



## **Glenelg Shire Council**

### **Notice of Meeting and Agenda**

#### **Council Meeting Tuesday 27 August 2024**

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Notice is hereby given that a Council Meeting will be held in the Council Chamber, Glenelg Shire Offices, 71 Cliff Street, Portland commencing at **5:30 pm** on the above date for the purpose of transacting the business on the attached Agenda, together with such other business as the Chairperson may permit.

Helen Havercroft  
**Chief Executive Officer**

Date of Issue: Thursday 22 August 2024

Invited: Mayor, Councillor Karen Stephens  
Councillor Michael Carr  
Councillor Scott Martin  
Councillor Alistair McDonald  
Councillor Robyn McDonald  
Councillor John Northcott  
Councillor Gilbert Wilson  
Chief Executive Officer, Ms Helen Havercroft  
Director Corporate Services, Mr David Hol  
Acting Director Infrastructure Services, Ms Jayne Miller  
Acting Director Community Services, Ms Jane Ruge  
Chief Information Officer, Ms Ann Kirkham  
Chief Financial Officer, Ms Rebecca Campbell  
Executive Manager Governance, Mr Brett Jackson

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**1. PRESENT****2. ACKNOWLEDGEMENT OF COUNTRY**

On behalf of this Glenelg Shire Council, I respectfully acknowledge the traditional lands and waters of the Gunditjmara, 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.

**3. 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 may be livestreamed, and the Chief Executive Officer will enable a copy of the recording to the public.

**4. RECEIPT OF APOLOGIES****5. CONFIRMATION OF MINUTES****5.1. CONFIRMATION OF MINUTES****Recommendation**

**That the minutes of the Council Meeting held on Tuesday 23 July 2024, as circulated, be confirmed.**

## 5.2. RECORD OF COUNCILLOR BRIEFINGS

David Hol, Director Corporate Services

### Executive Summary

This report provides for Council to receive a record of any recent Councillor Briefing sessions undertaken from the period commencing the 23 July 2024.

### Recommendation

**That Council receives the record of the Councillor Briefing held on the 23 July 2024 and 13 August 2024.**

### Background/Key Information:

The Glenelg Shire Council Governance Rules as adopted on the 23 January 2024 require that a record is kept of each Councillor Briefing and that the record is tabled at an open Council meeting (excluding any confidential matters).

The record is to include a list of matters presented and any Conflict-of-Interest declarations together with any actions taken to resolve declared conflicts.

The objective of submitting the record to a Council meeting is to ensure public transparency in Council decision making processes.

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

Whilst not a legislative obligation, the records are tabled at a Council meeting in accordance with Governance Rule number 68.

c. Consultation and/or communication processes implemented or proposed

Not applicable.

d. Financial Implications and Collaboration

Councillor Briefings and the records keeping obligations are provided for within the adopted operational budgets.

e. Governance Principles

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

### **Attachment List**

1. Councillor Briefing Record 23 July 2024 [5.2.1 - 1 page]
2. Councillor Briefing Record 13 August 2024 [5.2.2 - 1 page]

**6. DECLARATIONS OF CONFLICT OF INTEREST**

A Councillor or Officer with a conflict of interest in an item on the Agenda must indicate that they have a conflict of interest by clearly stating:

- The item for which they have a conflict of interest
- Whether their conflict is ***general*** or ***material***; and
- The circumstances that give rise to the conflict of interest.

Declaration of material or general conflict of interest must also be advised by Councillors and Officers at the commencement of discussion of the specific item.

**7. COUNCILLOR ACTIVITY REPORTS****7.1. COUNCILLOR ACTIVITY REPORTS 6 JULY TO 9 AUGUST 2024****Recommendation**

**That Council notes the Councillor Activity Reports for the period 6 July to 9 August 2024.**

**Cr STEPHENS, MAYOR**

<b>Date</b>	<b>Meeting/Event</b>	<b>Location</b>	<b>Comments (Optional)</b>
08.07.2024	NAIDOC Week Flag Raising Ceremony at Winda Mara	Heywood	Attend annual flag raising ceremony and join the community to celebrate the commencement of NAIDOC Week
09.07.2024	Councillor Briefing	Portland	Monthly strategic briefing session of Council.
10.07.2024	Country University Centre meeting	Portland	Committee meeting
10.07.2024	Portland Energy Park meeting	Portland	Update meeting with proponents.
11.07.2024	Meeting with Caringvale Homes	Portland	Discussion on potential affordable housing opportunity for Portland
13.07.2024	Merino Digby Lions Club - Need for Feed event	Merino	Attend community event to welcome the Need for Feed delivery for local farmers
16.07.2024	Councillor Briefing Session	Portland	Strategic briefing session of Council.
17.07.2024	Victorian Transport Association Regional Freight Forum	Portland	Regional Freight Forum including updates from NHVR, DoT and TAC.
17.07.2024	MAV Freight Policy Working Group	Online	Bi-monthly meeting
18.07.2024	Ballarat City: Mayors Guide to Compassionate City's	Online	Mayor's forum, presentation on Compassionate City's model.
18.07.2024	Green Triangle Forestry Industry Hub	Mt Gambier	Quarterly board meeting

	Board Meeting		
18.07.2024	RDA Limestone Coast	Mt Gambier	Meeting with CEO
19.07.2024	Pacific Green	Portland	Meeting with proponents for update on the Portland Green Energy Park
19.07.2024	Casterton Farm Supplies	Casterton	Farmer's Drought Forum
23.07.2024	Ordinary Council Meeting	Portland	Monthly Council meeting
24.07.2024	Global Trends presentation by Simon Kuestenmacher	Portland	Presentation on demographics and global population trends
25.07.2024	Country University Centre	Portland	Scoping meeting
29.07.2024	Welcome new CEO	Portland	First day for new CEO Helen Havercroft
29.07.2024	VFF Drought Forum	Hamilton	Information session by AgVic, RFCS and VFF on impact of Green Drought
30.07.2024	Country University Centre meeting	Online	Committee meeting
30.07.2024	Future Leaders of Industry Tour	Portland	15 young future leaders tour of council chambers to understand the roles and functions of Councillors & Employees
30.07.2024	Councillors meeting with new CEO	Portland	Opportunity to formally catch up with new CEO
30.07.2024	Casterton Business & Development Association meeting	Casterton	Invited to attend quarterly meeting.
01.08.2024	Committee for Portland Board meeting	Portland	Bi-monthly board meeting

01.08.2024	Country University Centre meeting	Portland	Scoping meeting
04.08.2024	Sheepvention	Hamilton	Attend regional event
04.08.2024	Meeting with Minister Gayle Tierney	Hamilton	Meeting with SW Mayors and CEO to discuss opportunities for the region.
7-9.08.2024	Timber Towns Victoria Annual Forum 7-9 August	Warragul	Annual forum of members from across the state, visiting timber related industries of interest in the region and hold AGM.

**Cr CARR**

Date	Meeting/Event	Location	Comments (Optional)
09.07.2024	Councillor briefing session	Portland	
10.07.2024	Portland CUC meeting	Portland	
16.07.2024	Councillor briefing session	Portland	
23.07.2024	Councillor briefing session	Portland	
23.07.2024	Open Council Meeting	Portland	
30.07.2024	Portland CUC building sub-committee catch up	Portland	
01.08.2024	Portland CUC meeting	Portland	
02.08.2024	Rail Freight Alliance	Melbourne	Chaired the meeting in Melbourne – Guest Speaker for the event was Paul Younis – Secretary for the Department of Transport and Planning.



06.08.2024	CUC Building Inspections	Portland	
07.08.2024	Meeting with CEO	Portland	

**Cr MARTIN**

Date	Meeting/Event	Location	Comments (Optional)
08.07.2024	NAIDOC Week flag raising	Heywood	
09.07.2024	Councillor Briefing	Portland	
16.07.2024	Councillor Briefing	Portland	
20.07.2024	Portland Arts Centre 50 <sup>th</sup> Anniversary	Portland	
23.07.2024	Councillor Briefing/OCM	Portland	
30.07.2024	Councillor/CEO catch up	Portland	
02.08.2024	Shop Local Campaign Launch	Portland	
01.08.2024	Meeting with Monitors	Portland	
07.08.2024	Tea and Coffee Listening Post	Narrawong	
07.08.2024	Meeting with facilitator	Online	

**Cr A MCDONALD**

No report provided.

**Cr R MCDONALD**

<b>Date</b>	<b>Meeting/Event</b>	<b>Location</b>	<b>Comments (Optional)</b>
09.07.2024	Councillor Briefing	Portland	
10.07.2024	Battery Storage Briefing by Pacific Green	Portland	
16.07.2024	Councillor Briefing	Portland	
20.07.2024	PAC 50 <sup>th</sup> Anniversary	Portland	A celebration of the opportunities that the Portland Arts Centre and CEMA has provided to our communities over the past 50 years.
23.07.2024	Councillor Briefing	Portland	
24.07.2024	'Global trends shaping local impacts' forum	Portland	A humourously fascinating presentation of the demographic groups which will shape the future of our Shire in terms of leaders and employees.
27.07.2024	Representing GSC at Graeme Anson's 90 <sup>th</sup> Birthday celebration	Portland	An honour to deliver Best Wishes from the Shire to a man who has been a committed community member as a Primary School teacher and performing arts contributor.
30.07.2024	New GSC CEO Briefing	Portland	
04.08.2024	Memorial Service Maureen Watts	Portland	Acknowledgement of an incredible local artist, including work from the Council's Cultural Collection.

**Cr NORTHCOTT**

No report provided.

**Cr WILSON**

No report provided.

**8. NOTICES OF MOTION****8.1. NOTICE OF MOTION 8 2023-2024 - HENTY STREET PUBLIC AMENITIES**

CEO: Helen Havercroft, Chief Executive Officer

In accordance with the Council's Governance Rules, section 26, I give notice of my intention to move the following motion at the Council Meeting to be held on Tuesday 27 August 2024:

- 1. That Council acknowledges the importance of Public Amenities within the CBD of Portland.**
- 2. That a report is provided in relation to whether the Public Amenities opening and closing times in Henty Street meet the needs to the Public and Tourists.**

Signed: Cr Michael Carr  
Date: 15 August 2024

**Attachment List**

1. Notice of Motion [8.1.1 - 1 page]

## **9. MANAGEMENT REPORTS**

### **9.1. DOMESTIC WASTEWATER MANAGEMENT PLAN - YEAR 2 UPDATE**

Director: David Hol, Director Corporate Services

#### **Executive Summary**

This report is provided to Council in accordance with the Domestic Wastewater Management Plan 2022-2027, adopted 26 July 2022.

Action 20 of the adopted plan requires that an annual review of the action plan is undertaken, and progress reported to Council. The year 2 progress report is now provided for Council consideration.

#### **Recommendation**

**That Council receives the Domestic Wastewater Management Plan 2022-2027 - Year 2 progress report.**

#### **Background/Key Information:**

The Domestic Wastewater Management Plan 2022-2027 was prepared and adopted to provide a strategic framework and policy direction for managing domestic wastewater within the Glenelg Shire Council for the five-year period between 2022 and 2027.

The plan provides actions to be undertaken by the Council to further develop wastewater management data within the municipality and introduces relevant risk reduction strategies based on findings.

This report details the progress in accordance with the action plan, year 2, from July 2023 to 30 June 2024.

Highlights of 2023-24 include the implementation of a proactive inspection program in Nelson and the inclusion of Glenelg Shire Council's Environmental Health Unit into the Integrated Water Forum for the Barwon Southwest.

#### **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.

b. Legislative, Legal and Risk Management Considerations

*Environment Protection Regulations 2021* and the sub-ordinate 'Order for Obligations of Managers of Land or Infrastructure (OMLI) requires Councils to develop and implement a *Domestic Wastewater Management Plan* every 5 years.

c. Consultation and/or communication processes implemented or proposed

This report will be published on the Council's website following the Council meeting.

d. Financial Implications and Collaboration

Grant funding for initial implementation of the proactive inspection program (Action 4) was provided in 2023-24 to the value of \$10,000.

This funding was provided to Council via the Department of Environment, Land, Water and Planning (DELWP) *Onsite Domestic Wastewater Management Grants 2022-2024 Program*.

No such funding is available for future implementation of the Plan, and hence a cost of approximately \$10,000 is expected to be incurred in 2024-25. This cost is expected to be reflected annually across the life of the Plan.

e. Governance Principles

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

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

**Attachment List**

1. Year 2 Report Domestic Wastewater Management Plan 2022 2027 [9.1.1 - 8 pages]

## 9.2. EMERGENCY MANAGEMENT 2023-2024

Director: David Hol, Director Corporate Services

### Executive Summary

The purpose of this report is to inform Council of the municipal emergency management incidents and events that occurred during 2023-2024.

### Recommendation

**That Council receives the Emergency Management Update 2023-2024.**

### Background/Key Information:

The 2023-2024 emergency management season commenced with preparedness for the forecasted high bushfire season and hot summer from November 2023 to April 2024.

Before the declared fire danger period commenced Council's Emergency Management staff participated in emergency management, emergency relief centre training, emergency exercises and attended local and regional seasonal briefings.

The Country Fire Authority (CFA) declared the Fire Danger Period (FDP) from 20 November 2023 to 30 April 2024. This period was declared earlier than previous years due to the below average rainfall in spring and leading into the summer months. The CFA ceased the FDP on the 22 April 2024.

A range of diverse incidents for emergency services and Council to respond to arose during the year including:

- **September 2023** - Severe storms lashed Portland resulting in various calls from the community for emergency assistance from VICSES and Council. During this time there was a minor landslide along Dutton Way Road that saw the road closed to one lane for several months. Council staff assisted with removing fallen trees, traffic management for water over road and damage to Council buildings and fencing.
- **December 2023** –Search for missing people. Council staff provided support to emergency services.
- **January 2024** - Heywood township centre saw flash flooding in Edgar Street affecting various businesses. Council staff provided assistance on the ground to emergency services, visited and inspected properties that were inundated with water over floor and provided recovery information to property owners.
- Fire agencies responded to a lightning event which saw multiple fires start across public and private land in the areas of Digby, Drik Drik, Winnap, Hotspur and Milltown burning an area of approximately 103 hectares.
- **March 2024** – Extreme fire rating days and total fire bans were declared in the Shire of which has not been seen for a number of seasons. Council supported emergency services by attending the Incident Control Centre (ICC).

The Department of Energy, Environment and Climate Action ICC at Heywood was activated eight times, which was double the average number seen in the last four years.

The CFA attended one hundred and forty-four incidents of which twenty-five (25) were motor vehicle accidents and three house fires.

Fire Rescue Victoria responded to two hundred and twenty-four (224) incidents of which twenty (20) were grass/scrub fires, thirty-eight (38) structure fires, thirty-six (36) emergency medical response, nineteen (19) non-structure fires, eleven (11) illegal burns and various other emergencies.

Council emergency management staff attended the ICC three times on the required days and supported emergency services.

A number of proactive and preventative initiatives were also undertaken during the year including:

- The Glenelg Shire Municipal Emergency Management Planning Committee (MEMPC) and the Municipal Fire Management Planning Sub Committee met quarterly during 2023-2024 financial year.
- The committees conducted a review of the Community Emergency Risk Assessment, and the Victoria Fire Risk Register and members attended the Portland District Health emergency management exercise.
- During 2023 the MEMPC appointed Neale Emerson as the Community Representative. Neale has extensive knowledge of emergency management and has been a volunteer member of emergency services for many years. Community members can contact Neale through the Emergency Management Unit at Council.
- From the Victoria Southwest Bushfire 2019-20 recovery funding an emergency generator was purchased and installed at the Portland Emergency Relief and Recovery Centre at the Civic Hall. The generator will also provide backup power to the Portland Municipal Offices, Portland Library and Drill Hall.
- Through the Strengthen Local Government and Partnerships Grants - Safer Together, funding for 2024-25, Council has been successful in funding to hold community bushfire preparedness events in Dartmoor, Casterton and Portland.

The emergency management update for 2023-24 is provided for Councillor information.

a. Council Plan and Policy Linkage

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

b. Legislative, Legal and Risk Management Considerations

The legislative provisions for municipal emergency management are outlined in the *Emergency Management Act 1986 and 2013 and the State Emergency Management Plan*.

c. Consultation and/or communication processes implemented or proposed

The report is for information only.

d. Financial Implications and Collaboration

There are financial obligations for Council to undertake emergency management planning, preparedness, response, relief and recovery in accordance with the above-mentioned legislation.

Council's Emergency Management Unit has a budget of \$215,000 for the 2024 - 25 financial year of which \$120,000 is funded by the State Government leaving a residual balance of \$95,000.

The State Government has committed to ongoing funding of \$480,000 for a further four years (2024-2028).

e. Governance Principles

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

**Attachment List**

Nil



### 9.3. LEASE AGREEMENT BETWEEN GLENELG SHIRE COUNCIL AND PORTLAND RSL SUB BRANCH INCORPORATED

Director: David Hol, Director Corporate Services

#### Executive Summary

The purpose of this report is to update Council on the lease negotiations with the Portland RSL Sub Branch Incorporated for the building located at 21 Percy Street, Portland (Lot 1 TP966104) and recommends an approach to propose a longer term lease subject to a period of community consultation.

#### Recommendation

##### **That Council:**

- 1. In accordance with Governance Rule 41, rescinds motions 1-3 from the meeting dated the 27 September 2022 to lease the premises at 21 Percy St Portland to the Portland RSL Sub Branch for \$1.00pa for a period of 9 years.**
- 2. Proposes to enter into a new lease with the Portland RSL Sub Branch for the premises at 21 Percy St Portland for a period of ten (10) years with two (2) x five (5) year extensions with a rental figure of \$1.00pa.**
- 3. Undertakes a community engagement process in accordance with Council's community engagement policy regarding this proposed lease as required under Section 115 of the *Local Government Act 2020* as the period of the proposed lease would exceed 10 years.**

#### Background/Key Information:

A trust deed was originally sealed by Council in November 1926 relating to this property following the end of the first World War. The trust deed permits the Portland RSL to have the use, occupation and enjoyment of the land and buildings at 21 Percy St Portland being used as Clubrooms for returned service personnel.

The original trust deed required the RSL to maintain the facility, including operational and maintenance costs whilst the Council held the property title, and as such the building would transfer to Council ownership once the membership of those who served in the First World War reduced to less than 5. The property however was not considered a Council owned asset.

This unusual arrangement has caused confusion over many years with Council undertaking maintenance and capital improvements in the past contrary to the original trust deed. An example being a kitchen upgrade in 2020 provided for by Council funds.

Further capital works were proposed in 2022 at Council expense and once again called into question the need to clarify ownership. The legal advice obtained deemed the premises to now be in Council ownership and that a more appropriate tenancy instrument should be considered.

Subsequently a lease arrangement was negotiated with the Sub Branch consistent with similar community use facilities which outlined the maintenance as a Council responsibility. A 9-year lease at a peppercorn rate of \$1 per annum was agreed to by the Sub Branch Secretary and a report prepared for Council consideration in September 2022. Council approved the initial nine (9) year lease at the September 2022 Council meeting and staff provided the Sub Branch with a lease for signing.

A change in position occurred at the Sub Branch who were now no longer agreeable to the terms of the proposed lease and would not sign the lease provided. Discussions then occurred with multiple representatives of the Sub Branch over the next 18 months who wished to secure a longer tenure (up to 50 years) for the building located at 21 Percy St Portland.

During this time further works were undertaken to the verandah area at a cost of approximately \$50k which was funded by Council.

Whilst the original position of Council was to not entertain a longer lease, for the purposes of resolving this matter it is now proposed to offer the Portland RSL Sub Branch a ten (10) year lease with two (2) x five (5) year extensions. A peppercorn rental amount is again proposed regarding the usage of the building.

As the overall lease term exceeds 10 years the *Local Government Act 2020* requires the proposal to be released for community consultation. As such a community consultation process will be undertaken involving print, social media and Your Say Glenelg outlining the proposal and seeking community feedback on this proposal.

As it is not appropriate to undertake a community consultation process during the election period, this process would be scheduled to occur following the upcoming Local Government election. Any feedback received would then be considered at a Council meeting at a later date with a decision whether to proceed with the proposal.

This report recommends that Council now rescind the original recommendations from September 2022 to offer a 9-year lease and that a new lease be proposed for 10 years with two five-year extensions. The Sub Branch has advised that it would accept this proposal. The proposal is subject to community consultation and as such a process would commence following the election period and any feedback provided to Council for a final decision.



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 115 of the *Local Government Act 2020* restricts Council's power to lease land in specific circumstances. The proposed lease process as outlined 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 the Tenant relating to the proposed lease has been ongoing.

d. Financial Implications and Collaboration

The financial obligations of the lease will be included within budget provisions. There is likely to be increased financial obligations of Council to maintain the asset.

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**

1. RSL Letter regarding Lease length on Building Redacted [9.3.1 - 1 page]

#### 9.4. LEASE AGREEMENT BETWEEN GLENELG SHIRE COUNCIL AND DONALD ALAN FIRTH

Director: David Hol, Director Corporate Services

##### Executive Summary

This report is to seek Council's approval to enter into a new lease with D A Firth for the land at 270 Bowds Lane, Dartmoor, Victoria, 3304 (28.1442 ha) / CA 26A

##### Recommendation

##### **That Council:**

- 1. Approves a new three (3) year lease with Donald Alan Firth for the land at 270 Bowds Lane, Dartmoor, Victoria, 3304 (28.1442 ha) / CA 26A.**
- 2. Sets the rental figure at \$6,000.00 (incl. GST) per annum, with rent to be adjusted annually in accordance with the March quarter All Groups CPI figure for Melbourne.**
- 3. Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed lease in part one (1) of this resolution.**

##### Background/Key Information:

Donald Firth has been leasing the land at 270 Bowds Lane, Dartmoor since 1 October 2002 for the purposes of grazing.

This parcel of land, known as 270 Bowds Lane / CA 26A, is situated in Dartmoor (see map below). The current lease commenced on 1 October 2021 and expires on 30 September 2024. As this lease has no further options, a new lease is required.

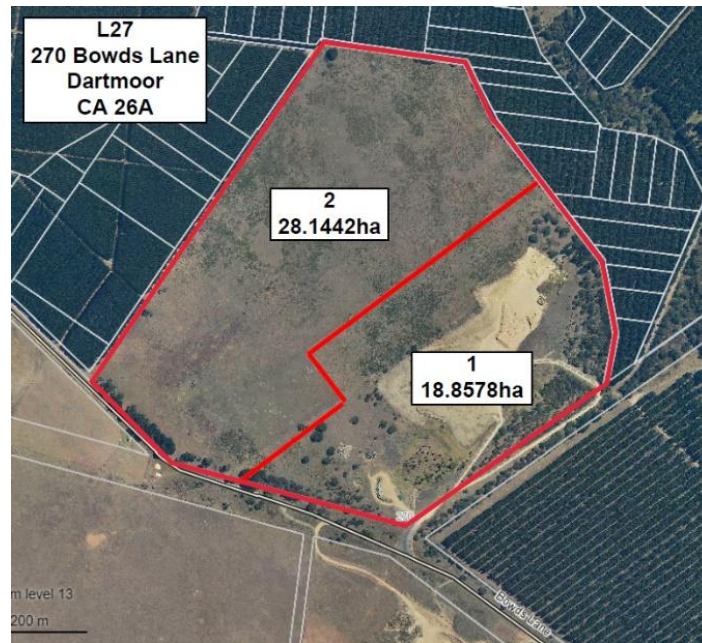
The previous lease term included a rental reduction with a condition that fence installation and repairs be undertaken at the tenant's expense. These repairs and installations have been completed.

The tenant currently pays \$4,119.38 (inc GST) per annum.

Donald Firth is seeking to continue using the land for grazing purposes. It is proposed at the commencement of the new lease that the rent figure be set at \$6,000.00 per annum (incl. GST) with annual CPI adjustments.

An independent rental valuation conducted in June 2024 suggested a higher rental could be achieved.

A rent reduction has been included in this price with the inclusion of a clause stating that the tenant is responsible for the ongoing maintenance and repairs of the fencing.



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 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 the Tenant relating to the new lease has occurred.

d. Financial Implications and Collaboration

The income received from the lease is included within the current budget Provisions.

e. Governance Principles

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

**Attachment List**

Nil

### 9.5. NOVEMBER 2024 STATUTORY COUNCIL MEETING PROPOSED DATE CHANGE

Director: David Hol, Director Corporate Services

#### Executive Summary

This report seeks Council resolution to amend the date of the Statutory Council meeting for 2024 due to the timing of the declaration from the Local Government Election.

#### Recommendation

**That Council:**

- 1. Reschedules the 2024 Statutory Council Meeting to Wednesday 20 November 2024; and**
- 2. Undertakes a public notification process on the change of date for the 2024 Statutory Council meeting.**

#### Background/Key Information:

Council adopted the Council Meeting dates for the Mayoral year at the Statutory Council meeting held on 8 November 2023. These dates are then communicated to the public in the newspaper and via the website.

The date currently set for the 2024 Statutory Council meeting is Wednesday 6 November 2024 and was scheduled to follow the declaration of the Local Government Election to be held on the 26 October 2024.

There have since been a number of changes to timelines regarding the Election process as outlined in the *Local Government Amendment (Governance and Integrity) Act 2024*. In addition, the Victorian Election Commission (VEC) has recently advised that the planned declaration on the outcome of the election will now not occur until Friday 8 November.

It is also noted that in accordance with Section 26 of the *Local Government Act 2020*, the Mayor is to be elected no later than one month after the date of a general election.

It is proposed that Council by resolution reschedule the 2024 Statutory Council meeting to Wednesday 20 November 2024 to allow for the necessary induction training, onboarding and the taking of the oath/affirmation of Councillors prior to conducting the Statutory meeting.

It is anticipated that the first scheduled meeting of the new Council will then be Tuesday 26 November subject to Council approval at the Statutory meeting.

Changes to the date of the Statutory meeting does require a public notification process, and this will be undertaken following the election 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 26 of the *Local Government Act 2020* outlines that the Mayor is to be elected no later than one month after the date of a general election.

The requirements for the Notice of Meetings are provided within Section 8 of the adopted Glenelg Shire Council Governance Rules.

c. Consultation and/or communication processes implemented or proposed

Council Meeting dates for the Mayoral year are considered at the Statutory Council Meeting held in November of each year. The community will be notified of this change in date through a public notice process.

d. Financial Implications and Collaboration

Council Meetings including advertising and Livestreaming are included within the Glenelg Shire Council operational budget each year.

e. Governance Principles

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

**Attachment List**

Nil

## 9.6. HEYWOOD RECREATION RESERVE MASTER PLAN 2024

Director: Jane Ruge, Acting Director Community Services

### Executive Summary

A Master Plan for the Heywood Recreation Reserve was completed in 2024, to provide a future vision and specific direction for the Reserve. The intent is for the document to be a planning tool for Council, which will be publicly available to the community for reference. The Master Plan contains findings drawn from information provided by a range of sources along with consultation of over 10 Licensed Users and Community Groups. Flood mitigation and traffic management are priority actions within this document.

This Master Plan has a lifespan of 10 –15 years, with a total investment of approximately \$908,000 (excluding contingencies). Actions from this Master Plan will be reviewed and scheduled between the Community and Infrastructure monthly Project Planning meetings, with these actions being considered amongst other Shire wide plans and deliverables within the annual budget cycle.

The Master Plan has been presented to and reviewed by Community and Infrastructures monthly Project Planning Group.

Community consultation on the Master Plan will be conducted at the conclusion of the 2024 election period, with feedback from August 2024 Council Briefing to be considered as part of the Master Plan endorsement by Council.

### Recommendation

**That Council:**

- 1. Receives the draft Heywood Recreation Reserve Master Plan.**
- 2. Endorses community consultation on the draft Heywood Recreation Reserve Master Plan, to commence after the 2024 Election Period.**

### Background/Key Information:

Parks and Recreation Consulting have completed a suite of Recreation and Leisure planning works in the Glenelg Shire and were engaged for this work in the interest of consistency.

The objectives of the Heywood Recreation Reserve Master Plan are:

- To examine how the Heywood Recreation Reserve can contribute to the health and wellbeing of the Glenelg community.
- To investigate the needs of stakeholder groups and individuals engaged in activities at Heywood Recreation Reserve.
- To serve as a reference as to the suitability and priority of any proposed projects at Heywood Recreation Reserve.



- To support the application process for grant funding for facility improvements at Heywood Recreation Reserve.
- To identify aspirational outcomes and actions for the Heywood Recreation Reserve site for the foreseeable future.

The next step is to present to the August Council Meeting for endorsement. Public consultation will occur post the election period 2024.

a. Council Plan and Policy Linkage

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 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

Community consultation on the Master Plan will be conducted at the conclusion of the 2024 election period.

d. Financial Implications and Collaboration

This Master Plan has a lifespan of 10 –15 years, with a total investment of approximately \$908,000 (excluding contingencies).

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.

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. Heywood Recreation Reserve Master Plan\_ [9.6.1 - 11 pages]

**9.7. COMMUNITY GRANTS ROUND 1 2024-2025 PROGRAM ALLOCATIONS**

Director: Jane Ruge, Acting Director Community Services

**Executive Summary**

The first round of the 2024-2025 Community Grants Program was open for a 2-week period from Wednesday 24 July 2024 to Wednesday 7 August 2024. 49 applications were received for the round totaling \$113,268.69 worth of requests, with an overall funding allocation of \$83,072.71 for this round.

This report provides the recommendations made by the Assessment Officers for endorsement by Council with applications evaluated according to Policy criteria adopted by Council.

**Recommendation****That Council:**

- Approves the allocation of funds for the Community Grants Program Round 1 2024-2025, as outlined below;**

<b>Arts Culture &amp; Heritage</b>	<b>Total Allocation Amount</b>
Pioneer Wagon Shed Museum Heywood	\$990.00
Portland CEMA Inc	\$825.00
<b>Community Events</b>	
Sandford Festival Committee Inc	\$5,000.00
Southwest Environment Alliance	\$5,000.00
Portland Runners Club	\$5,000.00
Portland Bay Classic Vehicles	\$5,000.00
Portland Dog Obedience Club Inc	\$2,000.00
Casterton RSL Sub-Branch Inc	\$930.00
Portland Classic Auto Club Inc	\$3,000.00
Hotspur Management Committee Inc	\$945.00
Casterton P&A	\$5,000.00
<b>Recreation</b>	
Portland Lawn Tennis Club	\$2,242.50
Casterton Bowling Club	\$1,000.00
Portland and Far South West Poultry Club Inc	\$993.25
Heywood Football Netball Club Inc	\$947.96
Portland Tigers	\$2,500.00
Narrawong District Association Inc	\$5,000.00
Portland BMX Club	\$4,157.00
Portland Pony Club	\$1,000.00
Casterton Sandford Football Netball Club	\$5,000.00
Portland Squash and Racquetball Club	\$999.00

Portland Heywood Field and Game	\$900.00
Heywood and District Pony Club Inc	\$3,025.00
<b>Public Halls</b>	
Dartmoor Bowling Club Inc	\$1,195.00
Bahgallah Memorial Hall Committee Inc	\$1,475.00
<b>Community Strengthening</b>	
Dartmoor Football Netball Club	\$5,000.00
Southern 500 Speedway Portland	\$715.00
Portland RSL Sub-Branch	\$959.00
Portland Scout Group	\$649.00
Rotary Club of Portland Bay Inc	\$950.00
Portland Community Garden Inc	\$3,500.00
FUNKY Hearts Inc	\$4,650.00
<b>In-Kind Council Venue Hire</b>	
Tri State Games (Community Events)	\$1,725.00
Portland and District Kennel Club Inc (Community Events)	\$800.00

**2. Notifies in writing all Round 1 2024-2025 successful and unsuccessful applicants.**

*Background/Key Information:*

The Glenelg Shire Council allocated \$162,000 in the 2024-2025 budget for the purpose of the Community Grants Program.

This program is offered to the community in two rounds, (July and February) with half the total budget (\$81,000) notionally available for distribution in each round across the 5 categories.

These recommendations have been determined in line with the Community Funding and Support Policy and the Community Grant Guidelines.

GRANT CATEGORY	NUMBER OF APPLICATIONS RECOMMENDED IN ROUND ONE	TOTAL ALLOCATION VALUE
Arts, Culture & Heritage	2	\$1,815.00
Community Events	9	\$31,875.00
Recreation	12	\$27,764.71
Public Halls	2	\$2,670.00
Community Strengthening	7	\$16,425.00
In-kind Council Venue Hire	2	\$2,525.00
<b>CASH ALLOCATION</b>		<b>\$80,547.71</b>
<b>IN-KIND ALLOCATION</b>		<b>\$2,525.00</b>
<b>TOTAL ROUND ALLOCATION</b>		<b>\$83,072.71</b>

All applications and the recommended allocations per category are outlined within the attached report.

A green, orange and red colour code system has been used to categorise the recommended outcome of the allocations:

- Green – Recommended.
- Orange – Not recommended at this time, due to the round being heavily oversubscribed, and or having been assessed in having limited alignment to the objectives of the Community Grants Program.
- Red – Ineligible or not recommended due to poorly aligning with the Council plans and strategies or other funding conditions within the Community Funding and Support Policy and/or Community Grant Guidelines.

a. Council Plan and Policy Linkage

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

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

b. Legislative, Legal and Risk Management Considerations

There are no specific legislative or legal considerations associated with the Community Grants Program.

c. Consultation and/or communication processes implemented or proposed

The Community Engagement Policy adopted by Council defines appropriate levels of communication and engagement applicable to councillors, staff, and contractors.

d. Financial Implications and Collaboration

The Community Grants Program is a recurrent item in the annual budget. Council has allocated \$162,000.00 in the 2024-2025 budget for the purpose of the Community Grants Program.

e. Governance Principles

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

**Attachment List**

1. Round 1 2024 2025 Community Grants Applications and Assessment [9.7.1 - 17 pages]

### 9.8. ARTS & CULTURE ACTION PLAN 2024 / 2025

Director: Jane Ruge, Acting Director Community Services

#### Executive Summary

The Arts & Culture Action Plan Progress Report 2023-2024 and the Arts & Culture Action Plan 2024-2025 are attached for adoption.

These documents articulate the ongoing implementation of the Arts & Culture Strategy 2022-2026 (*the Strategy*), a priority project in the Council Plan 2021-2025. Once adopted, they will be available on the Glenelg Shire Council website.

#### Recommendation

**That Council:**

- 1. Adopts the Arts & Culture Action Plan 2024-2025.**
- 2. Adopts the Arts & Culture Action Plan Progress Report 2023-2024.**

#### Background/Key Information:

The Council Plan 2021-2025 identifies the implementation of the Arts & Culture Strategy 2022-2026 as a priority project encompassing three of the six Glenelg Shire 2040 Our Future Together: Community Plan & Vision themes – Our Health and Wellbeing; Our Lifestyle, Neighbourhood and Culture; and Your Voice and Our Shared Action.

Implementation of the Arts & Culture Strategy 2022-2026 is progressed via a series of transparent 12-month action plans aligned with Council financial year budgets and end of plan progressing reporting.

The Arts & Culture strategy details six areas of focus which inform the strategic outcomes in the annual action plans.

**Focus Area 1:** Increase recognition of First People's cultural heritage.

**Focus Area 2:** Nurture our young creatives through cultural opportunities.

**Focus Area 3:** Develop the unique culture, heritage, and stories.

**Focus Area 4:** Cultivate activation in our creative spaces.

**Focus Area 5:** Support and develop our creatives to thrive.

**Focus Area 6:** Connect the community and inspire ideas.

The Arts & Culture Action Plan Progress Report 2023-2024 report details outcomes achieved against the identified goals of the adopted 2023-2024 Action Plan. Noteworthy outcomes include:

- Securing funding to co-curate a First Nations Gallery in the Maritime Museum, in partnership with Gunditj Mirring.
- Improving operational outcomes by adding the Venue & Production Technician role to the team.
- Realigning the Libraries and Arts and Culture work units to leverage existing resources and audiences.
- Increasing community participation from focus areas identified in the strategy.
- A significant redesign of the Portland Arts Centre's printed program.
- Substantial progress in digitising the Cultural Collection.
- Infrastructure improvements including re-roofing the Portland Arts Centre and installation of a new museum standard climate control art storage facility.

The Arts & Culture Action Plan 2024-2025 outlines the implementation of the Strategy in the current financial year. The Plan communicates a shared direction for Council and community, identifies strategic goals and their confirmed measures for the year.

The Plan will build on our previous outcomes, staying focused on the same strategic goals, and continuing to grow the relationships, audiences, and assets that have been established. Noteworthy measures include:

- Development of a Portland Maritime Museum website.
- Celebrations for the 50<sup>th</sup> anniversary of the Portland Arts Centre.
- A youth arts project as part of the Upwelling Festival.
- Establishment of an asset maintenance and renewal plan.
- Further development activities to support local creatives and the wider sector.

a. Council Plan and Policy Linkage

Our Health and Wellbeing – Creating a thriving creative sector that supports healthy, connected, livable and prosperous communities.

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



b. Legislative, Legal and Risk Management Considerations

N/A

c. Consultation and/or communication processes implemented or proposed

This Action Plan has been prepared to activate the Arts & Culture Strategy (2022-2026) which was developed in line with the Glenelg Shire Council Community Engagement Policy.

d. Financial Implications and Collaboration

Financial implications are considered in annual budgets with existing staffing levels.

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.

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

Innovation and continuous improvement is to be pursued.

**Attachment List**

1. Arts and Culture Action Plan Progress report 2023-2024 [9.8.1 - 14 pages]
2. Arts and Culture Action Plan 2024-2025 [9.8.2 - 14 pages]

9.9. COUNCIL POLICY - CEO EMPLOYMENT AND RENUMERATION POLICY

Director: Shelley Bourke, Executive Manager People and Culture

Executive Summary

The CEO Employment and Remuneration Policy has been subject to a review process and the revised document is now presented for Councillor consideration and adoption.

Recommendation

- 1. That Council adopts the revised CEO Employment and Remuneration Policy CPO-CEO-OD-001.**
- 2. That the CEO Employment and Remuneration Policy CPO-CEO-OD-001 be effective from the 28 August 2024.**

Background/Key Information:

The *Local Government Act 2020* introduced the obligations for councils to develop and keep in force a Chief Executive Officer Employment and Remuneration Policy. Subsequently the initial policy was considered and adopted by Council on 14 December 2021.

The employment cycle of a CEO is a core responsibility of the elected Council. The policy outlines the mechanisms which will support the Council in fulfilling its obligations regarding CEO employment and remuneration.

On the 8 April, the Glenelg Shire Council received correspondence from the Minister for Local Government relating to the nine recommendations from the Municipal Monitor report. The action plan adopted by Council on the 28 May 2024, in response to the Minister's correspondence, included an obligation to review the CEO employment and Remuneration Policy.

The CEO Employment and Remuneration Policy has now been reviewed and refined in accordance with recommendation number 9 from this action plan.

The key revisions, in accordance with the recommendations, include:

- Establishment of a formal standing advisory committee to Council.
- Appointment of an independent member to the committee to provide professional advice.
- Implementation of an annual, transparent cycle of performance and objectives setting, with regular opportunities for pulse checks and feedback. These reviews will occur at a minimum of every 6 months, and a maximum of four times per annum.

- Inclusion of a process for the CEO to provide feedback on Council performance.

The revised policy is now presented for Councillor consideration.

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

The requirements to develop, adopt and keep in force a Chief Executive Officer Employment and remuneration Policy is outlined under S45 of the *Local Government Act 2020*.

c. Consultation and/or communication processes implemented or proposed

Review of the document has been undertaken in consultation with external providers, the Municipal monitor and the Executive Team

d. Financial Implications and Collaboration

The costs associated with the recruitment and remuneration of the CEO is contained within the annual operating budget.

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**

1. CEO Employment and Remuneration Policy [9.9.1 - 8 pages]

**10. URGENT BUSINESS**

Nil.

**11. QUESTION TIME****11.1. QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING**

Nil.

**11.2. QUESTIONS FROM MEMBERS OF THE COMMUNITY****12. CONFIDENTIAL REPORTS****Recommendation**

That the Council Meeting be closed to members of the public pursuant to Section 66 of the *Local Government Act 2020*, to consider the following reports:

**12.1 Contract 2023-24-35 Portland Gymnastics Facility Upgrade**

**12.2 Contract 2021-22-01 Provision of Trade Services to the Glenelg Shire Council**

**12.3 Contract 2024-25-14 Provision of Electric Line Clearance Services**

**13. RESUMPTION OF PUBLIC MEETING**

Following the consideration of confidential items, the Council Meeting was re-opened to members of the public.

**14. CLOSURE OF COUNCIL MEETING**