



Mildura Rural City Council

AGENDA

Special Meeting of Council

5:30pm Wednesday 7 July 2021

VENUE:

**Committee & Council Room
76 Deakin Ave, Mildura**

NEXT ORDINARY MEETING OF COUNCIL

5:30pm Wednesday 28 July 2021

Copies of Mildura Rural City Council's Agendas & Minutes
can be obtained online at www.mildura.vic.gov.au

Prayer

Almighty God,

We who are gathered together in Council,
pledge ourselves to work in harmony for
the welfare and development of our Rural City.

Guide us, we pray, in our deliberations,
help us to be fair in our judgement and
wise in our actions,
so that prosperity and happiness
shall be the lot of our people.

Amen.

Acknowledgement of Country

“I would like to acknowledge the traditional custodians of
the land on which we are meeting, and pay my respects to
Elders both past and present”.

Note to Councillors

Declaration of Interest

Councillors should note that in accordance with section 130 of the *Local Government Act 2020*, there is an obligation to declare a conflict of interest in a matter before Council.

A conflict of interest can be *general* or *material* in nature.

A Councillor has a *general conflict of interest* if an impartial, fair-minded person would consider that the Councillor's private interests could result in that Councillor acting in a manner that is contrary to their public duty.

- Private interests means any direct or indirect interest of a Councillor that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief.
- Public duty means the responsibilities and obligations that a Councillor has to members of the public in their role as an elected representative.

A Councillor has a *material conflict of interest* if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

The benefit may arise or the loss incurred –

- (a) directly or indirectly; or
- (b) in a pecuniary or non-pecuniary form.

An *Affected Person* includes:

- (a) the relevant person;
- (b) a family member of the relevant person;
- (c) a body corporate of which the relevant person or their spouse or domestic partner is a Director or a member of the governing body;
- (d) an employer of the relevant person, unless the employer is a public body;
- (e) a business partner of the relevant person;
- (f) a person for whom the relevant person is a consultant, contractor or agent;
- (g) a beneficiary under a trust or an object of a discretionary trust of which the relevant person is a trustee;
- (h) a person from whom the relevant person has received a disclosable gift.

Disclosure of Conflict of Interest

A Councillor must make full disclosure of a conflict of interest by advising the type and nature of the interest immediately before the matter is considered at the meeting. Following the disclosure and prior to the matter being considered or any vote taken, the Councillor with the conflict of interest must leave the room and notify the Chairperson that he or she is doing so.

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PHIL SHANAHAN

CHIEF EXECUTIVE OFFICER

1 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

2 OPENING AND WELCOME

3 PRESENT

4 APOLOGIES AND ABSENCES

5 MANAGEMENT REPORTS

5.1 MILDURA SOUTH REGIONAL SPORTING PRECINCT - PROPOSED NAMING CONSULTATION

File Number: PROJ/500270
Officer: General Manager Community

1. Summary

The purpose of this report is to to analyse the feedback from the community in relation to the two advertised possible names for the precinct currently referred to as the Mildura South Regional Sporting Precinct, those being Marngrook Sporting Precinct and Mildura Sporting Precinct.

Mildura Rural City Council (Council), as the naming authority under the 'Naming rules for places in Victoria', must make a decision on which of the two names it will take to a proposal to the Office of Geographic Names Victoria. The community must be informed of Council's decision and a period of 30 days must be allowed to receive objections.

2. Recommendation

That Council:

- (i) endorse a decision to name the precinct Mildura Sporting Precinct and to consent to that name being advertised to the community for a period of 30 days; or**
- (ii) endorse a decision to name the precinct Marngrook Sporting Precinct and to consent to that name being advertised to the community for a period of 30 days; and**
- (iii) delegate authority to the Chief Executive Officer to review and respond to any submissions received at the conclusion of the 30 day advertising period. Subject to an assessment of any submissions, authorise the Chief Executive Officer to lodge the naming proposal with the Office of Geographic Names Victoria.**

3. Background

In accordance with Geographic Names Victoria's (GNV) 'Naming rules for places in Victoria' (naming rules), Council developed a community consultation plan to facilitate the process for groups or individuals to submit suggested names for the Mildura South Regional Sporting Precinct (the precinct).

This plan included advertising to the community the ability to make initial submissions for proposed naming of the precinct. Following this process, Council considered the submitted names by the community and omitted all names deemed to be ineligible in accordance with the naming rules.

A naming committee, which featured a mixture of Councillors, Council employees and independent parties met and reduced the number of eligible submissions to two names. These two names were then endorsed by Councillors and put to the community for 30 days for consultation and feedback.

The two proposed names were:

Marngrook Sporting Precinct

The word Marngrook comes from the Gunditjmara language (located in the south western district of Victoria) and means 'game ball'. The name was submitted by the First People of the Millewa Mallee Aboriginal Corporation, as it celebrates the history of Aboriginal football. Our region boasts an amazing link to this history, with an 1857 sketch by German explorer William Blandowski showcasing the Aboriginal people playing a ball game near Merbein. This sketch has been reported to be one of the earliest images to capture Australian football and Council has received permission to reproduce this to be displayed in a prominent location in the precinct.

Mildura Sporting Precinct

This name recognises the site's locality while demonstrating its purpose as a multipurpose recreation and sporting venue.

The period allowed for receiving feedback on the two names has now closed, and Council needs to determine the final name and advertise that name to the community for objections before making a submission to the Office of GNV. This process will take a final 30 days before a submission is allowed to be made to GNV.

4. Consultation Proposed/Undertaken

Community engagement to date is detailed throughout the body of the report and meets the requirements set out by GNV in their naming rules. Following Council's resolution, a final 30 days feedback process is required prior to the name being submitted to GNV for approval.

5. Discussion

To obtain feedback from the extended community for the proposal 'Marngrook Sporting Precinct' or 'Mildura Sporting Precinct', Council published notices detailing the proposed names across print, internet and social media platforms directing the community to council's website which allowed for written submissions which facilitated support, objections and comments.

Participants in the feedback process were provided with a contextual background to the two names, explaining their history and relevance, and were given the opportunity to respond to a specific range of questions.

A total of 287 submissions were received with a summary of the submissions provided below.

To assist in analysing the feedback, a spreadsheet has been prepared as an analytical tool to collate and organise the community submissions. As this spreadsheet contains raw survey data it will be provided to Councillors separate to this report.

Importantly to note, there was only one submission that concerned the eligibility of the naming rules. The submission suggested that the name 'Marngrook Sporting Precinct' was against the rules because it is not a local Aboriginal language. This is not correct and Council has complied with the naming rules having sought written consent from both the Traditional Owners of the language, the Eastern Maar Aboriginal Corporation, and the local Traditional Owners, the First People of the Millewa-Mallee Aboriginal Corporation (First People).

The outcome of the community feedback has been categorised into support or objection as per the below tables:

How would you feel if the MSRSP was known as Marngrook Sporting Precinct?	No. Submissions	Percentage
Positive	55	19%
Negative	206	73%
Neutral	23	8%
Total Responses	284	

How important is it to you to have a name that is of great cultural significance?	No. Submissions	Percentage
Positive	90	34%
Negative	166	62%
Neutral	11	4%
Total Responses	267	

Do you think the word 'Marngrook' appropriately captures Mildura's proud Indigenous and sporting heritage?	No. Submissions	Percentage
Positive	60	22%
Negative	172	63%
Neutral	42	15%
Total Responses	274	

How important is it to you that our region's Indigenous heritage is recognized and celebrated in the naming of MSRSP?	No. Submissions	Percentage
Positive	88	32%
Negative	143	52%
Neutral	44	16%
Total Responses	275	

How would you feel is the MSRSP was known as Mildura Sporting Precinct?	No. Submissions	Percentage
Positive	217	76%
Negative	50	18%
Neutral	18	6%
Total Responses	285	

How would important is it to you to see the site's locality, Mildura, reflected in the name?	No. Submissions	Percentage
Positive	206	74%
Negative	53	19%
Neutral	20	7%
Total Responses	279	

How would you feel if the site did not feature any reference to geographical location?	No. Submissions	Percentage
Positive	102	37%
Negative	172	63%
Neutral		
Total Responses	274	

Several submissions were useful in supporting the name 'Marngrook Sporting Precinct' including:

- *"Proud to see incorporation of our region's history referencing an important image of Australia's first depiction of 'football' being played joined with recognition of our first people".*
- *"I will feel proud and moved as I think this would be a great name for the Sporting Precinct as this resembles the past and the future of our communities within the Sunraysia District".*

In response to whether or not it was important to have a name with historical significance, the community submitted several more useful submissions including:

- *"Most important. It's about time that Australia began acknowledging its Indigenous, rich culture. We are so lucky to be living amongst the longest living Indigenous peoples in the world. This is not an us vs them issue anymore. This is empowering the culture that all Australians get to be proud about and should be proud about. It takes only a few to start changing the minds of the many who have assimilated into a one way of thinking - if the MSRSP is not called the Marngrook Sporting Precinct, we will soon regret that decision when the rest of the region and world start making conscious decision to respect, acknowledge and nod towards our Indigenous people, tribes and cultures. We have the chance to be one of the few who are taking this step forward now!"*
- *"It is very important. For a long time now the community is fight for change and recognition for our Aboriginal people and their culture. This would allow us to come together as one and share a beautiful community sporting precinct together. This should be important for both communities and for the future of Mildura".*

Further, in relation to the importance of recognising the region's Indigenous heritage, the community submitted the following useful submissions:

- *"I think it is about time that the Mildura community started to recognise the Aboriginal Heritage that is sits on and that is amongst its community already. Any by naming a new sporting precinct is a first great step to celebrating that and pulling together as one community. The Indigenous Heritage is so vast and special that we need to celebrate and respect it, this would certainly start and would make me proud to have been born and raised in Mildura".*
- *"Absolutely vital and long overdue. Our first peoples were here for thousands of years and helped frame the landscape we so cherish. Connection to land is something we "settlers" find difficult to understand. Naming the sporting complex 'Marngrook'; which boasts at its heart the ball game now known as Aussie Rules, is fitting recognition, and helps "settlers" connect to land in their own passionate way".*

By contrast, the following submissions were provided in response to whether or not the precinct should be known as 'Mildura Sporting Precinct':

- *"Mildura SP would be great as this immediately gives recognition to our area - a branding that would not cost anything, but would give endless publicity to our area.*

Our city's name associated with a Sporting Precinct would facilitate the following:

- *Easy to remember the name*
- *Easy to locate the name on online*
- *Easy to create an association with a Mildura icon that we can all be proud of*
- *Easy to locate the sporting precinct in the in the big picture - Victoria/ Australia/World*
- *Easy for visiting sporting teams, groups and individuals to recognise and identify our city's name with such a great facility.*
- *"The Mildura Sporting Precinct encompasses all sports within Sunraysia and is a great name for a Sporting Precinct in our area".*
- *"While not uplifting, I think that it is very important to include all of the community in naming any major facility, we need to be as one without specifying any one group of resident".*

In response to the importance of having the region's locality, Mildura, reflected in the name, the community provided the following useful submissions:

- *"Yes it is important. Many, many Victorian and Interstate Sporting teams and individuals travel to Mildura to compete in their chosen sports and having a clear name would help with locating and recognising the Precinct".*
- *"This facility was built for sporting and tourism purposes. Advertisement for a sporting event in precinct will have national audience. Having "Mildura" in the name will remind people of the location and will have lasting effect on people who hear the name".*

Councillors were provided with all the feedback received.

Councillors must now consider the feedback provided from the community and make a final decision on the name of the precinct.

Once a final name is endorsed, the naming rules require that the community be informed of the final decision and allowed 30 days opportunity to make an objection to the final name. Objections, at a minimum, should explain:

- (a) A person's or group's interest in the naming proposal (i.e. if their address is affected or whether they have personal link with the place and/or name)
- (b) Reasons for the final name being inappropriate/appropriate, unsuitable/suitable, or unsupported/supported, including how it does or doesn't comply with the naming rules.

At the conclusion of the final advertising period, Council must then lodge the name with GNV. To do so, Council will prepare a report to GNV with information that will assist GNV in determining compliance with the naming rules.

It is important to note that in considering the proposed name, GNV will review all submissions for and against. In this case, it will be each of the 287 submissions, and any additional objections lodged during the 30 day final notification period. Section 8.4.1 of the naming rules deals with minimal support for a name. It states that if *there is minimal support for the chosen name, the naming authority may decide to re-consult on a new name or abandon the proposal*. This means that should Council support the name with lesser support (i.e. Marngrook), it is a very real risk that GNV will not accept the submission.

In addition to determining the final name, the recommendation before Councillors is to delegate authority to the CEO for the approval of the final submission. This delegation would grant the CEO discretion to consider any objections to the final name and whether or not Councillors need to reconvene to discuss the objections, or whether or not the proposal can proceed to submission. This delegation of authority is a valid instrument pursuant to Section 9 of the naming rules.

6. Time Frame

The final decision notice period required is 30 days from the advertisement of the final name. The intention is to action this matter as soon as practicable to allow time to have a name finalised before any opening event can occur at the precinct.

7. Strategic Plan Links

This report relates to the Community and Council Plan in the Key Result Areas:

1.2 Community Development

Goal to be achieved:

- Improved level of inclusion and active participation in the community.

4.2 Communication and Engagement

Goals to be achieved:

- Communicate effectively with the community;
- Engage effectively with the community; and
- Responsive to community input and feedback.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications

Policy

There are no policy implications related to this report.

Legal/Statutory

Once the final name has been determined, Council will make a proposal submission to GNV for the Registrar's consideration. The Registrar has discretionary powers to enter any name in the Register in accordance with section 11 of the *Geographic Place Names Act 1998* (Vic).

Financial

There are no financial implications related to this report.

Environmental

There are no environment implications related to this report.

Social

There are a range of social implications that benefit the community in consideration of this report. These include:

- Recognition and identification of Aboriginal culture
- Connection to country and place
- Acknowledgement of heritage
- Emergency service response
- Communications, including news services, tourism and postal.

Economic

There is no economic implications related to this report.

10. Risk Assessment

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
Non-compliance with naming rules.	Council undertook a process of eliminating non-compliance names before re-consulting the community. Consent sought from Traditional Owners for the use of Aboriginal language.	Low
Insufficient evidence of community consultation.	Council worked with Marketing & Communications to develop a thorough consultation plan. Council has records of all submissions received. Council has documented all reports, naming committee meetings, ELT briefings, and Council meetings which will be submitted as part of the final proposal with GNV.	Low

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

There are no attachments for this report.

6 URGENT BUSINESS

7 CLOSURE