



Glenelg Shire Council
Minutes of the Council Meeting held on
Tuesday 22 August 2023 at 7:00 pm at
Glenelg Shire Offices
71 Cliff Street, Portland

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1. PRESENT

Cr Scott Martin (Mayor), Cr Jayden Smith (Deputy Mayor), Cr Michael Carr, Cr Chrissy Hawker, Cr Karen Stephens and Cr Gilbert Wilson.

Also in attendance were the Chief Executive Officer (Mr Paul Phelan), Acting Director Corporate Services (Ms Lauren Easson), Director Community Services (Ms Jayne Miller), Director Assets (Mr Stuart Husband), Acting Chief Information Officer (Ms Abby Clark), Executive Assistant Corporate Services (Ms Rachael Currie) and Executive Assistant Community Services (Ms Laura Van Oosten).

2. OPENING PRAYER

Lord, we ask you for your blessing upon Council, direct and prosper its deliberations to the advantage of Thy Glory, and the true welfare of the people whom we serve.

3. ACKNOWLEDGEMENT OF COUNTRY

On behalf of this Glenelg Shire Council, I respectfully acknowledge the traditional lands and waters of the Gunditjmarra, Jardwadjali and Boandik people and their respective culture heritages. I acknowledge the elders past and present here at today's gathering and through them, to all Aboriginal people.

Aboriginal and Torres Strait Islander People provide an important contribution to Australia's cultural heritage and identity. We respectfully acknowledge the Aboriginal and Torres Strait community living throughout the Glenelg Shire and the contribution they make to the Glenelg Shire's prosperity and wellbeing.

4. RECORDING OF MEETINGS

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. Council meetings maybe livestreamed and the Chief Executive Officer will enable a copy of the recording to the public.

5. RECEIPT OF APOLOGIES

Mr David Hol and Ms Ann Kirkham.

6. QUESTION TIME

6.1. QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING

Mr Gary Humm of Portland asked the following question:

- a. *Would the Mayor explain and justify why Glenelg Shire has approved a Budget that is out of step with the social and financial expectations of comparative neighboring Councils, Moyne take 5.7 million less from their ratepayers than Glenelg Shire Council, please explain?*

The following response was provided by Mayor Scott Martin to Mr Humm, I dispute the premise of your question that the budget is out of step with social and financial expectations of neighbouring Councils. Glenelg Shire applied a 3.5% rate cap as did neighbouring Councils. The average rates per assessment in Glenelg Shire is consistent with neighbouring Shires and a wide variety of services are provided by the Glenelg Shire as provided in neighbouring shires.

You have specifically referenced Moyne Shire and the difference in rating income between the Shires. Councils vary in many ways and a comparison of one simple factor such as rating income is inappropriate. For an accurate measurement you would need to establish comparison between the services provided between Shires such as number playgrounds, libraries, swimming pools, childcare centres and other income and expenditure aspects.

For example, at a high level a review of the Moyne Shire budget document identifies several own source revenue variances when compared to Glenelg that should be considered including the Municipal Charges, User fees and kerbside collection just to name a few. From a rating perspective you may notice that the value of land in Moyne Shire is significantly different as is the differential rating structure.

As you can see these are only a few of the differences between the two Shires which highlights that it is more appropriate to consider all such factors when comparing Councils rather than isolating one aspect such as rating income.

Mr Gary Humm of Portland asked the following question:

- b. Would the Mayor explain and justify why Glenelg Shire has approved a Budget that is out of step with the social and financial expectations of comparative neighboring Councils, Moyne take 5.7 million less from their ratepayers than Glenelg Shire Council, please explain?*

The following response was provided by Mayor Scott Martin to Mr Humm, I dispute the premise of your question that the budget is out of step with social and financial expectations of neighbouring Councils. Glenelg Shire applied a 3.5% rate cap as did neighbouring Councils. The average rates per assessment in Glenelg Shire is consistent with neighbouring Shires and a wide variety of services are provided by the Glenelg Shire as provided in neighbouring shires.

You have specifically referenced Moyne Shire and the difference in rating income between the Shires. Councils vary in many ways and a comparison of one simple factor such as rating income is inappropriate. For an accurate measurement you would need to establish comparison between the services provided between Shires such as number playgrounds, libraries, swimming pools, childcare centres and other income and expenditure aspects.

For example, at a high level a review of the Moyne Shire budget document identifies several own source revenue variances when compared to Glenelg that should be considered including the Municipal Charges, User fees and kerbside collection just to

name a few. From a rating perspective you may notice that the value of land in Moyne Shire is significantly different as is the differential rating structure.

As you can see these are only a few of the differences between the two Shires which highlights that it is more appropriate to consider all such factors when comparing Councils rather than isolating one aspect such as rating income.

6.2. QUESTIONS FROM THE GALLERY

1. Offshore Windfarm Consultation

Mr Stephen Liddicut of St Kilda asked the following questions:

- a. *What additional information did you need that was going to provide the all-important supplementation to that already acquired, to form a position in a timely way?*

Mayor Scott Martin advised that there is no prize for being out the gate first in a consultation period. The amount of misinformation out there in the public and on social media is not only staggering but disappointing. Several zones around Australia were publicly announced late year last year so really high level information has been available for quite some time. It's only recently that a specific area has been declared officially. At a Local Government level (Council) who meet every second week, reports requested by Councilors can take weeks or months to be put together, for informed decisions to be made. Council can appreciate some people may have wanted answers yesterday, the reality is they take time to come to Council and a meeting.

- b. *How would you explain its total absence as the community's experience, in relation to one of the most significant issues to confront our Shire?*

Mayor Scott Martin advised that at no point will the Glenelg Shire Council be doing community consultation on this or any part of the foreseeable process for the offshore wind farm. This is a federal project, done in commonwealth waters completely outside Local Government reach. Council did publicise the meetings on how public can make submissions to the Minister on numerous occasions. Council's role is to advocate and listen, this means here is a list of concerns like fishing, tourism, marine life, infrastructure layout, amenity that our community has, these concerns will be passed on at the appropriate time in the process. This ties in with our 2040 plan and most likely in the next Council's 4 year plans, there is a recommendation further in tonight's agenda that covers this very topic.

- c. *How do you propose to forcefully and effectively represent community concerns regarding current offshore wind proposal in a manner that Councils like South Gippsland, Bass and Central Coast NSW did during their consultation process and Grant Shire is intending in the current process?*

Mayor Scott Martin advised that he cannot speak to what other Councils have done however I reject your premise that this Council has this perceived aversion to consultation. Going out straight off the bat like your suggesting would indeed show disdain towards all voices of the community, for and against. Taking the allotted time, listening to all sides of the community, in particular the 2040 vision is what a good

Council should do. Council is a stake holder not project leader, good faith is taking the time and listening to all of the communities views along with the information being provided by the relevant organisations facilitating the process, in this case the Commonwealth Government.

2. Heritage Grant

Mr David Punton of Portland asked the following questions:

- a. *At the Council meeting held on 25 July 2023, I was advised that there was no Heritage Grant money provided to paint the Tyrendarra Church, although in September 2022 at the Council meeting the church was awarded \$3000 to paint the church, as this was misleading information would the Director Corporates Services apologise to the ratepayers for providing misleading information at the July Council meeting?*

Mayor Scott Martin advised that he would take the question on notice.

- b. *At the intersection of Palmer Street and Cameron Street with the causeway near Fawthrop Lagoon would it be possible to run some drainage under the path to eliminate the slip and trip hazards?*

Mr Stuart Husband advised that he would take the question on notice. Mayor Martin advised that any suggestions like this can be raised with any of the Councillors outside of these meetings.

- c. *At the July Council meeting around the 14 minute mark the Director Corporate Services made a disrespectful, offensive and objectional statement to a ratepayer who is asking a legitimate question, will the Chief Executive Officer direct the Director Corporate Services to publicly apologise for his slur at the July Council meeting?*

Mayor Martin advised that he would take the question on notice.

3. Heritage Grants and Budgets

Mr Matthew Jowett of Portland asked the following questions:

- a. *With the sale of illegal sale of tobacco a constant and growing problem, what action can this Council take to help stamp out this illicit trade from occurring?*

Mr Paul Phelan advised that the Environmental Health Officer has done some research into this. The advice is that illicit tobacco is an Australian Tax Office offence, they have established a specific task force to deal with under the counter sale of tobacco. The advice provided to Local Government is that illegal activity, that is considered an illegal tax evasion and it is not advised that Local Government investigate due to the potential links to serious organised crime that operate those syndicates. There are two ways to report and welcome to report to Council and Council can forward or you can report online.

- b. *Outside of the Councils run and managed Heritage Grant Scheme, what other options are there for residents to access funds to do works on heritage properties?*

Mayor Martin advised that there are none that Council are aware of.

- c. *With the completion of Alexandra Park facilities imminent, could you please provide an itemised (as possible) list of costs and overall cost of this facility? Could you also provide an estimate of the expected ongoing maintenance and running costs of this facility moving forward?*

Mayor Scott Martin advised that Council was briefed of the overrun of costs to this project and have been included in the current Budget, this is due to sky rocketing cost of materials since 2021 when the project began. Mr Stuart Husband further advised that in terms of maintenance costs the facility goes through a defects liability period for 12 months and will take the rest of the question on notice.

4. Offshore Windfarm and Inshore fish netting

Mr Ross Clark of Portland asked the following questions:

- a. *Does the Council support the inshore professional fish netting that is taking place inside Portland Bay?*

Mayor Scott Martin there is a notice of motion in regard to this topic on tonight's agenda.

Ms Heather Clark of Portland asked the following questions:

- a. *Has this Council thought about the long term negative impact of this project and likelihood declines in visiting tourists, the closure of small business, commercial and recreational fishing and income lost to rates if the Offshore Windfarm project goes ahead?*

Mayor Scott Martin advised that there is a Council report in tonight's agenda on this item.

- b. *Has the Council been in discussion with wind farm operators on what their plans are and the end of life of the wind turbines?*

Mayor Scott Martin advised that this is not a Council role. There is a contribution fund that the wind farm providers pay into, for further information you would need to be in contact with the commonwealth or wind farm providers.

5. Community support

Mr Gary Humm of Portland asked the following questions:

- a. *Will Council be a united group and stand up for the community and support the community and proactively intervene on the community's behalf against this proposal of the Offshore Windfarm?*

Mayor Scott Martin advised that there is an item on this topic in tonight's agenda.

- b. *Can Council place a dog bag dispenser be placed at the playground on Hanlon Parade?*

Acting Director Corporate Services Lauren Easson advised a discussion with the Local Laws team and advised an answer will be provided to Mr Humm.

- c. *What significant timeline and initiatives have been committed too and implemented to proactively address the issues from the recent Customer Satisfaction Survey?*

Mr Paul Phelan Chief Executive Officer advised that the Councillors were briefed about what the focus areas are over the next 12 months. Some of the initiatives will be keeping the community more informed and up to date with information particularly in advocacy and lobbying. A recent update has been made to Councils website to include a clearly articulated search on what roads are specific to Council and roads that not maintained by Council, using this as a foundation piece to provide more detailed community feedback and to review the community framework. This will then feed back to a commitment of getting back to the community on issues raised.

6. Offshore Windfarm

Mr Michael Byrne of Portland asked the following questions:

- a. *How can the Council give consideration to such an important submission document whilst half of the Glenelg Shire Councillors are on leave?*

Point of order called by Mayor Martin at 7.33pm, disruption in the gallery.

Mayor Scott Martin advised that is the reason that a submission isn't not submitted straight away. Councillors have had an opportunity to ask questions, gather information and learn, as Councillors receive information in all types of formats. Its incorrect to say that Councillors haven't seen or read papers or social media , Councillors do see and hear it all and there are certain processes that need to be adhered to.

Point of order by Cr Wilson at 7.36pm, question time has lapsed.

MOTION

MOVED Cr Wilson

That question time is extended for a further 15 minutes.

SECONDED Cr Stephens

CARRIED

- b. *Why has Glenelg Shire Council not addressed concerns like those raised in the South Gippsland's submission, in their submission?*

Mr Paul Phelan Chief Executive Officer advised that Council is mindful of an agenda item later in the meeting. In relation to renewables I am in constant discussion with the Great South Coast Regional Partnership (6 CEO's from surrounding Local Government areas and State Government representatives), South West Victoria Alliance this has an advocacy document piece to State Government around key worker housing which could be exacerbated in this instance. Meetings are also held with tertiary providers, partnerships with Deakin University and South West Tafe to address the skills shortage, that if a renewable project was to be announced Council areas have sufficient local skilled workers. If this project is approved this is a 7 year feasibility licence only to give this project exclusive license to a specific area, only if a specific area is declared. This project could take 10 years of planning if the area is declared and a license is provided.

- c. *For the last month the Southern Ocean Offshore Windfarm consultation process has been underway, if this project is to go ahead and with hundreds of workers and their families arriving in the Glenelg Shire, is this a disaster waiting to happen?*

Mayor Scott Martin advised that the previous answer has provided enough detail to answer this question.

7. DECLARATIONS OF CONFLICT OF INTEREST

Nil.

8. CONFIRMATION OF MINUTES

Recommendation

That the minutes of the Council Meeting held on Tuesday 25 July 2023, as circulated, be confirmed.

MOTION

MOVED Cr Hawker

That the minutes of the Council Meeting held on Tuesday 25 July 2023, as circulated, be confirmed.

SECONDED Cr Stephens

CARRIED

FOR: Mayor Cr Martin, Deputy Mayor Cr Smith, Cr Hawker, Cr Wilson, Cr Carr and Cr Stephens

AGAINST: Nil

9. PRESENTATIONS

Nil.

10. DEPUTATIONS

Nil.

11. NOTICES OF MOTION**11.1. NOTICE OF MOTION 1-2023-2024 - PROTECTION OF RECREATIONAL FISHING WITHIN PORTLAND BAY**

CEO: Paul Phelan, Chief Executive Officer

In accordance with the Council's Governance rules Section 2.8.1, I give notice of my intention to move the following motion at the Council meeting to be held on Tuesday 22 August 2023.

1. That Council writes to The Hon. Sonya Kilkenny MP, the Minister for Outdoor Recreation, advocating on behalf of our community their concerns with the use of commercial netting gear by commercial ocean access fishery license holders in the Portland Bay area.
2. That Council requests the Minister to:
 - a. Intervene and cause the Victorian Fisheries Authority to immediately issue a Fisheries Notice under the Fisheries Act, that extends the Regulation 144 temporal prohibition on commercial netting in Portland Bay to 365 days a year.
 - b. Amend the Fisheries Regulations 2019 to prohibit all forms of commercial netting in Portland Bay in State Waters (inside 3NM) along the coast from Lawrence Rocks to the Fitzroy River mouth.

MOTION

MOVED Cr Carr

1. **That Council writes to The Hon. Sonya Kilkenny MP, the Minister for Outdoor Recreation, advocating on behalf of our community their concerns with the use of commercial netting gear by commercial ocean access fishery license holders in the Portland Bay area.**
2. **That Council requests the Minister to:**
 - a. **Intervene and cause the Victorian Fisheries Authority to immediately issue a Fisheries Notice under the Fisheries Act, that extends the Regulation 144 temporary prohibition on commercial netting in Portland Bay to 365 days a year.**
 - b. **Amend the Fisheries Regulations 2019 to prohibit all forms of commercial netting in Portland Bay in State Waters (inside 3NM) along the coast from Lawrence Rocks to the Fitzroy River mouth.**

SECONDED Cr Stephens

CARRIED

FOR: Mayor Cr Martin, Deputy Mayor Cr Smith, Cr Hawker, Cr Wilson, Cr Carr
and Cr Stephens

AGAINST: Nil

Signed: Cr Michael Carr
10 August 2023

Attachment List

1. Signed Notice of motion - Protection of Recreational Fishing within Portland Bay
Cr Carr 10 August 2023 [**11.1.1** - 1 page]

12. PETITIONS

Nil.

13. COMMITTEE REPORTS

Nil.

14. MANAGEMENT REPORTS

14.1. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER

Director: Paul Phelan, Chief Executive Officer

Executive Summary

The purpose of this report is to enable Council to consider the Councillor and Chief Executive Officer Leave of Absence Register.

Recommendation

That Council approve the Councillor and Chief Executive Officer Leave of Absence Register presented as a confidential circulation under Section 35 (1) (e) (4) (6) of the *Local Government Act 2020*.

MOTION

MOVED Deputy Mayor Cr Smith

That Council approve the Councillor and Chief Executive Officer Leave of Absence Register presented as a confidential circulation under Section 35 (1) (e) (4) (6) of the *Local Government Act 2020*.

SECONDED Cr Wilson

CARRIED

FOR: Mayor Cr Martin, Deputy Mayor Cr Smith, Cr Hawker, Cr Wilson, Cr Carr and Cr Stephens

AGAINST: Nil

Background/Key Information:

In accordance with Section 35 (1) (e), (4), and (6) of the *Local Government Act 2020* Councillors are entitled to take Leave of Absence.

Section 35 (1) (e), (4) and (6) of the *Local Government Act 2020* states:

35 Councillor ceasing to hold office

(1) A Councillor ceases to hold the office of Councillor and the office of the Councillor becomes vacant if the Councillor:

- (e) subject to this section, is absent from Council meetings for a period of 4 consecutive months without leave obtained from the Council.

- (4) The Council must grant any reasonable request for leave for the purposes of subsection (1)(e).
- (6) A Councillor is not to be taken to be absent from Council meetings during the period of 6 months after the Councillor or their spouse or domestic partner:
- (a) becomes the natural parent of a child; or
 - (b) adopts a child under the age of 16 years

and the Councillor has responsibilities for the care of the child during that period.

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Section 35 of the *Local Government Act 2020*.

c. Consultation and/or communication processes implemented or proposed

Councillors are required to submit Leave of Absence requests in writing to the Chief Executive Officer.

The Chief Executive Officer is required to submit his Leave of Absence requests in writing to Council through the Councillor and Chief Executive Officer Leave of Absence Register.

A register will be held by the Chief Executive Officer and reported monthly to Council.

d. Financial Implications and Collaboration

Nil.

e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

Separately circulated as Confidential attachment.

14.2. GLENELG SHIRE COUNCIL SUBMISSION - OFFSHORE RENEWABLE ENERGY INFRASTRUCTURE AREA PROPOSAL: SOUTHERN OCEAN REGION OFF VICTORIA AND SOUTH AUSTRALIA

Director: Paul Phelan, Chief Executive Officer

Executive Summary

The purpose of this report is to seek Council endorsement of the submission to Department of Climate Change, Energy, the Environment and Water.

On 28 June 2023, The Hon Chris Bowen MP, Minister for Climate Change and Energy, attended in Portland, Victoria to announce the commencement of public consultation for the proposed offshore wind region in the Southern Ocean off the Victorian and South Australian Coast.

Feedback on the proposed area is open via the Department of Climate Change, Energy, the Environment and Water 'Have your say portal'. Submissions close on Thursday 31 August 2023 at 11:59pm.

Recommendation

That Council endorses the submission to the Australian Government Offshore Renewable Energy Infrastructure area proposal: Southern Ocean region off Victoria and South Australia.

MOTION

MOVED Cr Stephens

That Council endorses the submission to the Australian Government Offshore Renewable Energy Infrastructure area proposal: Southern Ocean region off Victoria and South Australia.

SECONDED Cr Carr

CARRIED

FOR: Mayor Cr Martin, Deputy Mayor Cr Smith, Cr Hawker, Cr Wilson, Cr Carr and Cr Stephens

AGAINST: Nil

Background/Key Information:

The recent announcement by The Hon Chris Bowen MP, Minister for Climate Change and Energy, in relation to the commencement of public consultation for the proposed offshore wind region in the Southern Ocean, has generated significant community interest.

A large percentage of the proposed area is in offshore waters adjacent to the Glenelg Shire, extending from the South Australian border to Tyrendarra East. Expansive

coastlines connect the townships of Nelson, Cape Bridgewater, Portland, Bolwarra, Narrawong and Tyrendarra East.

Glenelg Shire is renowned for its iconic pristine coastline, attracting significant annual visitor numbers and economic benefits to the Shire. Discovery Bay Coastal Park, Discovery Bay Marine National Park, Great South West Walk, and the nearby Deen Maar, are just a few of the many natural and culturally significant sites, which are in the immediate vicinity of the proposed area.

Council acknowledges the Australian Governments zero emission targets and the proposed benefits of offshore renewable energy projects, including but not limited to, increased investment, economic growth, expansion of local industries and creation of new jobs.

Glenelg Shire Council strongly supports the need to transition to renewable energy sources and provides 'In Principle' support to offshore renewable energy projects, it is critical that the voices of our local communities are considered as part of the community consultation process, and that any proposed renewable energy projects do not have unintended consequences on our natural environment.

a. Council Plan and Policy Linkage

Our Natural Environment – Striving towards a carbon neutral future to protect and enhance the natural environment for future generations.

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

The Glenelg Shire 2040 Our Future Together Community Plan and Vision - Reduce local carbon footprint and work towards 100% renewable energy usage.

b. Legislative, Legal and Risk Management Considerations

Section 9 (2)(c) *Local Government Act 2020* - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

c. Consultation and/or communication processes implemented or proposed

Stakeholder and community feedback submissions are being undertaken by the Department of Climate Change, Energy, the Environment and Water, Australian Government.

d. Financial Implications and Collaboration

Nil.

e. Governance Principles

Local, Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Attachment List

1. Submission to the Australian Government Offshore Renewable Energy Infrastructure Area Proposal [**14.2.1** - 2 pages]

14.3. COUNCIL REPRESENTATION ON EXTERNAL PEAK BODIES

Director: Paul Phelan, Chief Executive Officer

Executive Summary

The purpose of this report is to enable Council to consider Councillor representation to the listed external industry peak bodies following the resignation of Councillor Anita Rank on Friday the 30 June 2023.

Recommendation

That Council appoint Cr _____ to the Alliance of Councils for Rail Freight Development for the Council term ending 2024:

MOTION

MOVED Cr Wilson

That Council appoint Cr Carr to the Alliance of Councils for Rail Freight Development for the Council term ending 2024.

SECONDED Cr Stephens

CARRIED

FOR: Mayor Cr Martin, Deputy Mayor Cr Smith, Cr Hawker, Cr Wilson, Cr Carr and Cr Stephens

AGAINST: Nil

Background/Key Information:

At the December 2020 Council meeting, Council appointed various Councillors as representatives on a number of external peak bodies for the Council Term 2020-2024.

A copy of the appointments is provided in the attachment.

Following the resignation of Councillor Anita Rank on the 30 June 2023, a vacancy exists for the Alliance of Councils for Rail Freight Development. At the time of the resolution Councillor Rank was the Chair of the committee.

Participation by Glenelg Shire Council Councillors in peak industry bodies has been warranted due to significant community, economic or advocacy aspects.

This report provides for Council to appoint a new Councillor representative to the Alliance of Councils for Rail Freight Development for the remaining duration of the current Council term.

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

There are no legislative or legal concerns.

c. Consultation and/or communication processes implemented or proposed

Appointment of Councillors to peak bodies is undertaken through discussion with Councillors

d. Financial Implications and Collaboration

Costs associated with appointments to committees are included in the operational budget.

e. Governance Principles

Local, Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Attachment List

1. 15 December 2020 Council Meeting Resolution Item 13.5 [**14.3.1** - 1 page]

14.4. HERITAGE GRANT SCHEME POLICY REVIEW

Director: David Hol, Director Corporate Services

Executive Summary

This report identifies that the current Heritage Grant Policy does not appear to be meeting the expectations of Councillors and the community and seeks a Council resolution for a moratorium on the scheme until such time as the policy is reviewed.

Recommendation

That Council apply a moratorium on the awarding of Heritage Grants until a formal review of the policy has been undertaken.

MOTION

MOVED Cr Carr

That Council apply a moratorium on the awarding of Heritage Grants until a formal review of the policy has been undertaken.

SECONDED Deputy Mayor Cr Smith

CARRIED

FOR: Mayor Cr Martin, Deputy Mayor Cr Smith, Cr Hawker, Cr Wilson, Cr Carr and Cr Stephens

AGAINST: Nil

Background/Key Information:

The Heritage Restoration Fund was established in 1984 with funding by the State Government. A Heritage Committee was then established to administer the fund which ceased operation following the introduction of the *Local Government Act 2020*.

In 2014, the policy was amended to encourage more applications following a lack of take up over the past decade. The revised policy resulted in 12 projects being approved in the next 2 years.

The policy was again reviewed in 2019 following only one application being received between 2018 and 2019. At this time the balance of the fund was \$128k with Council contributing \$10k per annum to the fund. The approved revised policy in 2019 resulted in 20 grants being awarded up until the period of August 2022.

The current policy was adopted by Council in October 2022 and remains current until October 2023. The Council Governance Rules outline the implications for amending a Council policy within 12 months of adoption.

The program was originally designed to fund urgent works to ensure the survival of historical buildings or structures. Recent community and Councillor input has indicated that the policy does not appear to be meeting the proposed expectations.

Subsequently it is recommended that Council apply a moratorium on the awarding of any further community grants until the current policy has been reviewed and the future direction of any Heritage Grant Policy is determined. At the time of writing there are no grant applications listed for Council consideration.

a. Council Plan and Policy Linkage

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well planned neighbourhoods.

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

The Heritage Grants policy is not a legislated policy. Review of Council policies is referred to in section 10.5 of the Council Governance Rules.

c. Consultation and/or communication processes implemented or proposed

The moratorium is based on feedback from the public already received on the Heritage Grants program and through discussions with Councillors.

d. Financial Implications and Collaboration

Council currently allocates \$10k per annum to the scheme. The current balance of the fund is approximately \$6,500.

e. Governance Principles

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The municipal community is to be engaged in strategic planning and strategic decision making.

The ongoing financial viability of the Council is to be ensured.

Attachment List

1. COUNCIL POLICY - Heritage Grant Scheme CP O- CORP S- P L-003 [14.4.1 - 6 pages]

14.5. LEASE AGREEMENT BETWEEN GLENELG SHIRE COUNCIL AND PORTLAND DISTRICT HEALTH (PDH)

Director: Lauren Easson, Acting Director Corporate Services

Executive Summary

This report is to seek Council's approval for a new twelve (12) month lease agreement for the Fawthrop Community Centre, Hood Street Portland between Glenelg Shire Council and Portland District Health (PDH).

Recommendation

That Council:

1. Approves a new twelve (12) month lease with Portland District Health (PDH), for the Fawthrop Community Centre, Hood Street Portland.
2. Sets the rental figure at \$9,453.00 (incl. GST) for six (6) months, from 1 October 2023 to 31 March 2024 and \$14,180.00 (incl. GST) for the following six (6) months, from 1 April 2024 30 September 2024.
3. Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed lease in part 1 of this resolution.

MOTION

MOVED Cr Stephens

That Council:

1. **Approves a new twelve (12) month lease with Portland District Health (PDH), for the Fawthrop Community Centre, Hood Street Portland.**
2. **Sets the rental figure at \$9,453.00 (incl. GST) for six (6) months, from 1 October 2023 to 31 March 2024 and \$14,180.00 (incl. GST) for the following six (6) months, from 1 April 2024 30 September 2024.**
3. **Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed lease in part 1 of this resolution.**

SECONDED Deputy Mayor Cr Smith

CARRIED

FOR: Mayor Cr Martin, Deputy Mayor Cr Smith, Cr Hawker, Cr Wilson, Cr Carr and Cr Stephens

AGAINST: Nil

Background/Key Information:

At the Council Meeting held on 28 February 2023, Council adopted to transition out of direct service delivery roles in all funded Commonwealth Home Support Program services, all Victorian Home & Community Care for Young People Program funded services and all Regional Assessment funded services from 30 September 2023.

In July 2023, the Commonwealth Government announced the successful providers, Portland District Health (PDH) being one of them to continue with Commonwealth Home Support Programme (CHSP) and specialist services across the Glenelg Shire.

As a part of the transition process, Portland District Health (PDH) have made a request to enter into a short-term lease agreement for the usage of the Fawthrop Community Centre to ensure continuity of care to the community.



Fawthrop Community Centre Building layout – highlighted areas indicate Portland District Health (PDH) Exclusive Use Areas.

Discussions were held regarding a short-term tenure. The outcome was an in-principle agreement to execute a twelve (12) month lease with a rental figure of \$9,453.00 (incl. GST) for six (6) months, from 1 October 2023 – 31 March 2024 and \$14,180.00 (incl. GST) for the following six (6) months, from 1 April 2024 30 September 2024.

a. Council Plan and Policy Linkage

Our Access, Transport and Technology - Making it easier for people to connect in and around the Glenelg Shire.

b. Legislative, Legal and Risk Management Considerations

Section 115 of the *Local Government Act 2020* restricts Council's power to lease land in specific circumstances. The proposed lease complies with s.115. Ensuring a formal lease is executed provides Council with a legally binding agreement relating to the tenant's occupancy.

c. Consultation and/or communication processes implemented or proposed

Consultation with Community and Social Support Coordinator and the Tenant relating to the new lease has occurred.

d. Financial Implications and Collaboration

The financial obligations of the lease will be included within budget provisions.

e. Governance Principles

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

Nil

14.6. GLENELG SHIRE COUNCIL PLAN FOURTH QUARTER PERFORMANCE REPORT 2022-2023

Director: Jayne Miller, Director Community Services

Executive Summary

The purpose of this report is to present to Council the fourth quarter Performance Report for year two of the Glenelg Shire Council Plan 2021-2025.

Recommendation

That Council endorse the Glenelg Shire Council Plan fourth quarter Performance Report 2022-2023 and approves the document for publication.

MOTION

MOVED Cr Hawker

That Council endorse the Glenelg Shire Council Plan fourth quarter Performance Report 2022-2023 and approves the document for publication.

SECONDED Cr Carr

CARRIED

FOR: Mayor Cr Martin, Deputy Mayor Cr Smith, Cr Hawker, Cr Wilson, Cr Carr and Cr Stephens

AGAINST: Nil

Background/Key Information:

During the development stage of the Council Plan 2021-2025, it was identified as a priority for the ratepayers and general community of the Glenelg Shire, that they be kept informed on Council's performance and strategic alignment in accordance with the Council Plan.

From this public consultation, it was determined that Council would release a performance report each quarter outlining the progress or status on each of the measures, projects and plans identified within the four-year Council Plan.

a. Council Plan and Policy Linkage

Our Natural Environment – Striving towards a carbon neutral future to protect and enhance the natural environment for future generations.

Our Education, Employment and Industry - Adapting and growing a diverse economy to embrace employment of the future and educational opportunities.

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well planned neighbourhoods.

Our Access, Transport and Technology - Making it easier for people to connect in and around the Glenelg Shire.

Our Health and Wellbeing - Supporting the Glenelg community to thrive by being healthy, inclusive and well.

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Nil.

c. Consultation and/or communication processes implemented or proposed

The Performance Report will be made available for the community and published on the Glenelg Shire Council website.

d. Financial Implications and Collaboration

There are no budget implications as a result of quarterly performance reporting. All resources such as staffing, are delivered within budget.

e. Governance Principles

Local, Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

The transparency of Council decisions, actions and information is to be ensured.

The municipal community is to be engaged in strategic planning and strategic decision making.

Attachment List

1. Glenelg Shire Council Plan Fourth Quarter Performance Report 2022 - 2023
[14.6.1 - 39 pages]

14.7. JANUARY 26 CITIZENSHIP CEREMONIES, AWARDS AND COUNCIL LED EVENTS

Director: Jayne Miller, Director Community Services

Executive Summary

The purpose of this report is to share the results of the January 26 consultation which was undertaken through a recent survey on the Glenelg YourSay page. The survey asked three questions regarding Council led activities on January 26 to help inform Glenelg Shire Council's future involvement in leading Australia Day Ceremonies, Awards and Civic Events on January 26 2024 and beyond.

The survey was open for a period of 3 weeks, 3 July to 23 July 2023, with a total number of 493 respondents (446 online surveys and 47 hardcopy surveys) and 219 additional comments.

The community feedback is as follows:

1. Deliver a Citizenship Ceremony on any date between January 23 – 29, but not on January 26 – 62% in favor.
2. The Awards are rebranded and delivered at another time of the year. For example, during Volunteers Week or at a standalone event specifically for the purpose of celebrating nominees to the Awards – 62% in favor.
3. Council ceases to hold civic events on January 26 – 59% in favor.

Recommendation

That Council cease holding Citizenship Ceremonies, Awards and Council led events on January 26, 2024 and ongoing, in line with the community feedback.

MOTION

MOVED Cr Carr

That Council cease holding Citizenship Ceremonies, Awards and Council led events on January 26, 2024 and ongoing, in line with the community feedback.

SECONDED Cr Hawker

CARRIED

FOR: Mayor Cr Martin, Deputy Mayor Cr Smith, Cr Hawker, Cr Carr and Cr Stephens

AGAINST: Cr Wilson

MOTION**MOVED Cr Stephens**

That speaking time is extended for Councillor Wilson.

SECONDED Deputy Mayor Cr Smith**CARRIED**

FOR: Mayor Cr Martin, Deputy Mayor Cr Smith, Cr Hawker, Cr Carr and Cr Stephens

AGAINST: Nil

DIVISION:

Cr Carr, Mayor Cr Martin, Cr Stephen, Cr Smith, Cr Hawker voted FOR the MOTION.

Cr Wilson voted AGAINST the MOTION.

Background/Key Information:

Stemming from recent changes to the Citizenship Code (The Code), giving Local Governments flexibility in when and how they deliver various components of January 26 events, Councillors voted to undertake community consultation at the June, 2023 Council Meeting.

The intention of this community engagement was to support Council to make an informed decision on Glenelg Shire Council's future involvement in leading Australia Day Ceremonies, Awards and Civic Events on January 26, 2024 and beyond.

a. Council Plan and Policy Linkage

Our Health and Wellbeing - Supporting the Glenelg community to thrive by being healthy, inclusive and well.

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

[Local Government Act 2020](#)
[Australian Citizenship Ceremonies Code](#)
[Australian Citizenship Act 2007](#)

c. Consultation and/or communication processes implemented or proposed

The consultation processes undertaken were delivered in line with the GSC Community Engagement Policy ECM 2739692.

In line with Council’s Community Engagement Framework and principles of IAP2 Spectrum of Public Participation the intent of the engagement undertaken was to *CONSULT* with the community.

Consult	
Goal	Council obtained feedback on the provided options regarding January 26 Council led events, awards and ceremonies.
Promise	Council will listen to the feedback, concerns and aspirations and provide feedback on how the public feedback influenced the decision.
Method	<ul style="list-style-type: none"> - YourSay Page and survey - Website – promotion and direct link to YourSay Page and survey - Direct email to registered networks and contacts - Hard copy surveys (Customer Service Centers and Libraries) - Newspaper and radio promotion of consultation - QR code flyers linking to the YourSay page and survey. - Social Media (closed comments)

d. Financial Implications and Collaboration

There are no financial implications related to this decision. Funds currently used to support civic events, ceremonies and awards will be directed to support the final decision of Council.

e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Innovation and continuous improvement is to be pursued.

Attachment List

Separately circulated as Confidential attachments.

15. CONFIDENTIAL REPORTS

Nil.

16. URGENT BUSINESS

Nil.

17. CLOSURE OF COUNCIL MEETING

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 8:40 pm.

I HEREBY CERTIFY THAT PAGES 1 TO 31 CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

CR SCOTT MARTIN
MAYOR

26 September 2023

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