that it proposes to stop the flow of water into the dam, pending implementing remedial measures to ensure the water flowing into the dam is not polluted and is fit for irrigation and stock use, then our client will commence proceedings seeking both damages and an order restraining the continued flow of water into the dam.

CONSULTATION

Consultation in this matter has included independent experts as identified throughout the report.

RESOURCES

The costs incurred by Council in maintenance of the Agreement were set out in the report presented to Council in March:

Item	Cost
Water testing (to date)	\$101,472*
GHD's Volume assessment report	\$4,000
GHD's Review of drawings and specification (in progress)	\$9,540
Basin maintenance (yet to commence)	\$20,000

*\$3,624 per annum – in current dollar terms – multiplied by 28 years. The remaining 52 years of the agreement will – by the same method of calculation – cost Council \$188,448.

Council has incurred costs in obtaining reports itself from RMCG Consultants and Rendell/Robertson Veterinary Consultants. Council has incurred legal expenses to date and is likely to incur future legal expenses, certainly if it is required to defend itself against legal proceedings initiated by Ansevata.

RISKS

The report adopted by Council at its March meeting provided sound, evidence based rebuttal of the Ansevata concerns. Despite this Ansevata continues to pursue Council over its interpretation of the water taking agreement. It may be that some form of litigation is an inevitable outcome of this ongoing issue and that as such it will continue to be a drain on Council resources and time.

Additionally, there is a risk to internal governance processes and Council's reputation in that a sitting Councillor, Cr Jeremy Rich, is also a director of Ansevata Pty Ltd.

STAFF DISCLOSURE

Nil

ATTACHMENTS

1. GHD's "Walkerville Basin Volume Assessment" report dated 2 March 2018 (Attachment **[10.1.1]**).
2. Letter to Council dated 13 April 2018 titled "Proposed walks [sic] on Walkerville Retarding basin" (Attachment **[10.1.2]**).
3. Letter to Council dated 17 April 2018 titled "Proposed walks [sic] on Walkerville Retarding Basin" (Attachment **[10.1.3]**).
4. Letter to Council dated 9 May 2018 titled "Proposed works at Walkerville retarding basin" (Attachment **[10.1.4]**).
5. Letter to Council dated 22nd of May 2018 titled "Ansevata Nominees Limited v South Gippsland Shire Council" (Attachment **[10.1.5]**).
6. Letter to Environment Protection Authority dated 22 May 2018 titled "Ansevata Nominees Limited v South Gippsland Shire Council - Walkerville Retarding Basin" (Attachment **[10.1.6]**).
7. Statement of Expert Evidence dated 1 May 2018 by Peter J Ramsay and Associates (Attachment **[10.1.7]**).

8. Supplementary Statement of Expert Evidence dated 22 May 2018 by Peter J Ramsay and Associates (Attachment **[10.1.8]**).
9. DELWP LGA Inspection Report South Gippsland (Attachment **[10.1.9]**).

REFERENCE DOCUMENTS

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

Council Report, item 6.1. WALKERVILLE RETARDING BASIN REPORT - Ordinary Meeting of Council No. 421 - 28 March 2018

11. PUBLIC QUESTIONS

11.1. PETITIONS AND JOINT LETTERS

Petitions and Joint letters are written requests that have been signed by a number of community members. According to the Local Law No.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 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 a Public Presentation session speak briefly to its contents. At the following Ordinary Meeting of Council, 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.

Cr Rich returned to the Council Meeting at 4.56pm.

Nil

11.2. ANSWERS TO PREVIOUS QUESTIONS ON NOTICE

All community member questions for Ordinary Council Meetings are to be written and submitted to the Council Business Team by close of business on the Friday preceding the meeting to allow time for a response to be prepared, where possible, for the Council Meeting.

Public Question Time in Ordinary Council Meetings is to be used for matters that are generally political in nature or that cannot be addressed by other means. This session should not be used for questions on routine works or operational matters, planning (application) matters or for repeating previously answered questions.

Source: Public Participation in Meetings with Council Policy (C65) – adopted 23 May 2017.

Nil

11.3. SUBMITTED PUBLIC QUESTIONS

All community member questions for Ordinary Council Meetings are to be written and submitted to the Council Business Team by close of business on the Friday preceding the meeting to allow time for a response to be prepared, where possible, for the Council Meeting.

Public Question Time in Ordinary Council Meetings is to be used for matters that are generally political in nature or that cannot be addressed by other means. This session should not be used for questions on routine works or operational matters, planning (application) matters or for repeating previously answered questions.

Source: Public Participation in Meetings with Council Policy (C65) – adopted 23 May 2017.

The Chief Executive Officer addressed Council informing them that written questions had been received at Council from Eijse (Gus) Blaauw. The questions and responses are included below.

[Questions reference Council Report: 5.1. LONG JETTY AND YANAKIE CARAVAN PARKS REVIEW contained in Council Minutes 27 September 2017:

http://www.southgippsland.vic.gov.au/meetings/meeting/97/council_meetings_-_agendas_and_minutes]

Question 1

Is all operational expenditure related to the Long Jetty and Yanakie caravan parks over the 4 years stipulated in this report, included in the report?

Response

Yes all direct operational expenses are accounted for in the report. Indirect operational expenses such as senior management oversight are not. This is consistent with all Council operations and services.

Question 2

How many employees were engaged by Council in the operations of the Long Jetty and Yanakie caravan parks over the 4 years stipulated in this report?

Response

Council has the following positions to support the caravan park operations. Caravan Park Coordinator, Caravan Park Caretakers, Caravan Park Administration Officers, Caravan Park Maintenance Officers and Caravan Park Cleaners. These positions are not all full time positions and are engaged as the demand/ season necessitates. The full-time equivalency is detailed in the

response to the next question. Contractors are also engaged to address plumbing, electrical and other works as required.

Question 3

How many FTE (Full Time equivalent employees) were engaged by Council in the operations of the Long Jetty and Yanakie caravan parks over the 4 years stipulated in this report?

Response

FTE numbers for each of the Caravan Parks below.

	13/14	14/15	15/16	16/17	17/18
Long Jetty	3.2	3.3	3.2	3.2	3.2
Yanakie	3.4	3.3	3.4	3	3
Total	6.6	6.6	6.6	6.2	6.2

The Chief Executive Officer addressed Council informing them that written questions had been received at Council from David Amor. The questions and responses are included below.

[Questions reference Council Report: 4.3. KARMAI COMMUNITY CHILDREN'S CENTRE INC. PROPOSED LEASE - 22 PRINCES STREET, KORUMBURRA contained in Council Minutes 26 April 2018:

http://www.southgippsland.vic.gov.au/meetings/meeting/110/council_meetings_-_agendas_and_minutes]

Question 1 + 3

What has happened to Childcare in Korumburra?

Who gives you the right to lease it out, Community groups donated to it. Do they get their money back?

Response

The Karmai Children's Centre Committee was formed with the closing of Birralea and the kindergarten and this Committee now run these children's services. It is proposed to continue with the current arrangement so that these services continue to be available for the community.

Question 2

Why lease it out for \$104 pa. To who, or is it just for Building...

Response

The lease was determined at \$104 per annum as it is classed as a community based rental in accordance with Council's Leasing Policy:

http://www.southgippsland.vic.gov.au/downloads/file/166/c62_-_leasing_policy_-_adopted_28_may_2014pdf

12. 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, 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.

RECOMMENDATION

That council close the meeting to the public to allow consideration of closed item 14.1 pursuant to Local Government Act 1989, section 89(2)(a) personnel matter.

MOVED: Cr Kiel

SECONDED: Cr Brown

THAT COUNCIL CLOSE THE MEETING TO THE PUBLIC TO ALLOW CONSIDERATION OF CLOSED ITEM 14.1 PURSUANT TO LOCAL GOVERNMENT ACT 1989, SECTION 89(2)(a) PERSONNEL MATTER.

CARRIED UNANIMOUSLY

The Mayor adjourned the Council Meeting for 5 minutes in order to clear the room for the Closed Session.

13. MEETING CLOSED

NEXT MEETING

The next Ordinary Meeting of Council open to the public will be held on Wednesday, 27 June 2018 commencing at 2pm in the Council Chambers, Leongatha.

The Council Meeting closed at 5.17pm.

Confirmed this

27th day of June 2018.

Mayor, Councillor Lorraine Brunt