



**Swan Hill Rural
City Council**

UNSCHEDULED COUNCIL MEETING

Held on Tuesday 22 August
2023

at 1:00 PM

Council Chambers

Swan Hill Town Hall

53 – 57 McCallum Street, Swan Hill.
VIC 3585

MINUTES

Confirmed 19 September 2023

Chairperson.....

PUBLIC ACCESS

Open to the public and
Live streaming from Council's
website: www.swanhill.vic.gov.au

Vision Statement

Built on strong foundations that embrace our rich History and natural environment, our region will be a place of progressions and possibility. We are a community that is happy, healthy and harmonious - we are empowered, we are respectful and we are proud.

Our Mission

We will lead, advocate, partner and provide efficient services and opportunities for growth and the wellbeing of our community, environment and economy.

Our Values

Council values our residents and community and will be responsive to their needs. In pursuing our objectives, we believe in, and are committed to, the following values:

Community engagement - We will ensure that our communities are consulted, listened to and informed.

Leadership - We will be at the centre of our community and by actively engaging our community we will form the collective view on strategic issues and will then express our views through strong advocacy and action.

Fairness - We will value and embrace the diversity of our community and ensure that all people are treated equally.

Accountability- We will be transparent and efficient in our activities and we will always value feedback.

Trust - We will act with integrity and earn the community's trust by being a reliable partner in delivering services, projects and providing facilities.

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1 Procedural Matters

1.1 Welcome

Mayor, Councillor Les McPhee assumed the chair and declared the meeting open at 1:00 pm

1.2 Acknowledgement Of Country

“Swan Hill Rural City Council acknowledges the traditional custodians of the land on which we meet, and pays its respects to their elders, past and present.”

1.3 Prayer

{person} read the prayer.

We beseech you Lord, that we may be granted wisdom, understanding and sincerity of purpose, in the decisions we are called on to make for the welfare of the people of the Rural City of Swan Hill.

1.4 Apologies / Leaves of Absence

CM 2023/35 Motion

MOVED Cr Jeffery

That the apologies from Cr Bill Moar Cr Nicole McKay be accepted.

SECONDED Cr King

The Motion was put and CARRIED 5 / 0

1.5 Directors / Officers Present

Scott Barber, Chief Executive Officer
Heather Green, Director Development and Planning
Bruce Myers, Director of Community and Cultural Services
Bhan Pratap, Director of Corporate Services
Leah Johnston, Director of Infrastructure
Laura O'Dwyer, Enterprise Assets Manager
Sharon Lindsay, Executive Assistant
Natalie Thomson, Executive Support

1.6 Disclosures of Conflict of Interest

Nil

2 Officer Reports for Decision

2.1 South West Development Road Naming

Directorate: Infrastructure
File Number: S11-01-01
Purpose: For Decision

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.2 Provide robust governance and effective leadership

Current Strategic documents

No strategic documents applicable.

Declarations of Interest:

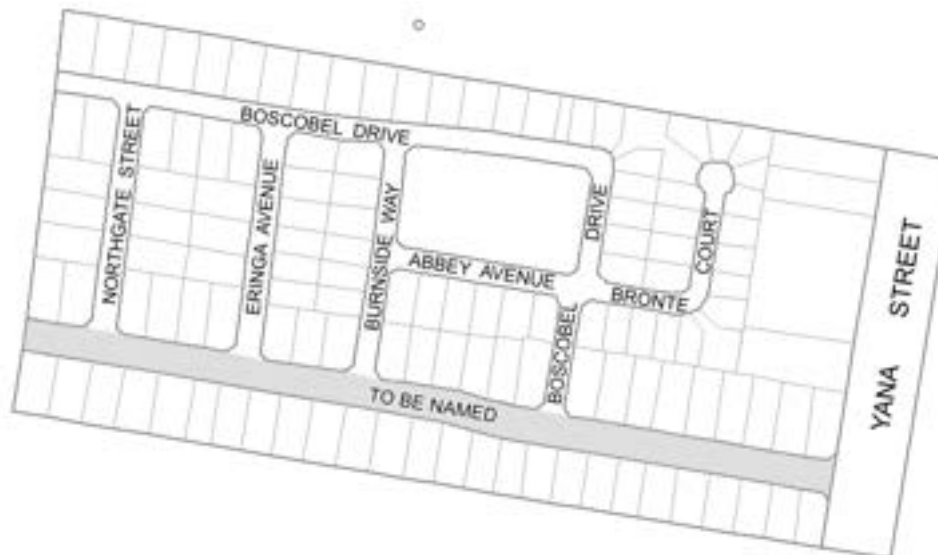
Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

Summary

On 20 September 2022, Council resolved to seek community feedback on the naming of the main east-west arterial road through the Southwest Development "Laura Kirby Boulevard". This report is presented to Council to consider the submissions received.

Discussion

At the 20 September 2022 Council Meeting the name "Laura Kirby" was selected from the Draft Asset Naming Master List for the naming of the main east-west arterial road through the Southview Development as shown in grey below:



The proposal was advertised within the local papers, through social media and on Council's webpage through "Let's Talk." As the proposal also represented a prominent First Nations woman, the local First Nation community and the Kirby Family were consulted through Council's Aboriginal Community Development Officer.

There was one objection received (attachment 1). This objection was from the Developers of Southwest Development Precinct and indicated a preference for naming the road something simple and easy to remember rather than a past citizen. The objection argued that there are many notable and deserving past citizens. The objection has requested that the name "Sunrise Way" or "Sunrise Boulevard" be considered as an alternate name and have also put forward that they would be willing to consider naming a park on their development after Laura Kirby in lieu of the road name. The Developers may consider a design collaboration with the First Nation community but would prefer to have final say to ensure that any park is consistent with the theme of their development.

There were five submissions in favour of the proposal received through "Let's Talk" (refer to attachment 2). The submissions honoured the contribution that Laura Kirby has made to the community,

Council's Aboriginal Community Development Officer had held two community meetings with First Nation groups as well as many informal discussions with the community which indicate excitement for honouring Laura Kirby through asset naming. Informal discussions also indicated that a park could be discussed particularly if the First Nation community could help with designing the space and plant some memorial trees.

As an objection has been received, the Asset Naming Officer sort further guidance from Geographic Names Victoria (GNV). The following advice was received:

- It is not a formal requirement of GNV for road names on Plan of Subdivisions to go through Council Approval. This requirement is a Council policy to ensure that Council, as the road naming authority, has oversight in naming of roads.
- The statutory requirements for naming roads, features and localities, *Naming rules for places in Victoria 2022*, states that a commemorative name applied to a locality or road may use the last name or the first name of a person; although it is preferred that only the last name be used. Whereas a commemorative name applied to a feature can use the first name and last name of a person; although it is preferred that only one name be used. GNV, who have final approval on the name, indicate that their preference would be for either “Laura Boulevard” or “Kirby Boulevard” in keeping with the naming rules.
- If an asset name is non-commemorative, the road name does not need to go through a public submission process.

Given this advice and support to recognise Laura Kirby through the naming of a park or reserve, the following options were then considered:

- Name a green space within the Southwest Development as offered by the developers.
- Rename an existing park within Swan Hill that does not have a commemorative name.
- Formally name an unnamed reserve.
- Apportion off and rename the bush tucker garden section within the northeast of Barry Steggall Park.
- Reserve the name “Laura Kirby” for future use for parkland in Council managed Developments. Potential options include;
 - o Stage 15 public open space
 - o Stage 21 Northern Park off Woorinen Road.

Preliminary feedback from Councils Aboriginal Community Development Officer favours the apportioning of the bush tucker garden in Barry Steggall Park to create a reflective space that allows opportunity to recognise individual First Nation people through potential artwork (eg sculpture) and landscape design. It is proposed that the park be named using local language that embraces all community while offering a space to acknowledge the contribution of the Kirby family, including Aunty Laura and Aunty Esther, as well as other First Nation families from the region.

Further consultation with the First Nation community regarding the naming will be required.

This report to Council for decision was delayed allowing time for Sorry Business after the passing of Laura Kirby’s daughter, Aunty Esther in late October 2022.

Consultation

Naming rules for places in Victoria 2022 specifies that any person or organisation can lodge a submission in objection or in support of a naming proposal. The submission period must be at least 30 days.

The naming proposal was advertised within the local papers, through social media and on Council's webpage through "Let's Talk." As the proposal also represented a prominent First Nations woman, the local First Nations community and the Kirby Family were consulted through Council's Aboriginal Community Development Officer.

After the Council resolution, discussions were held regarding an objection from the Southview developer on behalf of all the developers. The developers were not sent a formal invite to make a submission.

As Council has engaged the community with regards to the proposal to name the road, there will be no further community consultation required.

Preliminary consultation has been held with Council's Aboriginal Community Development Officer for suggestions and to ensure that the recommendations being considered by Council were appropriate and respectful to the First Nations people.

If Council resolves to proceed to name a park or reserve, it will be a requirement that the First Nation community and the family of Laura Kirby be further consulted for approval as well as any immediate neighbours or users of the park.

Financial Implications

Any costs associated with the initial delivery of this project can be borne from existing Council Budgets.

Social Implications

Asset Naming can present Council with an opportunity to recognise prominent locals as well as provide connection to country or place.

Economic Implications

Nil.

Environmental Implications

Nil.

Risk Management Implications

There is a risk that Council may not be able to identify a suitable name through the engagement process.

Attachments:	1. Attachment 1 – Developer Objection [2.1.1 - 3 pages]
	2. Attachment 2- Let's Talk submissions [2.1.2 - 7 pages]

Options

That Council:

1. Consider all submissions and objections and formally name the east-west arterial road through the Southwest Development “Laura Kirby Boulevard” and seek an exemption from Geographic Names Victoria to use first and last names in a road name.
2. Consider all submissions and objections and formally name the east-west arterial road through the Southwest Development road “Laura Boulevard” or “Kirby Boulevard”.
3. Formally name the east-west arterial road through the Southwest Development “Sunrise Boulevard”.
4. Undertake consultation with the family of Laura Kirby and the First Nation community to apportion a section of suitable open space (eg bush tucker garden in Barry Steggall Park) to create a reflective space and to name accordingly.

Recommendation/s

That Council:

- 1. Formally name the east-west arterial road through the Southwest Development “Sunrise Boulevard.”**
- 2. Undertake consultation with the family of Laura Kirby and the First Nation community to apportion a section of suitable open space to create a reflective space and to name accordingly.**

CM 2023/36 Motion

MOVED Cr King

That Council:

- 1. Formally name the east-west arterial road through the Southwest Development “Sunrise Boulevard.”**
- 2. Undertake consultation with the family of Laura Kirby and the First Nation community to apportion a section of suitable open space to create a reflective space and to name accordingly.**

SECONDED Cr Jeffery

The Motion was put and CARRIED 5 / 0

South West Development Precinct Developers

20 October 2022

The Mayor & Councillors
Swan Hill Rural City Council
45 Splatt Street
SWAN HILL VIC 3585

Mr Mayor & Councillors,

RE: Collector Road Naming – SWDP

We refer to the recent controversy surrounding the proposed naming of the Collector Road running through the South West Development Precinct and wish to formalise our collective objection to Council's action in not consulting with us on a matter of great significance to us, given our commitment to invest in the order of \$100million in our respective developments.

This is a significant road in Swan Hill that will serve as the main road for over 600 housing lots. It extends for approximately 2.5 Km through our properties from Sea Lake Road to Yana Street. The approved Master Plan for the SWDP shows the road extending from Sea Lake Road to Coronation Avenue, providing a major new east west link through the town.

We are extremely disappointed that, as the people who are paying **ALL** the costs for this road, we have not been consulted about the name.

Based on recent local road costs, and verified by Heil Engineering, our combined costs for provision of this road are well over \$15million. There is **NO** Council (ratepayer) contribution towards the cost of this road and of course there is a further significant cost to developers of the land sacrificed to build the road.

It can be argued that numerous past Citizens of the area are deserving of having a road named after them. Arguments for and against the relative

importance or significance of various past citizens has the potential to be divisive.

Our preference is for a simple, easily remembered, aspirational name, not that of a deceased person.

Councillors would be aware that the property owned by Piranox and Oasis Swan Hill Trust will include a number of significant parks. The owners of that land are happy to consider naming a park on their development after Laura Kirby.

We would like to put forward the name Sunrise Way or Sunrise Boulevard as the name for this new road.

It is:

- a. Simple
- b. Easily remembered
- c. Aspirational (new day, new beginning)
- d. Culturally neutral. Sunrise is a significant feature in many of the myriad of cultures that make up our local population including First Nations people*

** The Sun is a centre point of Aboriginal and Torres Strait Islander cultures across Australia. Featured on the Aboriginal flag, the Sun is the source of life and death, bringing life and heat to the people. In many Aboriginal traditions, the Sun is a woman, and the Moon is a man.*

Aboriginal and Torres Strait Islander people marked the rising and setting position of the Sun throughout the year, noting important times that coincide with the solstices and equinoxes. This was accomplished by observing the Sun's position using landscape features or human-crafted features, such as stone arrangements. Wurdi Youang is a famous example, but others abound.

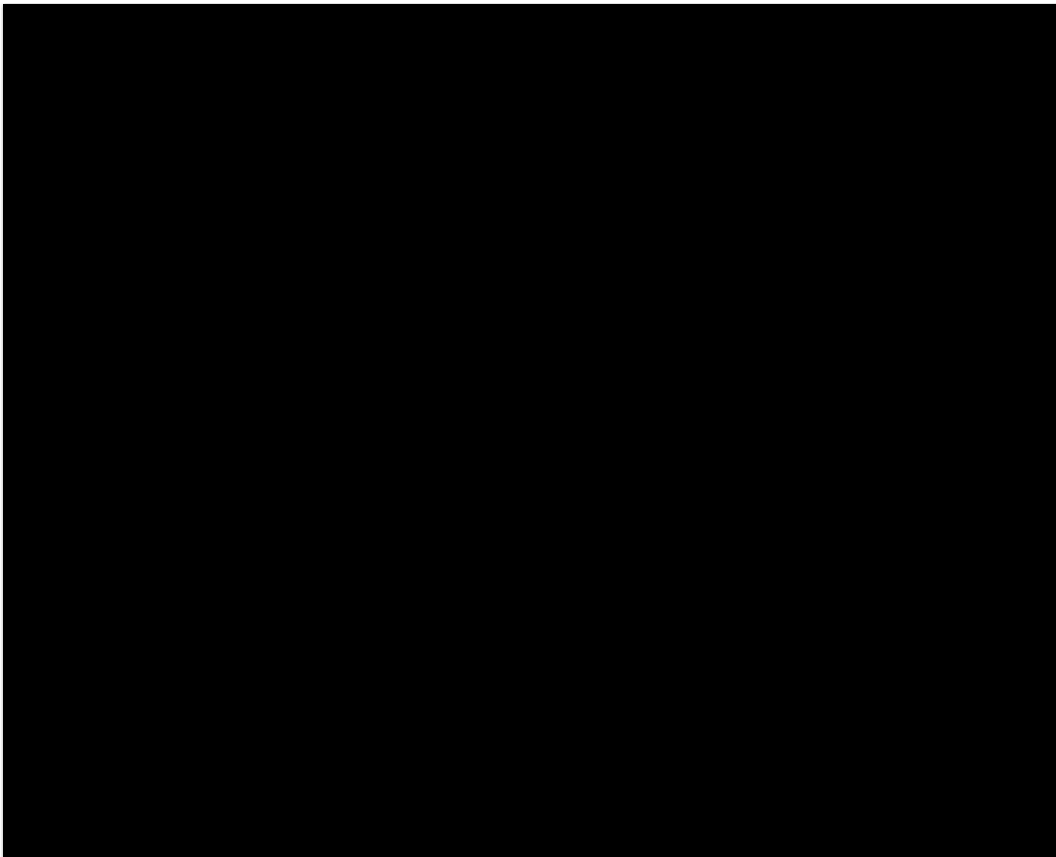
**From Australian Indigenous Astronomy website. (Supported by The University of Melbourne)*

It is our consolidated view that this suggested name is the most appropriate, and its adoption would be reflective of a consultative process and a means of finding consensus on naming an asset that is being totally funded by private

interests. It is not unreasonable for us, as owners of the land, to have substantial input into naming the asset, provided it does not offend, is not partisan and delivers a positive, uplifting message.

We respectfully submit that this would be a just, fair and agreeable outcome to an otherwise potentially divisive action by Council.

Yours faithfully,



Let's talk

Submit your feedback about the name proposal

Sep 29, 2022 - Oct 03, 2022

Project: Road naming proposal

Tool Type: Form

Activity ID: 58

Exported: Oct 28, 2022, 09:41 AM

Exported By: boco

Response No:
1

Contribution ID: 1548
Member ID:
Date Submitted: Oct 03, 2022, 01:00 AM

Q1
Short Text
Q2
Email
Q3
Short Text
Q4
Long Text
Q5
Long Text

Name:

[Redacted]

Email address:

[Redacted]

Postal address:

[Redacted]

What is your interest in the naming proposal?

I wholeheartedly support the proposal that our community name this street in honor and respect of the late Aunty Laura Kirby for her contributions to our local community. She truly made a change for the better when establishing the first aboriginal co-operative within Swan Hill, and in turn has changed the future of many generations since.

Reason for the name being unsupported/supported?

None.



Response No:
2

Contribution ID: 1547
Member ID:
Date Submitted: Oct 02, 2022, 06:12 PM

Q1
Short Text
Q2
Email
Q3
Short Text
Q4
Long Text
Q5
Long Text

Name:
[Redacted]

Email address:
[Redacted]

Postal address:
[Redacted]

What is your interest in the naming proposal?
Support and magnifying voices of first nations people.

Reason for the name being unsupported/supported?
I love it. Fantastic to see a respected first nations person of note being honoured in this way. Count me as a yes, please do this (and more like it)



Response No:
3

Contribution ID: 1546
Member ID:
Date Submitted: Sep 30, 2022, 10:05 PM

Q1
Short Text

Q2
Email

Q3
Short Text

Q4
Long Text

Q5
Long Text

Name:
[Redacted]

Email address:
[Redacted]

Postal address:
[Redacted]

What is your interest in the naming proposal?
The name is relevant to our traditional owners and honours Laura Kirby's contribution to our community and area. It is a new area and gives the road a significance connection between old and new.

Reason for the name being unsupported/supported?
As commented above

Response No:
4

Contribution ID: 1545
Member ID:
Date Submitted: Sep 30, 2022, 03:15 PM

Q1
Short Text
Q2
Email
Q3
Short Text
Q4
Long Text
Q5
Long Text

Name:
[Redacted]

Email address:
[Redacted]

Postal address:
[Redacted]

What is your interest in the naming proposal?
I'm local

Reason for the name being unsupported/supported?
Love it. Honouring both a woman and First Australian is about damn time for the council. I fell like everything is named after a white man



Response No:
5

Contribution ID: 1544
Member ID:
Date Submitted: Sep 30, 2022, 01:19 PM

Q1
Short Text
Q2
Email
Q3
Short Text
Q4
Long Text
Q5
Long Text

Name:
[Redacted]
Email address:
[Redacted]
Postal address:
[Redacted]
What is your interest in the naming proposal?
I agree with the street being named after Laura Kirby
Reason for the name being unsupported/supported?
I support it

Response No:
6

Contribution ID: 1543
Member ID:
Date Submitted: Sep 29, 2022, 07:30 PM

Q1
Short Text
Q2
Email
Q3
Short Text
Q4
Long Text
Q5
Long Text

Name:
[Redacted]

Email address:
[Redacted]

Postal address:
[Redacted]

Q4 What is your interest in the naming proposal?

1--i strongly Support and applaud proposal to name a St as Laura Kirby Boulevard! Please bear with detailed reasons below
 2-- I personally knew and respected Laura Kirby after meeting her for second time, approx 1975 at Aborig. Craft Days held in SH public Library. Most weeks thereafter we greeted each other on arrival and departure, but i preferred to avoid interrupting Group' s own social activity with their friends.
 3--Mrs Kirby attended every meeting (to my knowledge) where her presence gave leadership and participation to support Indigenous adult ladies who attended weekly Craft Day. Most attendees were middle aged, but occasionally one or more was accompanied by teenage / adult daughters or grand daughters. Very rarely were infants brought to Craft Days. Well attended Craft Days used very large room adjacent to childrens Library in McCrae St., the room had carpeted floor, dome dsomes sink with hot and cold water, plus tea/coffee facilities, small elec.refrigerator for milk,etc,for Groups cuppas and light snacks as part of Group's socialising
 4--Laura Kirby's status as respected Elder helped group to organised themselves easily for convivial, outcomes and easy confidence by all
 5 -- Craft Group often had guest speaker, or was joined for informal discussion with professional Aborig.educator miss Jill Pattenden, and/ or Library's Aboriginal staffmember Mrs Olive Day and an Aboriginal junior doing wk experience at main Library.for everyone concerned, proved to be very important tge ladies asked aAborig mm Librystaff did at work, liked, learned , wanted help with
 6--Mrs Kirby was a gifted traditional artist in her own right, for me she made feather flowers, plus timber wallhanging patterned with hot wire tracings. Over long period she was able to encourage skills by Group members.. Although Group members seemed to concentrate on traditional crafts - canework, feather work,shells, painting, shellwork, reedwork, traditional colours etc, however they also produced modern items, handsewm and knitted toys, clothing
 Attendance averaged 10 -20 their happy group was enjoyed by themselves and Library users.

THANK YOU FOR PROPOSING ST NAME LAURA KIRBY
 THANK YOU FOR AKING MY OPINION and reading my REASONS.
 Pat Salauu.

Q5 Reason for the name being unsupported/supported?

Proposes st name Laura Kirby Boulevard is entirely relevant and appropriate.
 I included reasons in previous screen and sincerely hope they will he considered
 Pls email me if you cant access and evaluate my reasons contributed on previous screen



3 In-Camera Items

RECOMMENDATION

That, in accordance with sections 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting be closed to members of the public for the consideration of the following confidential items:

CM 2023/37 MOTION

MOVED Cr Jeffery

That Council, resolve to close the meeting at 1.07pm to members of the public to consider the following items:

- **Chief Executive Performance Review and Objectives**

SECONDED Cr King

The Motion was put and CARRIED 5 / 0

3.1 Chief Executive Performance Review and Objectives

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (f) of the Local Government Act 2020, on the grounds that the item concerns personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

CM 2023/39 Motion

MOVED Cr Jeffery

That Council:

- 1. Endorse the CEO Performance Review process undertaken in accordance with Council's policy and procedure, and with the Contract of Employment.**
- 2. Adopt the Specific Performance Criteria set for achievement by the CEO for the period from June 2023 – June 2024.**
- 3. Adopt the recommended remuneration increase for the CEO for the coming 12-month period.**
- 4. Note that the position description has been reviewed and no changes are warranted.**

5. Write to Phill Shanahan thanking him for his input.

SECONDED Cr Young

The Motion was put and CARRIED 5 / 0

CM 2023/38 MOTION

MOVED Cr Jeffery

That the meeting move out of closed session at 1.21pm.

SECONDED Cr King

The Motion was put and CARRIED 5 / 0

4 Close of Meeting

There been no further business the Mayor, Councillor Les McPhee closed the meeting at 1:22pm