

Commission of Inquiry into South Gippsland Shire Council

southgippsland.inquiry@delwp.vic.gov.au

Template for submissions

Members of the public are welcome to make written submissions to the Inquiry which address one or more of the Terms of Reference.

The Terms of Reference for the Inquiry are:

1. To conduct an inquiry into matters relating to the affairs of the South Gippsland Shire Council, including through an examination of:
 - a. The final report from the municipal monitor and any responses from the Council or Councillors to the Minister's letter dated 2 April 2019;
 - b. The conduct of individual councillors during the term of the current Council;
 - c. Processes and decisions in the lead up to the conclusion of the current Chief Executive Officer contract, including the appointment of an Acting Chief Executive Officer;
 - d. Any other decisions made, or actions taken, by the Council after the Minister's letter dated 2 April 2019 to the Council;
 - e. The efficiency and effectiveness of the Council's governance arrangements in delivering services to its constituents; and
 - f. Any other matters identified by the Commission that have an impact on the Council's ability to function.
2. To report to the Minister for Local Government in writing on the matters outlined above by 13 June 2019.

Authors of submissions can also indicate if they would like to speak about their submission with Commissioners, either privately or publicly.

All submissions will be made public on the website unless:

- The author requests that their submission is not made public; and/or
- They are considered to contain content which could be defamatory.

Name:	Lindsay Love
Name made public on the website?	Yes
Submission made public on the website?	Yes

Please outline any matters relating to the Terms of Reference for the inquiry:

Submission to the Commission of Inquiry – SGSC
June 2019
By the
South Gippsland Action Group

The South Gippsland Action Group started in November 2016 just after the Council elections which saw 6 out of 9 new councillors elected. The election left only 1 member of the previous Council controlling group – Cr Brunt. This election showed that the community was dissatisfied with the local Council and expected change.

The South Gippsland Action Group endeavoured to engage constructively with Council and monitor the performance of the Council and the Administration. We asked many questions of Council and sought financial data from Council. Even though Council via the Council Plan, professed to have a policy of openness and transparency, the actions of the administration portrayed a different reality. Our group was very active in questioning the management of the Council Caravan Parks which we believed cost the community some \$4Million over the period of 2013-2017 following Council takeover of these parks. We also could not get any clarity on where the previous rental payments for the caravan parks had been accounted for or spent. The following clarifies issues with the Caravan Park Management. In Council Agenda No.416 September 2017, Council reported on the operational and financial details for 4 years (2013-2017) direct management of the Yanakie and Long Jetty caravan parks. The financial details provided for the total expenditure over those 4 years of \$3,951,589.00. We are questioning this amount and require detailed expenditure since we believe an estimate of \$4 million in Salaries and Wages and Depreciation Costs is not included in this report.

At the Council Meeting to here S223 submissions on the draft budget, a [REDACTED] made as part of his submission queries as to the lack of financial details for Council Commercial operations – ie. Caravan parks. [REDACTED]

[REDACTED] Council continue to refer to the September 2017 report as an explanation for their account presentations. As we have advised that September report was of little value. The reporting contains no profit and loss or cash management sheets. It has also lumped in capital expenditure with operational expenditure. The community problem is that under Council engagement policy once the topic has been raised and “answered” they will not allow the matter to be re-visited.

We cannot speak for [REDACTED] but expect he will be as disappointed with the Council answer as has been our Action Group. [REDACTED] In the early period of Council we had over 30 questions to Council and many did not get a reply and if they did, it was a “non-answer”. [REDACTED]

However, our agitation was soon taken up by others including the “Rate Challenge Group” who held at least 3 public meetings around the Shire.

[REDACTED] This attitude of treating the ratepayers with contempt was further ratified in the disastrous satisfaction survey results achieved by this Council. This all pointed to the need for a new direction and pressure on the Council. [REDACTED]

By late 2017 CEO Tamlin and Mayor Brunt had initiated new policies for engagement with Council which curtailed the ability of ratepayers to question Council and engage with Council. In Feb 2018, I requested permission to address the Council on their various engagement policies. Some of the arguments proposed for that address were not flattering of the CEO performance. The request to address Council at their presentations session was denied. We advised Council that this denial was against the Council Plan and the Human Rights and Equal Opportunity charter. After much pushing of the Local Government Inspectorate and the Ombudsman Office,

[REDACTED]

[REDACTED]

Much of the media reporting has been biased and not presenting all the facts.

In the recent press reports the papers have chosen to ignore the government directions that Council proceed as normal. The one paper has even tried to suggest that Council should pass the budget as drafted and that they would be failing if they sought to change it – hardly a democratic process for Council.

[REDACTED]

[REDACTED]

When the Council was elected in 2016, the Council introduced into the Council Plan a target to work towards a 3% rate burden reduction. Th South Gippsland Action Group has pursued Council to deliver on his action.

[REDACTED]

That change was actioned by former Councillors Brunt and Fawcett prior to their resignation. The Council Plan was changed in March to remove the 3% target with a clause that indicated “they would work to reduce the burden over the next 10 years”. The new Councillors have been much more sympathetic to taking on a 3% rate reduction.

The current Council have also listened to the ratepayers. There have been several meetings and petitions calling for a change in how Council operates. There has been support for a revised Hardship Policy which actually provides some rate relief for those in need.

[REDACTED]

Consequently the Council have indicated they accept the argument the funds set aside for a Korumburra Hub which is proposed for land Council does not control, should be deleted from the budget.

[REDACTED]

[REDACTED] Council signed of on an extra amount of around \$100K for the Foster Streetscape on the basis that it was extra works for Telstra service adjustments. The advice on extra works that needed to be done did not appear to correlate with the claimed additional finance. Recent roadworks at Hudson's Rd saw the road constructed with culverts that did not comply with the required standards. The result was that Council went back, after just 12 months and spent a further \$50K on rectifying the faulty work – none of this is reported to Council.

CEO Tamlin decided to contract out road sealing work which meant that there was no more sealing work for that roadworks gang, however, that did not result in any reduction in the labour force. In the Council Budget there is a budget sum for wages and salaries and an indicative number of total staff .

[REDACTED]

Some Councillors have freely admitted they do not understand the figures. The South Gippsland Action Group has provided accountant generated commentary on the budget – the administration has chosen to ignore that advice as did the previous Councillors. The new Councillors however are listening.

The South Gippsland Action Group has in previous years queried the Administration on the Workcover Insurance premiums and the claims history. The Group also asked what procedure Council had in place to ensure that recreational drugs were not impacting on the safety of the workforce. This concern is as a result of the Water Board testing of the sewage which indicates an increasing drug consumption in the community. The reply was that Council had a Risk Management Policy in place. However, that Policy gives no guidance on controlling recreational drug use in the workforce. To further hide issues the Financial Reporting has now removed reference to Expenditure on Workcover Insurance costs.

[REDACTED]

Our group would be pleased to have the opportunity to address the commission.

Yours faithfully

Lindsay Love
Secretary, South Gippsland Action Group

[REDACTED]

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