

SOUTH GIPPSLAND SHIRE COUNCIL

Council Agenda

Ordinary Meeting of Council

25 July 2018

Ordinary Meeting No. 425
Council Chambers, Leongatha
Commencing at 2pm



agenda



*South Gippsland
Shire Council*

Come for the beauty, Stay for the lifestyle



MISSION

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

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

SOUTH GIPPSLAND SHIRE COUNCIL

Notice is hereby given that Ordinary Meeting No. 425 of the South Gippsland Shire Council will be held on 25 July 2018 in the Council Chambers, Leongatha commencing 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

1.6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the South Gippsland Shire Council Ordinary Meeting No. 424, held on 27 June 2018 in the Council Chambers, Leongatha be confirmed.

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*.

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*.

Strategic Planning Officer declared an indirect conflict of interest on Agenda Item 2.1 PLANNING SCHEME AMENDMENT C90 - HOUSING AND SETTLEMENT - SUBMISSIONS CONSIDERATION AND PLANNING PANEL REFERRAL as they have an indirect interest by close association with a party that is affected by the matter.

Director of Development Services declared an indirect conflict of interest by conflicting duty on Agenda Item 2.2 PLANNING APPLICATION 2017/280 - USE LAND FOR MOTOR RACING TRACK (EVENTS) - 85 MERRICKS TRACK AND 945 KOONWARRA-INVERLOCH ROAD, LEONGATHA SOUTH as he is an Executive member of the Leongatha Golf Club.

Chief Executive Officer declared a direct conflict of interest in the In-Committee section of Audit Committee meeting, Item 9.3.1 AUDIT COMMITTEE MEETING - 18 JUNE 2018 MEETING as the item related to a confidential personnel matter.

2. OBJECTIVE 1 - STRENGTHEN ECONOMIC GROWTH AND PROSPERITY

2.1. PLANNING SCHEME AMENDMENT C90 - HOUSING AND SETTLEMENT - SUBMISSIONS CONSIDERATION AND PLANNING PANEL REFERRAL

Development Services Directorate

EXECUTIVE SUMMARY

This report was deferred at the 26 April 2018 Ordinary Meeting of Council to the 25 July 2018 Ordinary Meeting. Council resolved:

"THAT AGENDA ITEM 2.1.PLANNING SCHEME AMENDMENT C90 - HOUSING AND SETTLEMENT - SUBMISSIONS CONSIDERATION AND PLANNING PANEL REFERRAL BE DEFERRED TO 25 JULY 2018 ORDINARY COUNCIL MEETING TO PROVIDE COUNCILLORS WITH FURTHER TIME TO CONSIDER SUBMISSIONS AND OTHER MATTERS RELATING TO THE MUNICIPAL STATEMENT."

Council received 128 submissions in response to exhibition of Planning Scheme Amendment (PSA) C90 – Housing and Settlement (C90). The Amendment introduces into the South Gippsland Planning Scheme a series of new township frameworks plan maps, Restructure Overlay plans and related planning policy changes.

Recommendations have been made in response to the submissions. Some of the recommendations will require Council to request the Minister for Planning to appoint an Independent Planning Panel to consider objections that cannot be resolved.

RECOMMENDATION

That Council:

- 1. Adopts the revised version of Planning Scheme Amendment C90 - Housing and Settlement in accordance with the recommendations contained in Attachment [2.1.3]; and**
- 2. Requests the Minister for Planning to appoint an Independent Planning Panel to consider the updated Planning Scheme Amendment C90 - Housing and Settlement provisions and the submissions received.**

REPORT

A summary of the submissions, grouped by geographic location and topic, is located at **Attachment [2.1.1]**.

The original submissions are grouped by geographic location – refer **Attachment [2.1.2]**.

Recommendations and responses for each submission, grouped by geographic location, are located in **Attachment [2.1.3]**.

Links to the Planning Scheme Clauses affected by the Amendment are located at Links to the Planning Scheme Clauses Affected are at http://www.southgippsland.vic.gov.au/downloads/download/328/amendment_c90_-_planning_scheme_clauses_affected. Three clauses are proposed for minor changes as a result of exhibition submissions. These are located at **Attachment [2.1.4]**

Technical Clause changes (such as lists of maps in the Planning Scheme and inclusion of the incorporated document and Restructure Overlays) are located in **Attachment [2.1.5]**.

Council's deferral resolution from the Ordinary Meeting of Council 26 April 2018 was:

"THAT AGENDA ITEM 2.1.PLANNING SCHEME AMENDMENT C90 - HOUSING AND SETTLEMENT - SUBMISSIONS CONSIDERATION AND PLANNING PANEL REFERRAL BE DEFERRED TO 25 JULY 2018 ORDINARY COUNCIL MEETING TO PROVIDE COUNCILLORS WITH FURTHER TIME TO CONSIDER SUBMISSIONS AND OTHER MATTERS RELATING TO THE MUNICIPAL STATEMENT."

A confidential strategic briefing was provided to Council on 20 June 2015 with further detail on the modifications to the Municipal Strategic Statement and Local Policies, and information about submissions.

The following is an overview summary of the responses received after the Amendment exhibition from 15 November 2017 to 8 January 2018. It includes submissions accepted up until February 2018.

Supporting Submissions

1. Two submissions support the Amendment generally for defining which settlements can accept growth and which should remain limited in size due to level of services provided, environmental risks, adverse impacts on the environment, landscape impacts and settlement character. Protection of agricultural land, efficient provision of infrastructure and certainty for developers was also supported.
2. South Gippsland Water supports reducing the number of developable lots within the Tarwin Water Catchment where compliance with the

catchment protection guidelines cannot be achieved. It also advises that it does not have any plans or priorities to provide reticulated sewer to unsewered towns in the foreseeable future.

3. West Gippsland Catchment Management Authority supports restricting development (considered on a property-by-property basis) on land subject to flood hazard or where the sole access is affected by deep or fast moving flood waters.
4. The Country Fire Authority recommend that Council undertake further assessment of the Amendment in the context of recent changes to the State Planning Policy Framework, specifically Clause 13.05 Bushfire which was gazetted in December after C90 commenced exhibition. Where bushfire is a hazard, the CFA supports limiting development and notes that larger Restructure lots have more opportunity for implementing fire hazard reduction measures. However the CFA wants evidence provided by expert assessment to show that vacant Restructure Lots with the ability to be developed with dwellings are not created in locations where the fire hazard cannot be reduced to an acceptable level of risk. Council officers are working with the CFA to resolve how these matters will be addressed.
5. Forty-nine submissions (including two joint submissions) support the Walkerville Framework Plan settlement boundaries.
6. DELWP's submission supports the seven Restructure Plans affecting Crown land.
7. Eleven submissions support the exhibited Restructure Plans.
8. Six submissions request closure of unused road reserves.
9. Four submissions advised no objection without providing any further comment.
10. A handful of submissions ask for policy adjustments, inclusions and improvements, or for errors to be fixed.

Objections and Submissions Requesting Changes

1. Eighteen submissions object to application of a Restructure Plan.
2. Six submissions request additional Restructure Lots on their property.
3. Three submissions object to Restructure Plans on the grounds there would be too many dwellings.

4. Seven Fish Creek landowners request the settlement boundary be extended and/or their land rezoned to a higher density use.
5. One submission requests expansion of the 'Town Centre' designation in the Fish Creek Framework Plan.
6. One submission provided comment on the potential expansion of commercial opportunities at Walkerville, and objected to C90.
7. One submission wants the Rural Dwellings policy removed and requested that a Framework Plan be included for Mt Best.
8. Four submissions were considered irrelevant to the Amendment's content due to containing customer service requests, comments on neighbours, debate on Amendment C63 (Rural Land Use Strategy) approved in 2012, a road reserve closure not associated with a Framework Plan or Restructure Plan, or misunderstood the purpose and effect of the Framework Plan or Restructure Plan referred to.

CONSULTATION

Formal exhibition was undertaken in accordance with the requirements of the Planning and Environment Act 1987, with the exhibition period extended to six weeks.

Approximately 2,000 letters and emails were sent to landowners/occupiers, Government agencies, prescribed Ministers, service authorities, community groups and neighbouring councils. Local newspapers published advertisements and press releases. A C90 web page was set up at www.southgippsland.vic.gov.au/C90. Hard copies of the Amendment documentation were provided at Council reception. Ten well-attended public information sessions were held. Staff answered over 220 phone and counter enquiries.

RESOURCES

No additional resources are required to continue the amendment through the next steps.

RISKS

There is no risk associated with referring submissions to a Planning Panel.

STAFF DISCLOSURE

Name: Fiona Mottram, Strategic Planner
Title: Amendment C90 Housing and Settlement –
Consideration of submissions
Conflict of Interest: Indirect Interest – Close Association (s.78)
Reason: Has an indirect interest by close association with a party that is affected by the matter.

ATTACHMENTS

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

1. PSA C90 Housing and Settlement - Summary of Submissions [2.1.1]
2. PSA C90 Housing and Settlement - Original Submissions [2.1.2]
3. PSA C90 Housing and Settlement - Submissions - Recommendations [2.1.3]
4. PSA C90 Housing and Settlement - Clause changes as a result of Exhibition Submissions [2.1.4]
5. PSA C90 Housing and Settlement - Technical Clauses Changes [2.1.5]

REFERENCE DOCUMENTS

Council Policy

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

South Gippsland Housing and Settlement Strategy

Legislative Provisions

Planning and Environment Act 1987

2.2. PLANNING APPLICATION 2017/280 - USE LAND FOR MOTOR RACING TRACK (EVENTS) - 85 MERRICKS TRACK AND 945 KOONWARRA-INVERLOCH ROAD, LEONGATHA SOUTH

Development Services Directorate

EXECUTIVE SUMMARY

The applicant is seeking approval to use the land at 85 Merricks Track and 945 Koonwarra-Inverloch Road, Leongatha South for the purpose of a motor racing track (events). It is proposed to use the site to hold a two day competitive motorcycle event (September/October), as part of the Yamaha Victorian Off-Road Championship Series. A separate 'club day' is proposed to occur once a year on an unspecified date on a Saturday or Sunday. Both events are proposed to involve riding of up to 50 motorcycles at any one time, between 8am and 4pm.

The application has been referred to Council for a decision as 41 objections have been received including two petitions. The objections primarily relate to adverse environmental impacts, noise and amenity impacts, bushfire risk, site safety and future intensification of the use. A number of other issues have also been raised in submissions.

The application was referred to the Country Fire Authority (CFA) and the Environment Protection Agency (EPA) under Section 52(3) of the Planning and Environment Act, as the proposal is of interest or concern to the community. The CFA and EPA have not objected to the granting of a permit.

The key outstanding issue relates to the potential noise and amenity impacts of the proposal. While the applicant has submitted an acoustic assessment in support of the application, it is considered that this assessment does not demonstrate that amenity impacts on neighbouring land can be appropriately managed. While the proposal satisfies a significant portion of the relevant Planning Scheme provisions and may potentially be supported elsewhere in the Shire, it is considered that on balance, the proposal cannot be supported on this site. The application is therefore recommended for refusal.

RECOMMENDATION

That Council issue a notice of refusal for the use of land for a motor racing track (events), for the following reasons:

- 1. The noise assessment submitted by the applicant is not considered to adequately assess the potential amenity impacts on nearby sensitive receivers. The potential impact is considered to be understated. Therefore, Council cannot appropriately consider the likely impacts on**

the community and whether they would be acceptable having regard to the potential benefits. As a result, the proposal is not considered to result in the orderly and sustainable development of land and is not considered to achieve net community benefit as required by Clause 10.01 of the Planning Scheme.

- 2. The use is considered to exceed the relevant noise criteria under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (in Metropolitan Melbourne) and Noise from Industry in Victoria (NIRV). Therefore, it is considered contrary to the objective and strategy of Planning Scheme Clause 13.04-1 – Noise abatement.**
- 3. It is considered that the proposed use result in unreasonable amenity impacts on nearby dwellings by way of noise which is unable to be mitigated through permit conditions.**

REPORT

The subject land comprises three existing lots across two properties; being 85 Merricks Track (Lot 2 PS113627) and 945 Koonwarra-Inverloch Road (Lot 1 PS113627 and Lot 2 PS220696V), Leongatha South.

The land at 85 Merricks Track has an area of approximately 64.71ha. The site is currently vacant and is predominantly covered by native vegetation. Two small cleared patches can be seen in the aerial photographs.

The lots at 945 Koonwarra-Inverloch Road form part of a larger farming tenement of approximately 419.28ha. The subject lots comprise the westernmost portions of the site, with a combined area of approximately 151.23ha. These lots are devoid of any significant vegetation, save for scattered windbreaks on the lots and small patches.

Refer to **Attachment [2.2.1]** – Aerial Photograph - 85 Merricks Track Leongatha South and **Attachment [2.2.2]** – Aerial Photograph - 945 Koonwarra-Inverloch Road.

The subject land is within the Farming Zone (FZ) and is affected in part by the Bushfire Management Overlay (BMO) and Environmental Significance Overlay Schedule 5 – Areas Susceptible to Erosion.

The surrounding land contains a mixture of agricultural and rural-residential land uses. The closest dwelling to the subject land is sited approximately 350 metres from the proposed motor racing track.

Refer to **Attachment [2.2.3]** – Planning Property Report - 85 Merricks Track Leongatha South and **Attachment [2.2.4]** – Planning Property Report - 945 Koonwarra-Inverloch Road.

PROPOSAL

The application seeks to use the land for a motor racing track (events). It is proposed to use the site to hold a two day competitive motorcycle event (September/October), as part of the Yamaha Victorian Off-Road Championship Series. A separate 'club day' is proposed to occur once a year on an unspecified date on a Saturday or Sunday. Both events are proposed to involve riding of motorcycles between 8am and 4pm.

No buildings or works have been proposed by this application. Any future works would require further planning consideration.

Refer to **Attachment [2.2.5]** – Proposed Motorcycle Track - 85 Merricks Track Leongatha South.

CONSULTATION

The application was advertised to adjoining/adjacent owners and occupiers. The application was also notified by placing a sign on the land, as well as notices in the Sentinel-Times and Star newspapers. As a result, Council has received 41 objections including two petitions to the application.

The objections primarily relate to adverse environmental impacts, noise and amenity impacts, bushfire risk, site safety and future intensification of the use. A number of other issues have also been raised in submissions. Many of the submissions touch on issues that are not considered relevant to the decision. These matters are summarised and addressed in detail in **Attachment [2.2.6]** – Officer's Delegation Report - 85 Merricks Track Leongatha South.

The application was referred to the Country Fire Authority (CFA) and Environment Protection Agency (EPA) under Section 52(3) of the Planning and Environment Act, as the proposal is of interest or concern to the community. The referral of applications to other authorities under Section 52 has been supported on numerous occasions by the Victorian Civil and Administrative Tribunal (VCAT) even if they are not a Section 55 Referral Authority. The CFA and EPA have not objected to the granting of a permit.

The application was referred internally to Council's Infrastructure Departments who have not objected to the granting of a permit.

Referral responses are discussed in more detail in **Attachment [2.2.6]** - Officer's Delegation Report.

ASSESSMENT

The proposed use is considered to satisfy a significant portion of the relevant Planning Scheme provisions as discussed in **Attachment [2.2.6]**. However, the proposal is considered to be inconsistent with key State Planning Policy Framework (SPPF) provisions relating to noise abatement and applications achieving net community benefit. These concerns have been highlighted in the proposed reasons for refusal.

A summary of these considerations are set out below:

Noise Abatement – Clause 13.04-1

The objective of this clause is:

To assist the control of noise effects on sensitive land uses.

The relevant strategy to achieve this objective is:

Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

Given the zoning of the land, it is reasonable for surrounding landowners to be affected by noise generated by agricultural activities within the Farming Zone. Such noise associated with farm equipment and dust associated with farming enterprises would be a reasonable expectation for other nearby activities.

However, the application seeks to impose noise emissions on nearby land which are considered significantly greater than those associated with farming operations. While these emissions would be an irregular occurrence, they are likely to cause significant amenity impacts on nearby residents for an extended period of time during each event. The characteristics of the site provide minimal opportunity for noise suppression to mitigate these impacts or for the layout to be altered to provide larger distances of land use separation. Refer **Attachment [2.2.7]** – Applicant's Acoustic Report – 85 Merricks Track Leongatha South and **Attachment [2.2.8]** – Objector's Acoustic Report – 85 Merricks Track Leongatha South.

Integrated Decision Making – Clause 10.01

This clause states that:

Planning Authorities and Responsible Authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit [emphasis added] and sustainable development for the benefit of present and future generations.

It is considered that the proposal would be likely to cause detriment to other persons, through way of noise and amenity impacts. This detriment will be compounded by the characteristics of the site which prevents appropriate mitigation measures to be implemented.

The applicant suggests that the use will result in wider community benefits, similar to other large events held within the Shire. However, this is not considered likely by Council Officers, as:

- The event is proposed to draw a total of 450-550 people, including participants;
- It is proposed to have food vans provide catering on the site;
- Most equipment and supplies is proposed to be brought by people to the site and not purchased during the event at local outlets; and
- The use caters to a niche interest group and is unlikely to attract a wider community audience.

Consequently, it is considered that the proposal overstates the potential benefits that would flow to the community versus the potential adverse effects if the application were to be approved.

By comparison to some of the larger events in the Shire that may have an adverse effect on parts of the community, this proposal is not considered to attract the same volume of people and therefore would not carry the same economic or social benefit of some of those larger proposals. It should also be noted that some of those larger proposals have been accompanied by assessments that allow Council to properly assess the potential impacts on the community or environment and then make an informed decision.

Under Section 60(1B) of the Act, the Responsible Authority (Council) must (where appropriate) have regard to the number of objectors in considering whether the use or development may have a significant social effect and it is required to consider any significant social effects and economic effects under

Section 60(1)(f). As previously discussed, 41 objections including two petitions were received. The sheer number of objections is not necessarily a direct and accurate indicator of the actual effect of a proposal, however, it can represent how broadly the impacts of a proposal have been perceived. The majority of submissions received are objections and some of those are from neighbouring properties that may be directly affected. Of the 41 objections, it is expected that a number could be directly and unreasonably affected by the proposal. The potential impacts on these people is not considered acceptable given the limited net community benefit expected as a result of it.

While the application does not propose any native vegetation removal, preservation of vegetation must be considered as part of a balanced assessment. The proposal has failed to address that there are risks to flora and fauna beyond the mere use of the land.

In light of this, it is considered that on balance, the proposal will result in adverse amenity impacts on surrounding properties which is not offset through the achievement of a net community benefit. The application has therefore been recommended for refusal.

OPTIONS

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

- a) Grant a permit; or*
- b) Grant a permit subject to conditions; or*
- c) Refuse to grant a permit.*

RESOURCES

In the event that Council chooses to approve the application in accordance with Option 2 above, there will be ongoing resources required to be dedicated to monitoring compliance with the conditions of the permit. It may also require further resources in the event that there is a dispute regarding compliance with the permit.

STAFF DISCLOSURE

Name: Bryan Sword
Title: Director Development Services
Conflict of Interest: Indirect Interest - Conflict Duty (s.78B)
Reason: He is a member of the Leongatha Golf Club Executive.

ATTACHMENTS

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

1. Aerial Photograph - 85 Merricks Track Leongatha South [2.2.1]
2. Aerial Photograph - 945 Koonwarra-Inverloch Road Leongatha South [2.2.2]
3. Planning Property Report - 85 Merricks Track Leongatha South [2.2.3]
4. Planning Property Report - 945 Koonwarra-Inverloch Road Leongatha South [2.2.4]
5. Proposed Motorcycle Track - 85 Merricks Track Leongatha South [2.2.5]
6. Officers Delegation Report - 85 Merricks Track Leongatha South [2.2.6]
7. Applicant's Acoustic Report - 85 Merricks Track Leongatha South [2.2.7]
8. Objector's Acoustic Report - 85 Merricks Track Leongatha South [2.2.8]

CONFIDENTIAL ATTACHMENTS

Confidential Attachment [15.1.1] – Objections – 85 Merricks Track Leongatha South – 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)(h) - any other matter which the Council or Special Committee considers would prejudice the Council or any persons.

This attachments is deemed confidential to protect the privacy of the objector.

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

South Gippsland Planning Scheme SEPP N-1 and NIRV Explanatory Notes (EPA, 2011)

Noise from Industry in Regional Victoria (EPA, 2011)

2.3. PETITION RESPONSE: BEACH REPLENISHMENT AT PORT WELSHPOOL

Development Services Directorate

EXECUTIVE SUMMARY

At the Ordinary Meeting of Council 27 June 2018, a petition was received from Lead Petitioner, Roger Harvey, requesting Council provide support to re-establish a recreational sandy beach between the rock wall and Long Jetty at Port Welshpool. At that Meeting it was resolved:

"THAT COUNCIL:

- 1. RECEIVE AND NOTE THE PETITION; AND*
- 2. THE PETITION LAY ON THE TABLE UNTIL THE MATTER IS CONSIDERED AND DECIDED ON AT THE ORDINARY COUNCIL MEETING 25 JULY 2018."*

The petition contains approximately 581 signatures.

RECOMMENDATION

That Council:

- 1. Notes the petition to support the establishment of a recreational sandy beach between the rock wall and Long Jetty in Port Welshpool.**
- 2. Provides a copy of the petition to Gippsland Ports, the Committee of Management for the subject land and to the Department of Environment, Land, Water and Planning (DELWP), the public land manager.**
- 3. Requests that Gippsland Ports and DELWP consider opportunities to replenish this recreational asset when planning for future dredging activities or improvements to the shipping channel.**
- 4. Writes to the lead petitioner detailing the outcome of this report and any Council resolutions.**

REPORT

At the Ordinary Meeting of Council on 27 June 2018, a petition requesting Council support the re-establishment of a recreational sandy beach between the rock wall and Long Jetty at Port Welshpool was received from Lead Petitioner, Roger Harvey, with 581 signatures (256 signatures from South Gippsland residents and 325 from residents outside the Shire).

A copy of the petition is available in **Confidential Attachment [15.2.1]**. The petition prayer is available in **Figure 1** below.

Figure 1 – Petition Prayer



The land referred to in the petition is Crown Land and the public land manager is the Department of Environment, Land, Water and Planning (DELWP). Gippsland Ports are the Committee of Management appointed by DELWP.

A beach at this location is not a natural occurrence, it has been augmented by dredge spoil over a number of years. The dredge spoil is a result of works undertaken by Gippsland Ports in the past to maintain the Lewis Channel. Underlying the dredge spoil is mud flats.

Dredging activities and subsequent transfer of spoil is subject to environmental approvals that are outside of Council’s jurisdiction. Previous dredging activities have resulted in the relocation of spoil to the area identified by this petition. The primary purpose of the dredging activities is the preservation and maintenance of the shipping channel that is under the direct management of Gippsland Ports. The resultant works have previously added to the recreational amenity of the area.

The feasibility of providing a permanent sandy beach in this area would need to account for the effects of naturally occurring coastal processes and future impacts of sea-level rise. It would need to consider any necessary infrastructure works required to protect the beach in perpetuity (i.e. groynes) and any recurrent maintenance costs required to protect the asset. Further consideration would need to be given to what impact that infrastructure would have on the adjacent coast line, coastal assets and natural occurring coastal processes. Given the particulars of the request and its proximity to the Corner Inlet RAMSAR wetlands this would likely require State and Federal environmental approvals. The costs associated with undertaking the necessary studies to investigate this would be considerable.

It is acknowledged that the provision of a sandy beach would complement the Long Jetty development and add to the recreational amenity of the area. As dredging activities are periodically required to maintain the Lewis Channel, there may be opportunity for future dredging works to consider additional

benefits to the area, i.e. maintenance of shipping channel for recreational and commercial activities along with improvements to the recreational amenity of Port Welshpool.

It is recommended that Council provide a copy of the petition to Gippsland Ports and DELWP to consider how future dredging activities may also consider improvements to the recreational amenity in the area.

RISKS

As the public land management and dredging works are outside of Council's jurisdiction and remit, it is important that Council does not raise community expectations that the petitioner's request will be acted upon by Council.

STAFF DISCLOSURE

Nil

CONFIDENTIAL ATTACHMENTS

Confidential Attachment [15.2.1] – Petition - Re-establish a Recreational Sandy Beach between the rock wall and Long Jetty at Port Welshpool 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)(h) - any other matter which the Council or Special Committee considers would prejudice the Council or any persons.

This attachment is deemed confidential to protect the privacy of the petition signatories.

REFERENCE DOCUMENTS

Attachments are available on Council's website: www.southgippsland.vic.gov.au
Revised Council Plan 2017-2021 – Objective 1

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

3.1. COMMUNITY ENGAGEMENT STRATEGY AND COMMUNITY ENGAGEMENT POLICY

Executive Office

EXECUTIVE SUMMARY

South Gippsland Shire Council is dedicated to community engagement and ensuring that a diverse range of views are heard in order to enable effective decision making.

A Community Engagement Framework is being developed to ensure effective strategic direction governs how we engage with the community.

The Community Engagement Strategy (**Attachment [3.1.1]**) and the Community Engagement Policy (**Attachment [3.1.2]**) are key documents within this framework and have been developed in line with IAP2 Australasia, an international leader in this sector.

RECOMMENDATION

That Council adopts the Community Engagement Strategy 2018-2022 (Attachment [3.1.1]) and the Community Engagement Policy (Attachment [3.1.2]).

REPORT

While Council previously had a Communication and Engagement Policy, these have been separated into a Media Policy and a Community Engagement Policy. While both Communications and Engagement work together they require separate policies that address operational and public components.

The Community Engagement Policy (**Attachment [3.1.2]**) has been identified as a requirement of the expected revision of the *Local Government Act*. The Community Engagement Strategy (**Attachment [3.1.1]**) has been developed as required by the Council Plan 2017-2021.

Both documents complete Council's Community Engagement Framework, which is also supported by the Community Engagement Guidelines and templates – a toolkit for Council staff that assists in the creation of community engagement plans.

CONSULTATION

The Community Engagement Strategy and Community Engagement Policy have been reviewed externally by OurSay. Both documents have also been reviewed by IAP2-trained staff within Council.

Feedback provided by Councillors has been included in both the Community Engagement Strategy and Community Engagement Policy.

RESOURCES

Both the Community Engagement Strategy and the Community Engagement Policy have been developed with respect to the current resourcing for community engagement.

It is expected that the outcomes outlined in the Community Engagement Strategy can be achieved within the existing resource allocation. Any further large scale community engagement projects will likely require future budgeting.

RISKS

The Community Engagement Strategy and the Community Engagement Policy clearly identify when community engagement is appropriate and required for projects. Implementing both documents ensures that all community engagement efforts are thoroughly planned, mitigating the risks of unsuccessful engagement projects.

Since community trust is paramount it is vital that community engagement projects have this clear planning process as it demonstrates reliability in these projects and the Council as a whole.

Council's adoption of the Community Engagement Policy will ensure that it is well prepared for expected changes to the *Local Government Act*. Adoption of the Community Engagement Strategy is in keeping with the expectations articulated in the Council Plan 2017-2021.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Community Engagement Strategy 2018-2022 **[3.1.1]**
2. C06 Community Engagement Policy **[3.1.2]**

REFERENCE DOCUMENTS

Council Policy

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

Legislative Provisions

Local Government Act 1989

Planning and Environment Act 1987

Victorian Information Privacy Act 2000

3.2. POLICY FRAMEWORK AND TERMS OF REFERENCE COORDINATING COMMUNITY BODIES

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

Establishing networks of towns and communities in sub-regions of South Gippsland has the potential to be of significant value to both local communities and Council. A significant level of informal collaboration is already undertaken by towns and communities across South Gippsland. Further direct engagement with communities across South Gippsland is needed to establish the level of interest in creating more permanent and formal districts networks, and to establish the level of resourcing required by Council to support such bodies.

RECOMMENDATION

That Council:

- 1. Notes the report on a policy framework to potentially establish district coordinating bodies across the Shire to strengthen community engagement and partnerships and work collaboratively with communities;**
- 2. Commits \$15,000 from the Community Grants budget to establish the level of community interest in creation of district networks including proposed district boundaries; and**
- 3. Receives a report in December 2018 on the level of interest in establishing such groups.**

REPORT

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

"To receive a report on a policy framework by July 2018 to potentially use such district coordinating bodies across the Shire to strengthen community engagement and partnerships and working collaboratively with communities, including potential terms of reference, resource requirement and suggested local districts."

Council works with a wide variety of groups that provide a level of community leadership on civic matters across South Gippsland. These groups include Progress Associations, Community Development Associations, Chambers of Commerce and business and traders' networks, local arts councils, and

community hall committees (which often play the role of an informal community development group for rural communities and hamlets).

On three occasions Council has supported community building projects focused on a number of towns and rural districts in a specific sub district of South Gippsland in partnership with an external funding agency, these include:

1. The Hills to Sea Community Building project (2006-2010), which included Poowong, Bena, Nyora and Loch as well as five small communities in the north of Bass Coast Shire.
2. Eastern Districts Community Strengthening project (2007-2010), which included Toora, Mt Best, Welshpool, Port Welshpool, Hedley and Port Franklin.
3. The Lower Tarwin Valley Strengthening Small Dairy Communities project (2011-2014), which included all communities in postcode 3956, Fish Creek, and Koonwarra.

All of these specific projects brought together representatives of all the towns and districts in the specific areas of South Gippsland to help guide the implementation of the project, all had some funds available for local initiatives, and all were supported by a paid part-time officer based in the Community Strengthening team, with funds provided by an external funding agency.

These projects developed useful local projects and proved effective in improving the partnership between these communities and Council, particularly with supporting local contribution to the development of Urban Design Frameworks and Structure Plans. However, none led to the establishment of an ongoing, independent district planning group that continued after the local Project Facilitator role had ended. Council has convened meetings of the communities involved from time-to-time when there is an issue to discuss specific to that area.

Council has also worked directly to support individual towns and communities on collaborative projects. This is evidenced by Council's role in establishing the Korumburra Round Table and with numerous towns when assisting them to develop Community Directions Statements and a terms of reference (**Attachment [3.2.1]** Korumburra Round Table Terms of Reference 2016), where a broad range of group representatives have been supported to form Community Directions Statement local working parties.

Individual towns and districts are clearly willing to work collaboratively and Council gets a good response to the various special interest networks it

currently facilitates such as the South Gippsland Halls network and the Towns and Districts Associations network. However, the existing community leadership organisations are generally fully committed to their existing work and find it hard to create new networks that take time away from their current needs.

Council has provided an ongoing opportunity for individual communities with an interest in developing or reviewing a Community Direction Statement to collaborate by establishing the Community Planning Network, where representatives from the working parties can meet to share information and seek assistance from other towns/districts.

Development of ongoing district networks that can collaborate on projects and provide support for each other has the potential to help small communities in particular to undertake larger and more complex initiatives, access a higher level of external and local grant funding, and provide support across the locality in times of difficulty or crisis. Such networks also have the potential to create effective avenues for Council to partner and engage with these communities on a regular and consistent basis.

Key elements for consideration when establishing new district networks include:

1. Open discussion with all South Gippsland communities on where they see their natural connections. At times the district that is seen as logical at a local level may include communities that fall outside the borders of South Gippsland Shire, but not accepting this could lead to an artificial and unproductive network being established.
2. Range of local organisations invited to join.
 - a. Should the membership be limited to volunteer/not for profit groups?
 - b. Should membership exclude organisations that are primarily established to serve a wider area than the local district?
 - c. Should short term special interest lobby groups be included?
 - d. Can an individual person be a member of a cluster committee or would it only be open to representatives of existing groups?
3. Level of obligation any member community has to support cluster projects.

4. Whether such committees would be expected to play a direct role in allocation of Council resources, for example Community Grants. In all three projects mentioned above recommendations were made by the steering committees on project grant fund allocation, but with the external funding body making final decisions on what would be funded. This role in recommending use of funds at a local level was a key feature of the steering committees, but a lack of ongoing locally controlled funds after the projects had completed appears to be the key factor behind the cluster committees not seeking assistance from Council to continue.
5. Clarifications of the relationship between local clusters.

Potential Districts/Clusters

Council includes in the Blueprint for Social and Community Infrastructure seven possible districts. Council is also broken up into three wards, and promotes data and a separate suite of eight districts. The old boundaries of the four Shire Councils that were amalgamated into the South Gippsland Shire Council remain a useful guide to a range of accepted connections between communities of South Gippsland. However, these clusters do not include towns / communities outside of Council boundaries that might have a significant impact on the social, recreational and commercial life of a cluster. For example, the relationships between the following rural communities are integral to local activity: Nyora and Lang Lang; Mirboo North and Boolarra, Yinnar, Thorpdale; Outtrim, Kongwak and Inverloch.

CONSULTATION

Consultation needs to be undertaken with communities and towns across South Gippsland to establish the level of interest in creating formal networks involving a number of neighbouring communities. Informal and activity specific collaborations already take place which can help inform any new models. This consultation will commence in September.

RESOURCES

Undertaking the necessary consultation across South Gippsland with communities to establish interest in development of clusters and then establishing which communities fit within each cluster will be time intensive but will build on current and recent work. Council would need to consider allocating an additional 40+ days of staff time (\$15,000+) to undertake the work required with local communities to create a suitable and supported model of district cluster networks.

New district clusters are likely to require ongoing secretariat support from Council, and it is initially estimated that the effective support for seven

clusters would require forty days per year, assuming that each cluster would need to meet quarterly.

RISKS

Undertaking the development of a series of district clusters has the potential to support a significantly increased level of practical partnership between communities and with Council. However, it will also raise community expectation that Council will respect local advice on allocation of resources and place an extra burden on existing volunteers to participate in the new organisations unless Council provides facilitation and secretariat support.

STAFF DISCLOSURE

Nil

ATTACHMENTS

1. Korumburra Round Table Terms of Reference 2016 **[3.2.1]**

REFERENCE DOCUMENTS

Council Policy

*Documents are available on Council's website: www.southgippsland.vic.gov.au
Community Strengthening Strategy*

3.3. REVISED TERMS OF REFERENCE FOR ADVISORY COMMITTEES

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

Council has six formal Advisory Committees. There is a requirement to review the Terms of Reference in the first two years of the term of a new Council. The review addresses both the need for the Advisory Committee and the relevance and workability of the committees' Terms of Reference.

Community Strengthening recommends that four advisory committees continue with minor amendments to their Terms of Reference and that two are disbanded as being no longer required by Council for the delivery of the service for which they were initially established.

RECOMMENDATION

That Council:

- 1. Receives and adopts the revised Terms of Reference for three committees;**
 - a. The Access and Inclusion Advisory Committee revised Terms of Reference (Attachment [3.3.1] – Draft Access and Inclusion Advisory Committee Terms of Reference 25 July 2018) with amendment to the maximum number of members to from 12 to 15, with the majority being community representatives;**
 - b. The Active Retirees Advisory Committee revised Terms of Reference (Attachment [3.3.2] - Draft Active Retirees Advisory Committee revised Terms of Reference 25 July 2018) with amendments to;**
 - i. The criteria of membership to individuals over 55 with no requirement to be a representative of an existing group;**
 - ii. Extend the initial term a member can serve from two years to four years; and**
 - c. The Mossvale Park Advisory Committee revised Terms of Reference (Attachment [3.3.3] Mossvale Park Advisory Committee revised Terms of Reference 25 July 2018) with the inclusion of administrative support for the committee meetings.**
- 2. Provides all members of the ongoing Advisory Committees with the revised Terms of Reference for their Committee;**

3. **Receives and adopts the South Gippsland Shire Council Youth Council Terms of Reference (Attachment [3.3.4] South Gippsland Shire Council Youth Council Terms of Reference) with no changes made;**
4. **Formally disbands the Toora Railway Station Park Advisory Committee;**
 - a. **Notifies the current members of the Toora Railway Station Park Advisory Committee of its disbandment and thank members for their service; and**
5. **Formally disbands the South Gippsland SPLASH Advisory Committee.**

REPORT

Council establishes formal Advisory Committees from time to time to seek informed advice from a broad range of individuals and groups with an interest in a specific subject. Some such Advisory Committees have an ongoing role, whilst others are established for a specific project.

Council had six formal Advisory Committees at the commencement of the term of the current Council. These committees are:

1. The Access and Inclusion Advisory Committee, which has the primary purpose of providing advice to Council and specific staff on needs of people with disability and opportunities for Council to build community awareness of the needs of those with disability. This Committee has played a key role in assisting Council to develop the new Disability Action Plan (DAP) 2018-2022.
2. The Active Retirees Advisory Committee, with a primary purpose of providing a conduit between Council and older residents who are actively involved in community activity and projects. This Committee has played a key role in encouraging other South Gippsland community groups to run extra programs during Seniors Week in recent years.
3. The Mossvale Park Advisory Committee, with the primary purpose of providing advice on management and development of Mossvale Park. This committee provided significant input to the review of use of Mossvale Park that was undertaken by Council in 2016.
4. The South Gippsland Shire Youth Council, with the primary purpose of providing a direct link between Council and young people aged between 14 and 25. The Youth Council played an instrumental role in supporting Council to renew its role with the successful State government funded FReeZA youth participation program in 2015.

5. The South Gippsland (SG) SPLASH Advisory Committee, with the primary purpose of providing advice to Council and SG SPLASH management on operations of the facility
6. The Toora Railway Station Park Advisory Committee, with the primary purpose of providing advice to Council on improvements needed to Toora Railway Station Park including Sagasser Park.
7. A review of the Terms of Reference of any ongoing Advisory Committee is generally undertaken on a four year cycle, and generally in the first two years of the term of a new Council. The review addresses both the need for the Advisory Committee and the relevance and workability of the committee's Terms of Reference.

Community Strengthening recommends that four advisory committees continue with minor amendments to their Terms of Reference and that two are disbanded as being no longer required by Council for the delivery of the service for which they were initially established.

The Table below outlines the main changes and reasons for continuance or disbanding.

Committee	Main purpose	Still required	Key changes to previous Terms of Reference (ToR)
Access and Inclusion	Advice to Council and specific staff on needs of people with disability	Yes - particularly to help monitor Council's implementation of the Disability Action Plan 2018 – 2022.	A request for the maximum number of members to be raised from 12 to 15, with the majority being community representatives. This change would allow for extra representation from local service and support agencies without dominating the makeup of the committee.

Committee	Main purpose	Still required	Key changes to previous Terms of Reference (ToR)
Active Retirees	To provide a conduit between Council and older residents who are actively involved in community activity and projects	Yes - the age profile of South Gippsland is significantly older than for the state as a whole with many people retiring to South Gippsland whilst still being capable of actively participating in the community.	<ol style="list-style-type: none"> 1. Broadening the criteria for people to become members to anyone over 55 who has an interest. The previous criteria stipulated that community representatives must represent an existing Not for Profit group that had older people as a focus. The number of members will remain at a maximum of 12. 2. Extend the initial term a member can serve from 2 years to 4 years.
Mossvale Park	To provide advice on management and development of Mossvale Park	Yes, this Committee has played an active and vital role in assisting Council to maintain and improve this key public asset. Interest in use of the Park has increased over recent years and this Committee continues to provide a valuable service to Council on how to manage the increased use.	This Committee is requesting that Council provide administrative support for the committee meetings. Council provides this support at other advisory committees, and supporting the Mossvale Park Advisory Committee in this way could be accommodated within current resources as the committee does not meet more than six times per year.

Committee	Main purpose	Still required	Key changes to previous Terms of Reference (ToR)
Youth Council	To provide a direct link between Council and young people aged between 14 and 25	Yes, however the form that this committee takes is under review and is one of the matters being considered in the current development of a new Youth Strategy. A revision of the Terms of Reference will be undertaken in light of the new Strategy during 2019.	No changes
SG SPLASH	To provide advice to Council and SG SPLASH management on operations of the facility	No, this Committee has not met since 2015. Users of SG SPLASH and user groups hiring the facility have opportunity to provide direct feedback to the operators and to Council via the Recreation Officer.	No changes due to planned disbanding of this committee

Committee	Main purpose	Still required	Key changes to previous Terms of Reference (ToR)
Toora Railway Station Park	Provide advice to Council on improvements needed to Toora Railway Station Park including Sagasser Park	No, the existing Committee recommended unanimously in 2017 that Council disband the Committee as they felt that that Council was capable of managing the Park including making improvements that will benefit the Toora community without support of a local advisory group. The Committee is confident that Council's direct engagement with the local community is strong enough for new project ideas to be articulated effectively.	No changes due to planned disbanding of this committee.

CONSULTATION

Council staff have consulted directly with current members of the Access and Inclusion, Active Retirees, Mossvale Park and Toora Railway Station Park advisory committees and with other staff who support Council's advisory committees.

RESOURCES

Continuation of the four Advisory Committees as proposed with slightly altered Terms of Reference will not result in any new financial commitment and the actions resulting will be undertaken as part of anticipated duties by relevant staff.

Provision of administrative support for the Mossvale Park Advisory Committee should take no longer than the amount of time saved by not needing to monitor and undertake annual governance procedures for Toora Railway Station Park and SG SPLASH Advisory Committees.

RISKS

Recognition by Council that the Terms of reference need to be adapted from time to time is important to ensure that such groups can continue to be effective. Failure to make changes could put at risk the good relationship currently enjoyed with the advisory committee members, all of whom volunteer their time to these roles to assist Council to be responsive to community needs.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. Draft Access Inclusion Advisory Committee Terms of Reference 25 July 2018 **[3.3.1]**
2. Draft Active Retirees Advisory Committee Terms of Reference 25 July 2018 **[3.3.2]**
3. Draft Mossvale Park Advisory Committee Terms of Reference 25 July 2018 **[3.3.3]**
4. South Gippsland Youth Council Terms of Reference 25 July 2018 **[3.3.4]**

REFERENCE DOCUMENTS

Legislative Provisions

Local Government Act 1989

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

4.1. SOUTH GIPPSLAND SHIRE COASTAL STRATEGY

Development Services Directorate

EXECUTIVE SUMMARY

The coastline and hinterlands of South Gippsland contains some of the most State significant landscapes, environmental values and living opportunities in Victoria.

The management of coastal areas is complex, involving numerous government agencies and has a complex regulatory framework governing land use and development.

The South Gippsland Coastal Strategy (the Strategy) is proposed to identify current land use and development issues, incorporate previously adopted Council Strategies/Plans, consider legislation and regulatory changes and compile them into a single document to aid community understanding and provide a platform for advocacy on identified issues. The Strategy will identify both constraints and opportunities along the coastline.

The study area will encompass the coastline and the area inland including all coastal townships as well as Welshpool and Toora.

RECOMMENDATION

That Council allocates \$55,000 from cash reserves for the development of the South Gippsland Coastal Strategy project and note that this will weaken but have a negligible effect on the budget underlying working capital strength.

REPORT

This report is in response to the Council Notice of Motion 22 November 2017:

THAT COUNCIL:

1. *INVESTIGATES THE DEVELOPMENT OF A COASTAL STRATEGY.*
 - A. *THE STRATEGY MAY CONSIDER THE IMPACT AND OPPORTUNITIES OF POTENTIAL GROWTH AND DEVELOPMENT IN THE COASTAL AREAS INCLUDING THE IMMEDIATE HINTERLAND.*
 - B. *THE STRATEGY MAY IDENTIFY APPROPRIATE AMENITIES, FACILITIES AND SERVICES IN THE TOWNSHIPS AND VILLAGES TAKING*

INTO ACCOUNT THE IMPACT OF FURTHER GROWTH OF HOUSING IN COASTAL TOWNS IN RELATION TO SEWERAGE AND SERVICES. THE STRATEGY MAY FOCUS ON:

I. MANAGING COASTAL LAND AND INFRASTRUCTURE, INCLUDING CROWN LAND;

II. MANAGING POPULATION GROWTH;

III. ADAPTING TO A CHANGING CLIMATE;

IV. INTEGRATING MARINE PLANNING; AND

V. VALUING THE NATURAL ENVIRONMENT.

The following is a brief summary of the major influences on coastal decision making.

Environmental Vulnerability

The fragile coastal fringe and neighbouring private land often represent the major vegetation bordering the agricultural areas. The coast is vulnerable to significant change as a result of over use, pollution as well as normal and climate induced coastal process impacts including sea level rise and storm surges.

Coastline

The coastline of the Shire is Crown Land managed under a number of Acts by agencies including, Parks Victoria, DWELP, Gippsland Ports and Committees of Management (including Council and Gippsland Ports as a Committees of Management). Other regulatory agencies also play an important role including the West Gippsland Catchment Management Authority and the Gippsland Coastal Board.

In addition private companies at Barry Beach maintain wharves for access across Crown Land while Surf Lifesaving clubs, and other similar organisations, have infrastructure on coastal Crown Land.

Council has limited influence seaward of the high tide mark however its official boundary extends out beyond high tide in Andersons and Corner Inlets.

Inland of the coastline (with the exception of the Coastal and National Parks) land is predominantly privately owned.

Regulatory framework

Decision making on coastal Crown Land is largely managed by the Coastal Management Act (administered by DWELP), the Victorian Coastal Strategy and provisions of the South Gippsland Planning Scheme that Council has limited ability to change.

The use and development of land in the coastal fringe is predominantly regulated by the South Gippsland Planning Scheme which includes policy and provisions that guide the decision making process including:

- Coastal Township Structure Plans
- Significant Landscape Overlays
- Environmental Significance Overlays
- Bushfire Management Overlay
- Land Subject to Inundation Overlay
- Design and Development Overlays
- Housing and Settlement Strategy

State Policy Framework

The State Government and its agencies reflect community and scientific concerns in the coastal area through policy such as:

- Coastal Management Act 1995
- West Gippsland Floodplain Management Plan
- Victorian Coastal Strategy 2014
- Gippsland Regional Coastal Plan 2015-2020

The Act is currently under review and other policy is changed on a regular basis. Council only has an advocacy role in these reviews however it is essential that Council has an adopted view in order to justify its position on coastal matters to the State Government.

Council Policy

In addition to Planning Scheme based policy Council has strategic work that will be used in the preparation of the Coastal Strategy.

Council has completed the Seasonal Population Impacts in Coastal Towns Plan 2015 to gain an understanding of the changes and impact on infrastructure and experience by residents and visitors. The plan highlighted issues likely to further impact their amenity and enjoyment as visitation and the permanent resident population grows.

Council has an adopted Economic and Tourism Strategy that demonstrates the value of the coastal fringe and hinterland to the Shire's economy. It provides guidance in the promotion and expansion of tourism to take advantage of the attractiveness of the natural coastal assets.

The Open Space Strategy that deals with the use of all open space in the Shire is under review and will be presented to Council in 2019/20. The Path and Trails Strategy is under review and will help inform the overarching Open Space Strategy and Recreation Strategy to be reviewed in 2020.

Council is currently undertaking a Coastal Levee Banks ('seawalls') Study that is investigating the long term viability of historic levees created to limit the inundation of the sea onto land that is currently used for farming. The implications of maintenance and management of these structures in a rising sea levels scenario is unsure.

The Blueprint for Social and Community Infrastructure, Community Directions Plans, individual Community Infrastructure Plans, Municipal Health and Well Being Plan and Active Aging Plan will also help inform the Strategy, particularly when addressing the social impact of coastal life.

Advocacy

As demonstrated by the brief summary of coastal policy above it is clear that Council needs a consolidated document that addresses the diversity of coastal issues.

The Strategy will enable Council to present its overall vision for the coast to the community and assist in influencing decision making by Council and to help influence State Government and agency policy and decision making.

The Coastal Strategy

The Coastal Strategy will:

- Draw all of the policy and strategy that effects the coast into one document that will assist the community and Council to understand and respond to their implications.

- Review the Design and Development, Significant Landscape and Environmental Significance Overlays that affect coastal settlements and landscape to determine their effectiveness in achieving their stated aims.

The Coastal Strategy will not:

- Revisit decision making such as township boundaries by the recently adopted Housing and Settlement Strategy, however expansion investigation areas outside of the boundaries (derived from policy adopted in 2005) will be re-examined in light of new science and State Government policy. Coastal Acid Sulphate Soil, climate change induced sea level rise and Bushfire Management Overlay issues may have a significant impact on the previously identified coastal township expansion areas.

Growth in the shire is proposed to be assessed more generally in strategic work following the Population Growth and Land Supply Study presented to Council in June 2018.

CONSULTATION

Preparation of the Strategy will include community and key stakeholder engagement to assist in identifying coastal issues and possible solutions or avenues for advocacy on policy reform.

RESOURCES

This project is currently unfunded and will require a budget allocation of \$55,000 to support development of the Coastal strategy. Resources within the current strategic planning budget are fully allocated to the following Council initiatives and Council plan items, Mirboo North Structure Plan, Significant Tree Register, Housing and Settlement Strategy, Open Space Strategy, Venus Bay Activity Centre Plan and Sandy Point Caravan Park investigations. The allocation of \$55,000 from cash reserves will weaken but have a negligible effect on the budget underlying working capital strength.

RISKS

The coast and hinterland of the shire represent a major area of contention between different users and regulatory frameworks. Council's current strategy is 17 years old and coastal science, population pressures and policy have changed dramatically over that period. If the Strategy is not updated it will continue to become redundant and Council will have no policy basis on which to make increasingly difficult coastal management and development decisions.

STAFF DISCLOSURE

Nil

4.2. RELINQUISH COUNCIL AS COMMITTEE OF MANAGEMENT - KONGWAK SANITARY DEPOT, OUTTRIM

Infrastructure Directorate

EXECUTIVE SUMMARY

Council is Committee of Management (CoM) for a parcel of crown land (the land) in Outtrim, Crown Allotment 25P Parish of Kongwak, known as the *Kongwak Sanitary Depot* (the Depot). The land is located at 1025 Outtrim-Leongatha Road, Outtrim.


The Depot ceased to operate on the land in 1994. A recently completed soil assessment of the land concludes that the soil and groundwater is considered unlikely to pose an adverse health risk in the current setting as well as non-sensitive land uses such as parks, reserves, or recreational open space and considers the land suitable for public open space and recreation.

For the CoM status to be removed from the land, an application should be submitted to the Department of Environment Land Water and Planning (DELWP) detailing the following:

- Confirmation that the land is no longer required by Council as a “Sanitary Depot”.
- There is no community requirement for the land.
- Any existing or previous tenure with any landowner occupying the land.
- Ecological investigation levels (contamination assessment) and health investigation levels would need to be suitable for public open space such as parks, playgrounds, playing fields.

RECOMMENDATION

That Council:

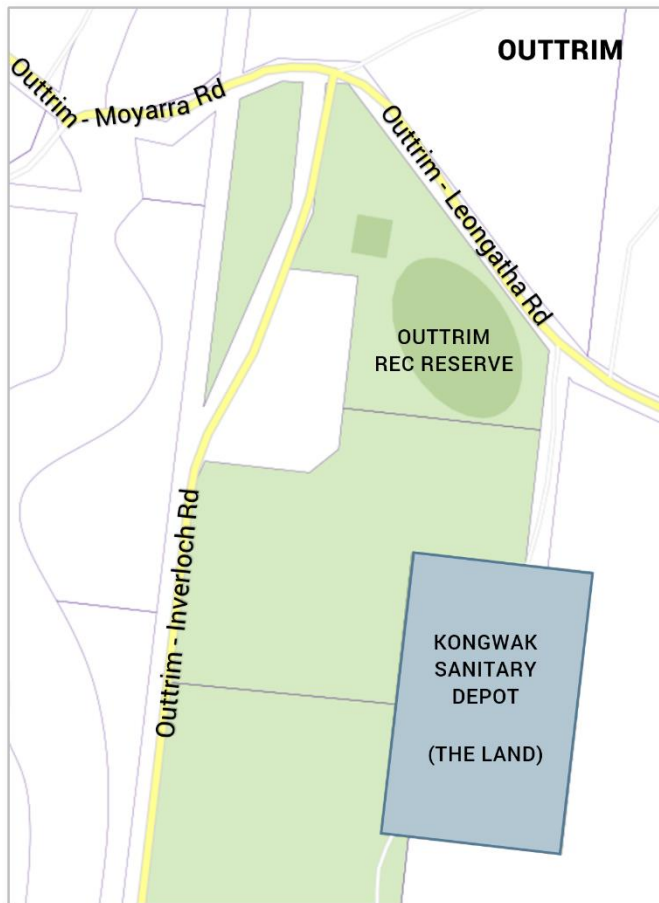
- 1. Submits an application to the Department of Environment Land Water and Planning (DELWP) to relinquish Council's Committee of Management status over the site known as the "Kongwak Sanitary Depot" being Crown Allotment 25P Parish of Kongwak (shown as  in Figure 1) for the following reasons:**
 - a. The land, to the knowledge of Council, has not been used as a "Sanitary Depot" since 1994.**
 - b. The land is no longer required by Council.**

- c. **There is no community requirement for the land.**
- d. **There is no existing or previous tenure arrangement between Council and any landowner occupying the site.**
- e. **Ecological investigation levels (contamination assessment) and health investigation levels of the land are suitable for public open space such as parks, playgrounds, playing fields, etc.**

REPORT

Council is Committee of Management (CoM) for a parcel of crown land (the land) in Outtrim, Crown Allotment 25P Parish of Kongwak, known as the *Kongwak Sanitary Depot* (the Depot). The land is located at 1025 Outtrim-Leongatha Road, Outtrim – refer to **Figure 1**.

Figure 1 – The Land



The land was reserved for a night soil depot in 1897. Capital works to construct suitable lagoons, contour ploughing, and fencing were carried out in 1984. The main use of the depot was for receipt of domestic septic tank sludge. It is understood the depot operated until 1994 in accordance with an EPA licence. The land is not listed on the EPA Priority Sites Register.

It is also understood that the local community has planted some of the land and a dam on the land is used to supply water to the Outtrim Recreation Reserve. There is no tenure arrangement between the Outtrim Recreation Reserve Committee and Council for the dam water. The continued supply of water is a matter that should be arranged by the Outtrim Recreation Reserve Committee with DELWP and the Committee are aware of and understands this. Although the Outtrim Recreation Reserve Committee are accessing the dam water for use at the reserve, there is still no community requirement for the land to be used as a sanitary depot and therefore, no reason why Council needs to remain Committee of Management over the land.

Council has obtained a contamination assessment for the land that concludes that based on test results, the soil and groundwater is considered unlikely to pose an adverse health risk in the current setting as well as non-sensitive land uses such as parks, reserves or recreational open space. The contamination assessment considers the land suitable for public open space and recreation.

The process to remove Council as the CoM is to submit an application to the DELWP detailing the following information:

- Confirmation that the land is no longer required by Council as a “Sanitary Depot”.
- There is no community requirement for the land.
- Any existing or previous tenure with any landowner occupying the land.
- Ecological investigation levels (contamination assessment) and health investigation levels would need to be suitable for public open space such as parks, playgrounds, playing fields.

CONSULTATION

The following stakeholders were consulted by correspondence advising of the proposal with the conclusions of the report:

- DELWP
- Outtrim Recreation Reserve Committee Inc. (the Committee) – representing the community and users of adjacent recreation land
- Parks Vic – manager of adjoining land
- One adjoining private landowner

None of the stakeholders has offered any objection to the proposal.

The Outtrim Recreation Reserve Committee has expressed an interest in continuing to plant out the land. As discussed earlier, the Outtrim Recreation Reserve Committee are aware that the continued supply of water from the dam should be arranged with DELWP.

RESOURCES

The cost of preparing the contamination assessment was funded largely by DELWP.

RISKS

The land is considered suitable for use as public open space as reported in the contamination assessment.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Legislative Provisions

Local Government Act 1989

4.3. POLICY REVIEW: C09 COMMUNITY INFRASTRUCTURE PROJECT MANAGEMENT POLICY 2018

Infrastructure Directorate

EXECUTIVE SUMMARY

Council is responsible for many projects within the municipality as an applicant for community infrastructure projects. It is essential that adequate planning is undertaken and comprehensive information is provided to Council so that projects are suitable, have relevant approvals, are costed, and have appropriate timeframes.

In order to reduce Council's risk exposure, Council developed a policy for community infrastructure project management to ensure community infrastructure projects are strategically justified, adequately planned to reduce the risk of cost overruns, and non-compliance of funding conditions.

In accordance with the Corporate Policy Register, the existing *C09 Community Infrastructure Project Management Policy 2014* (2014 Policy) is due for review. The revised *C09 Community Infrastructure Management Policy 2018* (2018 Policy) is presented for Council consideration and adoption.

RECOMMENDATION

That Council adopts the revised C09 Community Infrastructure Project Management Policy 2018 (Attachment [4.3.1]) and publishes a copy on Council's website.

REPORT

The policy for community infrastructure projects has been developed to ensure community infrastructure projects are strategically justified, adequately planned to reduce the risk of cost overruns, and non-compliance of funding conditions.

The existing 2014 Policy (**Attachment [4.3.2]**) was adopted at the Ordinary Council Meeting 25 June 2014 and included Guidelines around managing community infrastructure projects.

In accordance with the Corporate Policy Register, the policy is reviewed on a 4-year cycle. The existing 2014 Policy has been revised with minimal changes, none of which change the intent of the policy. The revised 2018 Policy (**Attachment [4.3.1]**) is presented for Council consideration and adoption.

CONSULTATION

C09 Community Infrastructure Project Management Policy 2014 (2014 Policy) has been reviewed by relevant Council officers to ensure that the objective of the policy is met.

RESOURCES

Council officers within the Infrastructure directorate discussed the policy and the outcome of those discussions was that the policy is still relevant and only required minor amendments.

Council endorsement will be required for each project that is supported by this policy and will allocate required Council resources should projects be approved for external funding.

RISKS

Not having a policy increases the risk of projects not being adequately justified or planned, and greater potential for cost overruns, poor infrastructure outcomes, and non-compliance with funding conditions. The development of associated *Guidelines* will also reduce the risk of substandard outcomes.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. C09 Community Infrastructure Project Management Policy 2018 (For Adoption) **[4.3.1]**
2. C09 Community Infrastructure Project Management Policy 2014 (Current) **[4.3.2]**

REFERENCE DOCUMENTS

Council Policy

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

C04 Asset Management Policy

CE78 Occupational Health and Safety Policy

C32 Procurement Policy and Manual

Policy Review Framework Policy

Community Infrastructure Project Management Guidelines

Community Infrastructure Project Process Map

Community and Consultation Strategy Toolkit

Social Community Infrastructure Blueprint 2014-2029

Legislative Provisions

Local Government Act 1989 (ss. 3C, 3D, and 3E)

4.4. POLICY REVIEW: C39 SCHOOL BUS SHELTER POLICY

Infrastructure Directorate

EXECUTIVE SUMMARY

Council is responsible for the provision of school bus shelters in a rural areas subject to the conditions contained within *C39 School Bus Shelter Policy* and within the available budget.

The policy aims to ensure a consistent approach for the provision of school bus shelters, to improve the safety for children using the bus shelters due to the construction standard and installation supervision used by Council, and to provide some weather protection for children using these facilities.

In accordance with the Corporate Policy Register, the existing *C39 School Bus Shelter Policy 2014* (2014 Policy) is due for review. The revised *C39 School Bus Shelter Policy 2018* (2018 Policy) is presented for Council consideration and adoption.

RECOMMENDATION

That Council adopts the revised C39 School Bus Shelter Policy 2018 (Attachment [4.4.1]) and publishes a copy on Council's website.

REPORT

The policy for school bus shelters has been developed to ensure:

- A transparent process in dealing with requests for installing / relocating school bus shelters (installations are subject to availability of government funds).
- Compliance with the relevant policies and guidelines issued by the Department of Education and Training (DET), Public Transport Victoria (PTV), and the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).
- Installations are in appropriate locations.

The existing 2014 Policy (**Attachment [4.4.2]**) was adopted at the Ordinary Council Meeting 26 February 2014 and included an Application Form.

In accordance with the Corporate Policy Register, the policy is reviewed on a 4-year cycle. The existing 2014 Policy has been revised with minimal changes, none of which change the intent of the policy. In summary, these changes include name changes to the Victorian Government departments incorporated,

and policy implementation method. The revised 2018 Policy (**Attachment [4.4.1]**) is presented for Council consideration and adoption.

CONSULTATION

Council officers within the Infrastructure directorate discussed the policy and the outcome of those discussions was that the policy is still relevant and only required minor amendments.

RESOURCES

Council provides an annual budget for the provision of school bus shelters only when DEDJTP allocate funds. The adoption of the amended policy will have no impact upon this budget.

Maintenance of approved school bus shelters shall be undertaken by the Operations department (e.g. grass slashing, weeds, gravel or rock base material, cleaning / repair of seats, and/or vandalism). This will include an annual inspection or repair/works upon request. Works required are covered by the Operations department's general maintenance budget.

RISKS

There are no financial risks to Council as shelters will be funded from budget allocations, grant subsidies, or applicants funding the subsidy component when minimum provision criteria are not satisfied.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. C39 School Bus Shelters Policy 2018 (For Adoption) **[4.4.1]**
2. C39 School Bus Shelters Policy 2014 (Current) **[4.4.2]**

REFERENCE DOCUMENTS

Council Policy

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

C04 Asset Management Policy
Policy Review Framework Policy

Legislative Provisions

Local Government Act 1989
Road Management Act 2004

**4.5. GRANT APPLICATIONS - BAROMI PARK COMMUNITY SPACE
DEVELOPMENT PROJECT - SOUTH GIPPSLAND COMMUNITY LEADERS
PROGRAM**

Infrastructure Directorate

EXECUTIVE SUMMARY

Regional Development Victoria's *Regional Jobs and Infrastructure Fund (RJIF)* is the Victorian Government's overarching regional development package that focuses on major projects, employment, and communities. There are three programs that Regional Development Victoria (RDV) administers as part of the RJIF's programs; Regional Infrastructure Fund, Regional Jobs Fund, and Stronger Regional Communities Plan.

Council has been invited to apply for funding for two projects to RDV's *Stronger Regional Communities Plan (SRCP)* being the Baromi Park (Mirboo North) Community Space Development project and the South Gippsland Community Leaders Program.

RECOMMENDATION

That Council:

- 1. Applies for funding to Regional Development Victoria's – Regional Jobs and Infrastructure Fund (RJIF) under the Stronger Regional Communities Plan program for the following projects:**
 - a. Baromi Park Community Space Development project for \$50,000.**
 - i. Notes that Council's contribution for the Baromi Park Community Space Development project of \$190,000 has already been allocated through the Community Capital Works Allocation process.**
 - b. South Gippsland Community Leaders Program project for \$50,000.**
 - i. Notes that Council's contribution for the South Gippsland Community Leaders Program project of \$12,500 has already been allocated in the 2018/19 Annual Budget.**
- 2. Provides staff resources within funding allocated in the total project costs for management of the projects if approved by Regional Development Victoria in the 2018/19 financial year.**

REPORT

Regional Development Victoria's (RDV) *Stronger Regional Communities Plan* (SRCP) small grants program aims to support rural and regional towns in attracting families and young people to live and work in rural areas. It will do so by investing in community-led initiatives and partnerships that create or enhance the conditions for economic growth and build resilient, diversified and sustainable economies.

Strong communities are characterised by high levels of social and economic participation. They demonstrate effective decision-making and strong networks and are attractive to people considering moving to live and work.

Funding of up to \$50,000 is available through the program.

Council submitted an Expression of Interest (EOI) to the SRCP for the Baromi Park Community Space Development project and the South Gippsland Community Leaders Program in April 2018. On Thursday 5 July 2018, RDV formally invited Council to apply for funding for both projects.

Baromi Park Community Space Development Project (Mirboo North)

Baromi Park is a highly valued community asset located in Mirboo North. The park is informally and formally used by a wide range of community members and visitors for private and public gatherings, events, celebrations, festivals, active and passive recreation, and outdoor enjoyment.

With the increased focus on cultural tourism and demonstrated success and popularity of the park, there is an identified need for the development in meeting the growth.

As identified in the Baromi Park Master Plan 2018, the Baromi Park Community Space Development project comprises three components; the development of a performing arts space, a nature based playground, and a new public toilet facility at the eastern end of Baromi Park.

The Baromi Park Community Space Development project will complement the Mirboo North Active Play project. This project is for enhancements to the current skate bowl and development of a half size basketball court, for which an application to Sport and Recreation Victoria (SRV) was submitted on the 25 June 2018. The application is currently pending.

South Gippsland Community Leaders Program

The South Gippsland Community Leaders Program is aimed to skill volunteers and emerging leaders in a range of areas that will support them to initiate and drive community led projects and foster participation and build capacity.

The program will target a minimum of 20 and maximum of 30 people who aim to establish a new project or partner with others where their participation will enhance an existing project's implementation and completion. It involves an intensive ten day program based on practical project based learning principles specifically for community volunteers and emerging leaders.

The proposed outcomes are:

- Skilled and confident community leaders across South Gippsland who will bring others on board and share their learnings;
- Enhanced partnerships between Council and the local community;
- Enhanced understanding of the roles of State and Federal government;
- Extra funds sourced for community driven projects that have strong project plans and project sustainability;
- Greater level of skills in developing community based projects; and
- Participants will gain an understanding of their own and others motivations, strengths and challenges.

At the end of the program participants will:

- Understand how to engage their community, including the hard to reach and cross generational conversations;
- Learn how to develop and manage a successful project;
- Understand the people in their team; and
- Learn and practise the skills of communicating for successful outcomes.

CONSULTATION

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

The South Gippsland Community Leaders Program has been identified as a follow on from the Community Engagement Conferences held over the past ten years where community leaders have been provided with access to a range of skill development workshops and information. Participants have expressed a need for a skill building program that was more than just a one day conference. They have asked for a program that was in their region,

offered skill development in a suite areas and enable partnership development.

RESOURCES

Baromi Park Community Space Development Project

Council's contribution of \$190,000 for the Baromi Park Community Space Development project has already been allocated through the Community Capital Works Allocation process. The funding breakdown for this project is as follows:

Estimated Total Cost:	\$240,000
Stronger Regional Communities Plan	\$50,000
Council Contribution (<i>Community Capital Works Allocation</i>)	\$190,000

South Gippsland Community Leaders Program

Council's contribution of \$12,500 is available in the 2018/19 Annual Budget. The funding breakdown for this project is as follows:

Estimated Total Cost:	\$50,000
Stronger Regional Communities Plan	\$37,500
Council Contribution (<i>2018/19 Annual Budget</i>):	\$12,500

RISKS

If Council does not support both projects, Council will miss an opportunity to obtain external funds to assist in improving its facilities and developing community leaders within the Shire.

STAFF DISCLOSURE

Nil

REFERENCE DOCUMENTS

Council Policy

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

2018/19 Annual Budget

Community Budgeting Process

Long Term Financial Plan

Legislative Provisions

Local Government Act 1989

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

5.1. LIVE STREAMING OF COUNCIL MEETINGS – FIRST YEAR UPDATE

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

Council resolved at the Ordinary Meeting of Council 22 February 2017 to implement and report on the live streaming of Ordinary and Special Meetings of Council one year from the go-live date, 24 May 2017.

This report summarises a number of review elements of the live stream service:

- Operation of the service;
- Cost of the service;
- The number and type of users; and
- Anecdotal feedback from consultation with users of the service.

This report also seeks to consider and adopt an updated Live Streaming of Council Meetings Policy (C67) with minor changes. The revised Policy document is located in **Attachment [5.1.1]**.

RECOMMENDATION

That Council:

- 1. Notes the report on the costs and the number of users of the service;**
- 2. Continues to live stream Ordinary and Special Meetings of Council; and**
- 3. Adopts the amended Live Streaming of Council Meetings Policy (C67) (Attachment [5.1.1]).**

REPORT

Live Streaming of Council Meetings

Council resolved to live stream, record and publish Ordinary and Special Council Meetings. The equipment for live streaming displays a four tile split screen view from tripod-mounted cameras. This arrangement means that various angles of the meeting are captured including each Councillor, the

Chief Executive Officer (CEO) and the Council Minutes that are projected on the Audio Visual (AV) screen throughout the meeting.

A low cost solution was selected for delivering the service; the total cost of the equipment was \$3,400 (ex. GST). This solution has required minimal additional support during the course of Council Meetings.

Users of the Service (includes staff and community)

The number of users has been captured to demonstrate not just the viewings during the live stream, but also the viewings after the Meeting (these are referred to as 'on demand'). The total number of live streaming views for the 19 meetings held during the period 24 May 2017 to 23 May 2018 was 2,838. The overall watch time was 42,241 minutes with an average view time per meeting of 12.49 minutes. This information is outlined in **Table 1**.

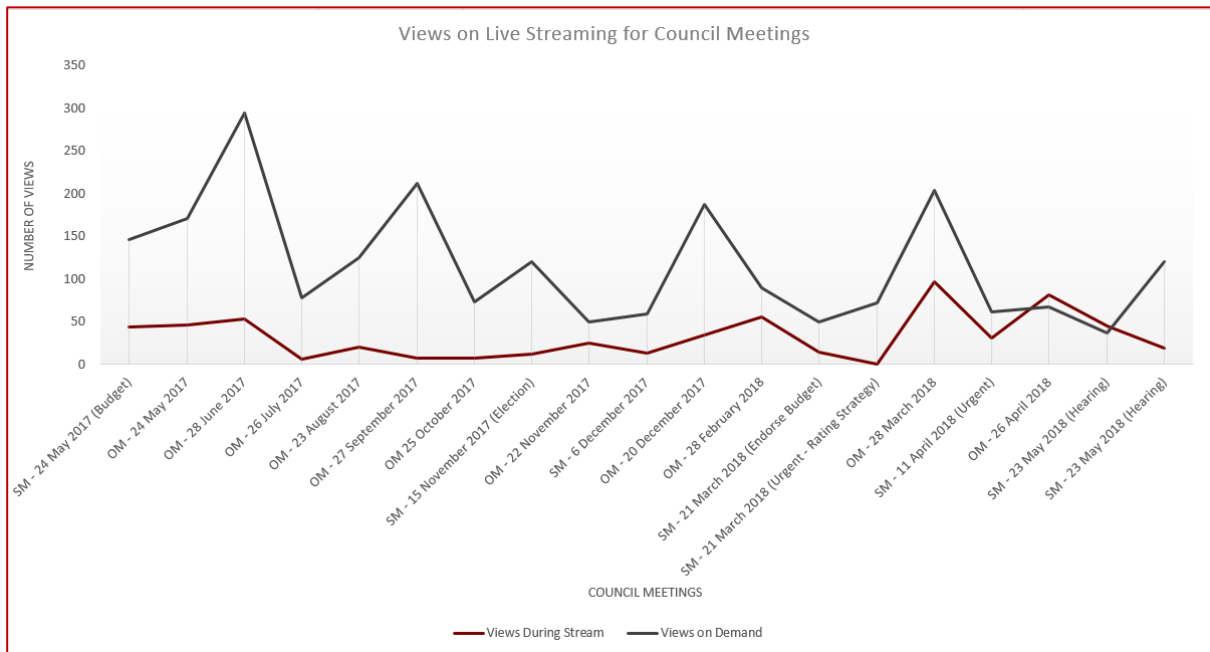
Type of Meeting & Date (OM - Ordinary SM = Special Meeting)	Views per Meeting	Views During Stream	Views on Demand	Average View Duration	Total Watch Time (min)
SM - 24 May 2017 (Budget)	190	44	146	(for May 2017) 13.1	(for May 2017) 4,493
OM - 24 May 2017	217	46	171		
OM - 28 June 2017	349	54	295	12.2	4,132
OM - 26 July 2017	84	6	78	11.33	2035
OM - 23 August 2017	145	20	125	11.45	1,541
OM - 27 September 2017	219	7	212	11.3	2729
OM 25 October 2017	80	7	73	10.33	1,562
SM - 15 November 2017 (Election)	133	12	121	(for November) 11.43	(for November) 2,580
OM - 22 November 2017	75	25	50	(for November) 11.43	(for November) 2,580
SM - 6 December 2017	73	14	59	(for December) 20.21	(for December) 4,986
OM - 20 December 2017	223	35	188	(for December) 20.21	(for December) 4,986
OM - 28 February 2018	146	56	90	11	2,401
SM - 21 March 2018 (Endorse Budget)	65	15	50	(for March) 13.28	(for March) 6038
SM - 21 March 2018 (Urgent - Rating Strategy)	73	1	72	(for March) 13.28	(for March) 6038
OM - 28 March 2018	301	97	204	(for March) 13.28	(for March) 6038
SM - 11 April 2018 (Urgent)	93	31	62	(for April) 16.36	(for April) 6,077
OM - 26 April 2018	150	82	68	(for April) 16.36	
SM - 23 May 2018 (Hearing)	82	45	37	(for May 2018) 12.49	(for May 2018) 3,667
SM - 23 May 2018 (Hearing)	140	19	121		
Total Views	2,838	616	2,222		

OM = Ordinary Meeting of Council

SM = Special Meeting of Council

The views during live streaming and on demand are depicted in the graph below **Figure 1**. This is the total number of views online during the live streaming and views 'on demand' which represents the number of views online after the meeting or post views via Council's website.

Figure 1: Number of Views during live streaming of the Council Meeting (while the meeting is on) and views 'on demand'



Quality of the Live-Stream experience

The live stream infrastructure and settings achieves an adequate viewing experience. The quality of a stream may be impacted by a number of factors; some are within Council’s control and some are not. The following factors are within Council’s control:

1. Quality of cameras – the cameras used produce reasonable footage in that viewers can quite clearly make out the faces of those on camera.
2. Internet speed/bandwidth – Council’s selected bandwidth is ample for the stream feed to upload to YouTube.
3. Lighting – existing lighting in the room is adequate.
4. Output quality/rate from the broadcast machine – currently this has been set to match the quality of the equipment.

The quality of the viewer experience can be impacted by a number of factors that are beyond Council’s control:

1. Viewer Internet speed/bandwidth – This impacts the overall quality of the live stream to the end user.
2. Internet provider influences – when the internet provider default settings are de-prioritised this impacts the live stream quality.

3. Viewer browser used – some browsers process streams on YouTube better than others.
4. Speed of PC – older equipment may not be as efficient as modern equipment with superior compatibility.
5. Concurrent internet usage – using other online services at the same time as viewing the live stream may impact users' speed and bandwidth capabilities.

Update of Policy: Live Streaming of Council Meetings Policy (C67)

The Live Streaming of Council Meetings Policy provides the policy direction and guidelines for Councillors, Officers and the community. The policy has supported the operation of live streaming, and after one year there are only minor changes:

- The addition to the list of technical issues; that Council cannot be liable for the 'quality of viewing'.
- The addition of 'Public Hearings' as a type of presenter in a Council Meeting that may be part of the live stream, recording and publishing.

The amended policy is included in this report at **Attachment [5.1.1]**.

CONSULTATION

An invitation to evaluate the live stream service was sent to the community via Council's community engagement email, *In the Know*. The majority of responses were very positive, particularly in regards to having access to meetings that were previously unavailable due to time or geographic constraints. Negative comments related to the quality of the video and audio feed.

As this technology is relatively new across the Local Government sector and the resource outlay differs across Councils, it is too early to benchmark relative comparison.

CONCLUSION

Live streaming provides community and staff with real-time information and enhances governance and accountability. In respect of the investment outlay, at this stage an improved system would not likely increase the number of viewers, therefore the current resource levels are considered adequate.

RESOURCES

The total outlay for the hardware equipment totalled \$3,400 (ex. GST). The service in its current form is able to be delivered utilising existing resources.

RISKS

Council has undertaken a risk assessment and has developed a Risk Treatment Plan. In addition the Live Streaming of Council Meetings Policy supports the operation of live streamed meetings.

STAFF DISCLOSURE

Nil

ATTACHMENTS

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

1. C67 Live Streaming of Council Meetings Policy **[5.1.1]**

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)

Live Streaming of Council Meetings Policy (C67)

Council Plan – Strategy 4.2.1: *Increase transparency through more items being held in open Council Meetings and communicating more clearly the reasons behind decisions.*

Legislative Provisions

Local Government Act 1989

Act for the future – Directions for a New Local Government Act – *Principles 2: Enhance democracy...council transparency and responsiveness to the community*

5.2. INSTRUMENT OF DELEGATION COUNCIL TO STAFF

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

This report recommends that Council adopt an updated Instrument of Delegation (Instrument) to nominated staff positions (**Attachment [5.2.1]** - Instrument of Delegation Council to Staff) to reflect changes to legislation and where relevant changes in position titles or functions.

RECOMMENDATION

That Council:

- 1. Resolves that in the exercise of the powers conferred by s.98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instrument of Delegation to members of Council staff (Attachment [5.2.1]):**
 - a. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation (Attachment [5.2.1]) the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;**
 - b. The Instrument of Delegation to staff comes into force immediately the common seal of Council is affixed to the instrument;**
 - c. On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Instrument of Delegation to the Chief Executive Officer) are revoked; and**
 - d. The duties and functions set out in the Instrument of Delegation to Staff must be performed, and the powers set out in the Instrument of Delegation must be executed, in accordance with any guidelines or policies that Council may adopt.**

REPORT

Council's Instrument of Delegation to members of Council Staff was last reviewed by Council on 26 April 2018 in accordance with s.98 of the Act.

The effective functioning of local government is achieved by Council allocating formal delegations, either to the Chief Executive Officer or direct to members of Council Staff, which the Council is empowered to do by the Act.

The delegation power under the Act, applies to powers under any Act. However, some other Acts also include provisions dealing with delegations relating to particular issues, for example planning and development matters. The prudent approach is to comply with the more restrictive and specific delegation rules under the specific purpose legislation. This requires the delegation from Council directly to staff positions.

Over time powers in legislation change, as does Council's organisational structure and/or position titles. It is important to ensure that the Instrument of Delegation is reviewed periodically to reflect these changes so that delegations to staff are current and due decisions made are valid and under delegation.

Updates to Council's delegations are recommended by Maddocks Lawyers every six months based on changes to legislation or potential improvements to Council's delegations.

The updated Instrument (**Attachment [5.2.1]**) includes the following minor amendments:

- **Inclusion of new Coordinator of Compliance and Municipal Building Inspector position:** to relevant delegations relating to building enforcement.
- **Inclusion of new Planning Technical Officer position:** to all delegations relevant to planning staff.
- **Inclusion of new Senior Local Laws and Prosecutions Officer position:** to support the Local Laws Coordinator position.
- **Removal of Wastewater Compliance Officer and replacement with Waste Water Officer:** to reflect a change in title and personnel.

There have been no additional changes made to the existing delegation.

CONSULTATION

The revised Instrument of Delegation has been updated following consultation with relevant Council staff, including Manager Regulatory Services, Manager Planning and the Executive Leadership Team.

RESOURCES

The budget to maintain Council's Instruments of Delegation is contained within the current and forward budgets.

RISKS

The decision of a delegate (staff member) is "deemed" to be a decision of Council, therefore correct delegations are necessary for decisions to be valid.

Without delegations, decision making is restricted in a manner that can potentially slow down the business of local government and local economic and social development.

ATTACHMENTS

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

1. Instrument of Delegation to members of Council Staff **[5.2.1]**

REFERENCE DOCUMENTS

Legislative Provisions

Local Government Act 1989

6. OTHER COUNCIL REPORTS

6.1. NIL

7. NOTICES OF MOTION AND/OR RESCISSION

7.1. NOTICE OF MOTION 721 - LOCAL LAWS FOR STOCK ON ROADS

PURPOSE

To minimise stock on roads, associated risks, costs to ratepayers and to individual farmers.

MOTION

I, Councillor Meg Edwards, advise that I intend to submit the following motion to the Ordinary Meeting of Council scheduled to be held on 25 July 2018.

That Council:

- 1. Reviews its stock on roads processes and consider ways to innovate in partnership with Victorian Farmers Federation (VFF), Rural Councils Victoria, National Livestock Identification System (NLIS) and Commonwealth Scientific and Industrial Organisation (CSIRO).**
- 2. Reports back to Council by 24 October 2018 on progress.**

BACKGROUND

Road users can choose to notify police and/or Local Government by way of a phone call when they see stock on the road. Some road users provide the courtesy to local farmers of attempting to contacting them first to enable most efficient resolution of the issue - safety to other road users, stock and minimise risks to the farmer.

South Gippsland currently only has one Local Laws officer who resides inside the shire boundaries which impacts on the cost and time taken to respond to stock on road responses.

Suggestion: that council uses existing technology used by emergency services, National Livestock Identification System (NLIS), weather news providers, google and snap/send/solve to innovate how stock on roads issues are addressed with the objective being to:

- Resolve more efficiently - safety for stock and road users
- Save money for ratepayers
- Save money and assist goodwill with farmers

Set up a system by which farmers are invited to register their contact details (could be part of pic registration process - simply an extra box to tick) to be

notified of any report to police and/or local authority when stock are reported on road, similar to severe weather warnings. The farmers say within a five kilometre radius of the report would get a sms and/or email alerting them that there has been a stock on road report registered. Given that it is in farmers own interests, they would (if available) be able to check their own stock and fences (for trees down or malicious damage). If the farmer finds the stock on the road prior to authorities they could take a picture of the stock and of it being contained and reply back to the alert so that the search is called off and marked as resolved.

It is also necessary to enable reporters of stock on roads to be able to clearly identify the geo-location of where the stock are - if they report on snap, send, solve - it does this via geo-location. Reports over the phone, although well meaning, can sometimes lead to inaccurate location reported, a waste of resources and the issue (stock on road) still not resolved.

A register of google maps/matched with landowner contact details could easily be held by council (this technology is free and already available) by geomarking addresses (import kml file into 'my google maps' and it will automatically pin each location, information is sourceable from Victorian Electoral Commission (VEC) and/or rateroll). The landownership details would not, at any stage, be made publically accessible.

Current NLIS tags identify stock but not their location. One of the innovations currently under development is the Ceres tag which will geo-locate stock. Farmers will be able to map their own stock and account for them at any time using google maps.

As geofencing becomes mainstream and the cost of reduces over time due to manufacturing quantities it will further assist stock management (managing increased risks from trespassers on farms will then need to be addressed).

Ratepayers with a pic number would be able to register for the service. Registrants could add two mobile numbers in addition to their own for example farm manager/worker, partner. This innovation which is proposed to be trialled in South Gippsland could be done in partnership with Rural Councils, Victorian Farmers Federation (VFF) and Commonwealth Scientific and Industrial Organisation (CSIRO).

Financial Implications

The potential of this program rolled out is that it could save considerable money each year to both ratepayers (due to callouts) and farmers.

REFERENCE DOCUMENTS

<http://agriculture.vic.gov.au/agriculture/farm-management/business-management/new-landholders/rural-roads>

<http://agriculture.vic.gov.au/about-us/media-releases/livestock-on-public-roads>

<http://www.cerestag.com/what-is-ceres-tag/>

<https://research.csiro.au/dss/smart-ear-tags-livestock/>

<http://www.emergencyalert.gov.au/>

<https://pic.agriculture.vic.gov.au/PIC/NewContactDetails>

<http://www.abc.net.au/news/rural/2016-12-08/gps-cattle-collars-for-virtual-fencing-expected-in-2017/8102912>

8. PROCEDURAL REPORTS

8.1. ASSEMBLY OF COUNCILLORS 22 MAY TO 21 JUNE 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 May and 21 June 2018.

RECOMMENDATION

That Council receives and notes this report.

REPORT

Meeting Title	Details
Tuesday 22 May 2018	
Municipal Emergency Management Planning Committee	<p>Councillor Attending: Councillor Argento</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • Guest Speaker - Site Asset Manager – Bald Hills Wind Farm - TW Power Services Pty Ltd • Guest Speakers – Beach Energy - Lang Lang Gas Plant Safety Case • Review of Plans/ Sub Plans / Amendments: 2017 – 2018 • MEMPlan <ul style="list-style-type: none"> • Pandemic Sub-plan • Extreme Temperature Sub-plan • Business and Emergency Leadership Group [BELG] Toolkit • Severe Weather Emergency Sub-plan • Review of training exercises • Outcomes of CERA Risk Review • DELWP Local Government Act 1989, Dam Safety Program – Emergency Plan • Municipal Flood Emergency Plan Project Brief • Update on Reform to our Emergency Relief and Recovery Arrangements • Review Terms of Reference • Public Events • MEMPlan Audit – 20 July 2018 • Training and Conference opportunities • Emergency Management Legislation Amendment Bill • Agency Reports
Wednesday 23 May 2018	
Hearing (s.223 LGA) Briefing Annual Budget, Revised Council Plan and Annual Initiatives.	<p>Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered formal submission and relevant background information made in respect of the Proposed Annual Budget 2018/19, the Long Term Financial Plan and the Revised Council Plan 2017-2021.</p>

Meeting Title	Details
Wednesday 23 May 2018	
Hearing (s.223 LGA) Briefing Annual Budget, Revised Council Plan and Annual Initiatives <i>Continued from earlier session</i>	Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Edwards, Rich and Hill. Conflict of Interest: Nil disclosed. Matters Considered: Councillors considered formal submission and relevant background information made in respect of the Proposed Annual Budget 2018/19, the Long Term Financial Plan and the Revised Council Plan 2017-2021.
Hearing (s.223 LGA) Briefing Rating Strategy 2018/19	Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Edwards, Rich and Hill. Conflict of Interest: Nil disclosed. Matters Considered: Councillors considered formal submission and relevant background information made in respect of the Proposed Rating Strategy 2018/19.
Thursday 24 May 2018	
Korumburra Round Table (KRT)	Councillors Attending: Councillor McEwen Conflict of Interest: Nil disclosed. Matters Considered: <ul style="list-style-type: none"> • Council Update: <ul style="list-style-type: none"> • Adopted Infrastructure Plan to go into Planning Scheme • Visitor Information services report and recommendations • Inviting politicians to attend KRT meeting • Membership and nominations • Review of Korumburra Community Directions • Community Groups activity update
Wednesday 30 May 2018	
Ordinary Council Agenda Topics Discussion 30 May 2018	Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Hill and Brown. Conflict of Interest: Nil disclosed. Matters Considered: Councillors considered and asked questions relating to Agenda items for the Ordinary Meeting 30 May 2018.

Meeting Title	Details
Wednesday 30 May 2018	
Public Presentations Open Session	Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Hill, Brown, Rich and Edwards. Conflict of Interest: Nil Disclosed.
<p>Presentations were made to Council by the following community members: Lindsay Moore, regarding his s.223 submission made to the Council Budget re: Ross Martin and Hewett Streets, Meeniyan.</p> <p>Community Members speaking to Council Agenda Item 3.2 Strategy Adoption - 2018 Paths and Trails Strategy:</p> <ul style="list-style-type: none"> • Cath Giles, Project Officer, Waratah Way Shared Trail of the Sandy Point Community Group Inc. • Philip Cornwell, representing Sandy Point Community Group (secretary), also speaking on behalf of Professor Robert McGauran. • Peter Gould, business owner Waratah Beach Camp. • Tony Cornish, member of Sandy Point Community Group. • Mike O'Mara, resident. • Linda Heywood, on behalf of the Heywood Family. 	
Ordinary Council Agenda Topics Discussion 30 May 2018	Councillors Attending: Councillors Kiel, McEwen, Argento, Brunt, Skinner, Hill, Brown, Rich and Edwards. Conflict of Interest: Nil disclosed. Matters Considered: Councillors considered and asked questions relating to Agenda items for the Ordinary Meeting 30 May 2018.

Meeting Title	Details
Wednesday 6 June 2018	
Community Satisfaction Survey Results	<p>Councillors Attending: Councillors Brown, Argento, McEwen, Skinner, Brunt, Edwards and Rich.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered the results of the South Gippsland Shire Council Community Satisfaction Survey for 2018.</p>
New Policy – Art and Artefacts Collection Policy	<p>Councillors Attending: Councillors Brown, Argento, McEwen, Skinner, Brunt, Edwards and Rich.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered a draft of an Art and Artefact Collection Policy which is a new policy that supports the maintenance of an arts collection.</p>
Workshop: Recreational Vehicle (RV) Strategy	<p>Councillors Attending: Councillors Brown, Argento, McEwen, Skinner, Brunt, Edwards, Rich and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors continued to consider the review and development of the Recreational Vehicle Strategy. This included a workshop that explores Council’s role in the support of caravan and camping industry in South Gippsland.</p>
Executive Update	<p>Councillors Attending: Councillors Brown, Argento, McEwen, Skinner, Brunt, Edwards, Rich and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • Council Agenda 27 June 2018 – commenting on the large agenda for Council to consider. • Update on the progress of development in Korumburra in respect of the library and supermarket.

Meeting Title	Details
Wednesday 6 June 2018	
Strategy Review: Social Community Infrastructure Blueprint 2014- 2019	<p>Councillors Attending: Councillors Brown, Argento, McEwen, Skinner, Brunt, Edwards, Rich and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors reviewed the Social Community Infrastructure Blueprint 2014-2019 in respect of the Community Facility Actions contained in the Strategy and discussed revisions of the project list.</p>
Executive Update	<p>Councillors Attending: Councillors Brown, Argento, McEwen, Skinner, Brunt, Edwards, Rich and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Bald Hills Wind Farm (BHWF) – request from BHWF to donate a blade to the community for public display.</p>
Planning Briefing	<p>Councillors Attending: Councillors Brown, Argento, McEwen, Skinner, Brunt, Edwards, Rich and Hill.</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.</p> <p>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:</p> <ul style="list-style-type: none"> • Sand Resource Protection • Strategic Planning Project list • Planning Applications of interest: <ul style="list-style-type: none"> • Telecommunications tower • Burra Foods (Korumburra) • 945 Koonwarra-Inverloch Road and 85 Merricks Track Leongatha • Decisions for April • VCAT decisions

Meeting Title	Details
Wednesday 6 June 2018	
Economic Development & Tourism Steering Briefing	<p>Councillors Attending: Councillors Brown, Argento, McEwen, Skinner, Brunt, Edwards, Rich and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered an external presentation from Destination Gippsland (DGL) in respect of the proactive approach the DGL is taking towards positioning Gippsland as a region renowned for its natural beauty and authentic experiences.</p>
Wednesday 13 June 2018	
Community Engagement Strategy and Community Engagement Policy	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Brunt and Kiel.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered the development of the Community Engagement Strategy and Community Engagement Policy which aims to ensure effective strategic direction and governs how we engage with the community.</p>
Community Strengthening Strategy 2018-2022	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Brunt, Kiel and Edwards</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors continued to consider the development of the Community Strengthening Strategy 2018-2022.</p>
Workshop: South Gippsland Brand Review	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Brunt, Kiel and Edwards</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered an overview of past and present branding in South Gippsland which aims to inform the current review.</p>

Meeting Title	Details
Wednesday 13 June 2018	
Proposed Initiative	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Kiel, Edwards, Rich, Hill and Brunt.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered a proposed initiative.</p>
Caravan Park and Camping Parks Steering Committee	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Kiel, Edwards, Rich, Hill and Brunt.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered a review of the operations and future strategic direction of its caravan park operations.</p>
Executive Update	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Kiel, Edwards, Rich, Hill and Brunt.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Waste management update with respect of recent changes in the recycling industry.</p>
Wednesday 20 June 2018	
Ordinary Council Agenda Topics Discussion 27 June 2018	<p>Councillors Attending: Councillors McEwen, Argento, Skinner, Hill, Brown, Edwards and Brunt.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered and asked questions relating to Agenda items for the Ordinary Meeting 27 June 2018.</p>

Meeting Title	Details
Wednesday 20 June 2018	
Introduction from the Municipal Monitor, Mr Peter Stephenson	<p>Councillors Attending: Councillors McEwen, Argento, Skinner, Hill, Brown, Edwards and Brunt.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: The Minister for Local Government, the Hon Marlene Kairouz MP, appointed a Municipal Monitor to oversee the functions of Council. Mr Peter Stephenson, the Municipal Monitor, described his roles and functions and circulated the Terms of Reference for his appointment and answered questions from Councillors.</p>
Executive Update	<p>Councillors Attending: Councillors McEwen, Argento, Skinner, Hill, Brown, Edwards and Brunt.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered:</p> <ul style="list-style-type: none"> • Mount Best Planning Provisions • Social Enterprise Workshop
Strategy Development: South Gippsland Shire Coastal Strategy 2018	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Brunt and Hill.</p> <p>Conflict of Interest: Cr Edwards declared an indirect interest by close association with item South Gippsland Shire Coastal Strategy 2018 as “family property are possibly impacted by [the] strategy”. Cr Edwards was not present at the assembly.</p> <p>Matters Considered: Councillors continued to consider the development of the South Gippsland Shire Coastal Strategy 2018.</p>

Meeting Title	Details
Wednesday 20 June 2018	
Training: Councillor Conflict of Interest	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Brunt, Edwards and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillor Conflict of Interest training session undertaken by the Municipal Association of Victoria (MAV). Councillors considered the elements of good decision making processes as well as definitions of the different classes of conflict of interest.</p>
<p>Public Presentations</p> <p>Open Session</p>	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Brunt, Edwards and Hill.</p> <p>Conflict of Interest: Nil disclosed.</p>
<p>A Presentation was made to Council by the following community members:</p> <p>Gus Blaauw, representing South Gippsland Action Group regarding the Walkerville Foreshore Reserve Development Project.</p> <p>Paul Norton, regarding Council Agenda 6.1. WALKERVILLE RETARDING BASIN - LEGAL ADVICE and other matters.</p> <p>Kate Woodward, (President), Jessica Armstrong (Treasurer) and Lucy Allsop (Secretary) and Wil Pruyn, Director of services representing Prom Coast Centres for Children (PCCC) regarding Prom Coast Centres for Children (PCCC) - Strategic Vision.</p>	
Leongatha Library – Hub Requirements	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Brunt, Hill and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors considered proposed requirements for the Leongatha Community Hub.</p>

Meeting Title	Details
Wednesday 20 June 2018	
Submission Review: C90 Housing and Settlement Strategy	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Brunt, Hill and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Councillors continued to consider submissions of Planning Scheme Amendment C90 Housing and Settlement Strategy, this item had been deferred from Ordinary Council Meeting 26 April 2018.</p>
Executive Update	<p>Councillors Attending: Councillors McEwen, Skinner, Brown, Argento, Brunt, Hill and Edwards.</p> <p>Conflict of Interest: Nil disclosed.</p> <p>Matters Considered: Planning Applications – during the consultation process various triggers may require a planning application to be amended.</p>

REFERENCE DOCUMENTS**Council Policy**

Public Participation in Meetings with Council Policy (C65)

Legislative Provisions

Local Government Act 1989

8.2. DOCUMENTS SEALED AWARDED OR EXTENDED BY CEO 26 MAY 2018 TO 22 JUNE 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 26 May to 22 June 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.

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 26 May to 22 June 2018:

1. Section 173 Agreement between South Gippsland Shire Council and the owner of 11 Moncur Court, Venus Bay in relation to develop land with dwelling and removal of native vegetation – Seal Applied 30 May 2018.
2. Section 173 Agreement between South Gippsland Shire Council and the owner of 10 Rita Court, Venus Bay in relation to develop land with single dwelling – Seal Applied 31 May 2018.
3. Section 173 Agreement between South Gippsland Shire Council and the owner of 29 Crichton Crescent, Venus Bay in relation to development of land with dwelling – Seal Applied 31 May 2018.
4. Section 173 Agreement between South Gippsland Shire Council and the owner of 20-22 Merkani Avenue, Venus Bay in relation to an extension to existing dwelling – Seal Applied 31 May 2018.
5. Section 173 Agreement between South Gippsland Shire Council and the owner of 39 Ocean View Parade, Sandy Point in relation to development of land for a dwelling – Seal Applied 7 June 2018
6. Section 173 Agreement between South Gippsland Shire Council and the owner of 20 Juno Road, Venus Bay in relation to develop land with dwelling – Seal Applied 20 June 2018.
7. Section 173 Agreement between South Gippsland Shire Council and the owner of 12 Pandora Avenue, Venus Bay in relation to an extension to dwelling – Seal Applied 20 June 2018.
8. Section 173 Agreement between South Gippsland Shire Council and the owner of 19 Waratah Street, Walkerville North in relation to develop land with dwelling and remove native vegetation – Seal Applied 20 Jun 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 26 May to 22 June 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 26 May to 22 June 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 26 May to 22 June 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, ss.5 and 186

9. COUNCILLOR REPORTS

9.1. REQUESTS FOR LEAVE OF ABSENCE

9.2. COUNCILLOR UPDATES

9.3. COMMITTEE UPDATES

9.3.1. AUDIT COMMITTEE MEETING - 18 JUNE 2018

Corporate and Community Services Directorate

EXECUTIVE SUMMARY

The Audit Committee met on 18 June 2018 and a copy of its report (**Attachment [9.3.1.1]** – Audit Committee Minutes – 18 June 2018) is provided for Council's information and noting.

RECOMMENDATION

That Council notes the Audit Committee Minutes – 18 June 2018 (Attachment [9.3.1.1]).

REPORT

The Audit Committee is an advisory committee whose role is to oversee and monitor Council's audit processes, including internal control activities. As of 18 June 2018, the Committee comprised of three independent community members, one of whom was the Committee Chair, and two Councillors (the Mayor, Councillor Lorraine Brunt and Councillor Ray Argento). The Committee is independent from management and does not have any executive powers, management function or delegated financial responsibility.

Some of the matters considered by the Audit Committee at the 18 June 2018 meeting (**Attachment [9.3.1.1]** Audit Committee Minutes – 18 June 2018) included:

- Financial Performance Report (July 17 – May 2018)
- Performance Report (non-financial)
- Local Government Performance Reporting Report
- Strategic Risk Committee Minutes dated 3 May 2018
- Strategic Risk Register
- Quarterly Report from CEO and Manager People & Culture
- OHS Trends and Annual Leave Balance Report
- Internal Audit Report
- Domestic Wastewater Management Audit Scope

- Business Continuity and Disaster Recovery Scope
- IT Penetration Testing
- 3 Year Internal Audit Plan
- Internal Audit Function Review: noting the Committee supported management's recommendation to re-appoint internal Auditors Richmond, Sinnott and Delahunty (RSD) for a first and final three year term commencing 1 July 2019 and concluding 30 June 2022
- VAGO Interim Management Report
- Regulatory Reports
- Draft Procurement Policy: with minor edits suggested for Council

The Committee also met in Committee to consider confidential matters.

CONSULTATION

The Audit Committee Report (**Attachment [9.3.1.1]** Audit Committee Minutes – 18 June 2018) has been circulated to the Chair of the Audit Committee for endorsement.

RESOURCES

Budget allowances for Council's three Independent Audit Committee Members' attendance fees (including proposed fee increase) and an outsourced internal function are made within Council's current and forward budgets.

RISKS

The Audit Committee undertakes an integral and active role in risk mitigation (including financial) and oversees organisational compliance with legislation.

STAFF DISCLOSURE

Name: Tim Tamlin, CEO
Title: Audit Committee 18 May 2018
Conflict of Interest: The CEO declared a direct conflict of interest in the In-Committee section of the meeting.
Reason: The item related to a confidential personnel matter.

ATTACHMENTS

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

1. MINUTES - Audit Committee Meeting 18 June 2018 **[9.3.1.1]**

REFERENCE DOCUMENTS

Council Policy

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

Council's Audit Committee Charter

Legislative Provisions

Local Government Act 1989

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.

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.

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.

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.

Nil

13. MEETING CLOSED

NEXT MEETING

The next Ordinary Meeting of Council open to the public will be held on Wednesday, 22 August 2018 commencing at 2pm in the Council Chambers, Leongatha.