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**Glenelg Shire Council**  
**Minutes of the Council Meeting held on**  
**Tuesday 25 January 2022 at 7:00 pm via**  
**Microsoft Teams Meeting online**

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**1. PRESENT**

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

Also in attendance were the Chief Executive Officer (Mr Greg Burgoyne), Director Corporate Services (Mr David Hol), Director Community Services (Mr Paul Phelan), Acting Director Assets (Mr Chris Saunders), Chief Information Officer - Glenelg Futures (Ms Ann Kirkham), and Executive Assistant CEO Department (Ms Paige Kliese).

**2. OPENING PRAYER**

The Mayor opened the meeting with the Council Prayer.

**3. ACKNOWLEDGEMENT TO COUNTRY**

The Mayor read the Acknowledgement to Country.

**4. RECORDING OF MEETINGS**

The Chief Executive Officer will enable a recording of the meeting conducted and the recording of that meeting may be made available to the public.

**5. RECEIPT OF APOLOGIES**

Nil.

**6. QUESTION TIME****6.1. QUESTIONS FROM THE GALLERY**

Nil.

**6.2. QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING**

Nil.

**7. DECLARATIONS OF CONFLICT OF INTEREST**

Nil.

**8. CONFIRMATION OF MINUTES****Recommendation**

That the minutes of the Council Meeting held on Tuesday 14 December 2021, as circulated, be confirmed.

**MOTION**

**MOVED Cr Hawker**

**That the minutes of the Council Meeting held on Tuesday 14 December 2021, as circulated, be confirmed.**

**SECONDED Cr Stephens**

**CARRIED**

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

**AGAINST:** Nil

**9. PRESENTATIONS**

Nil.

**10. DEPUTATIONS**

Nil.

**11. NOTICES OF MOTION**

Nil.

**12. PETITIONS**

Nil.

**13. COMMITTEE REPORTS****13.1. AUDIT AND RISK COMMITTEE MINUTES 9 DECEMBER 2021**

Director: David Hol, Director Corporate Services

**Executive Summary**

The purpose of this report is to enable Council to receive the Minutes of the Audit and Risk Committee Meeting held on 9 December 2021.

**Recommendation**

That Council receives the minutes of the Audit and Risk Committee Meeting held on 9 December 2021.

**MOTION****MOVED Cr Stephens**

**That Council receives the minutes of the Audit and Risk Committee Meeting held on 9 December 2021.**

**SECONDED Cr Carr****CARRIED**

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

**AGAINST:** Nil

**Background/Key Information:**

The role of the Audit and Risk Committee is to monitor, review and advise Council on matters of accountability and internal control affecting the operations of the Council. The Audit and Risk Committee also exists to assist the Council in discharging its responsibilities for monitoring financial management and reporting, maintaining a reliable system of internal controls, compliance with the *Local Government Act 2020* and fostering the Organisation's ethical environment.

Section 54(5)(b) of the *Local Government Act 2020* and the Audit and Risk Committee Charter requires that the Committee's minutes be presented to Council to ensure that an effective communication mechanism between the Committee and Council occurs and to ensure that the Council is fully informed on the Committee's activities.

The Audit and Risk Committee Meeting held on 9 December 2021 considered the following items:

Item No.	Management Reports (Title)
1.	Election of Audit and Risk Committee Chairperson
2.	Final Management Letter 30 June 2021
3.	Glenelg Shire Council Plan 2017-2021 Quarter Four Performance Report
4.	Glenelg Shire Council Annual Report 2020/2021
5.	Glenelg Shire Council Financial Plan 2021-2031
6.	VicRoads Information Protection Agreement Audit 2020/2021
7.	Roads to Recovery Program 30 June 2021
8.	Review of Investment Policy and Compliance
9.	Review key policies – Receive a Review Report on Gifts, Benefits and Hospitality (Councillors) and (Employees)
10.	Audit and Risk Committee Meeting Schedule for 2022
11.	Annual update on Defined Benefits Superannuation vested benefit position
12.	Regulatory and Integrity Agency Reports – Local Government Inspectorate Personal Interest Returns – Encouraging disclosure and increasing transparency
Item No.	Regular Reports (Title)
1.	Financial Report as at 31 October 2021
2.	Audit and Risk Register Review
3.	Cyber Security Incident Report
4.	WEX Motorpass Fuel Card Audit First Quarter 2021/2022
5.	OHS and Risk Management Quarterly Report 1 July 2021 to 30 September 2021
6.	Workcover OHS & Risk Quarterly Report 1 July 2021 to 30 September 2021
7.	Local Government Act 2020 Update
8.	CEO & EA Expenditure – Credit Card and Reimbursements
9.	Councillors Quarterly Expenditure Report
10.	Audit and Risk Committee Annual Work Plan Year Ending 30 June 2022
Item No.	Confidential Reports (Title)
1.	Council Litigation Matters
Item No.	Other Business (Title)
1.	(Verbal update) Attestation Report

a. Council Plan and Policy Linkage

Leading Glenelg - Create shared visions within the Community, ensuring agreed outcomes.

Audit and Risk Committee Charter 2021 - 2023.

b. Legislative, Legal and Risk Management Considerations

Under section 53 of the “Act” Council is required to establish an Audit and Risk Committee and operate this committee under specific guidelines.

The Audit and Risk Committee’s role also links to and supports a range of Glenelg Shire policies, procedures and guidelines including the Fraud Prevention Policy; Investment Policy; Procurement Policy; Councillor Code of Conduct and Staff Code of Conduct.

A key element of the internal audit function is to assist with the mitigation of risk.

c. Consultation and/or communication processes implemented or proposed

The minutes of each meeting are provided to the Chairperson of the Audit and Risk Committee to review, prior to being presented to the Executive Team, before Council endorsement. The minutes are also provided to Audit and Risk Committee members for endorsement at the next available meeting.

d. Financial Implications and Collaboration

The 2021-2022 Council budget contains a provision to support the Audit and Risk Committee and to undertake an internal audit program during the financial year. Management and staff time to support the Committee and internal audit projects is an indirect cost.

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.

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

Collaboration with other Councils (section 109 *Local Government 2020*) and Governments and statutory bodies is to be sought along with Financial and Resource Implications and Opportunities.

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.

Innovation and continuous improvement is to be pursued.

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

## **Attachment List**

1. Public Audit and Risk Committee Minutes 9 December 2021 [**13.1.1** - 73 pages]

## **14. MANAGEMENT REPORTS**

### **14.1. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER**

Director: Greg Burgoyne, 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 Martin**

**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*, with amendment to Councillor Martin's leave dates.**

### **SECONDED Cr Wilson**

### **CARRIED**

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

**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 yearsand 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. COUNCILLORS QUARTERLY EXPENDITURE REPORT

Director: Greg Burgoyne, Chief Executive Officer

### Executive Summary

This Quarterly Expenditure Report is presented to the Council Meeting on a quarterly basis in the interests of accountability and transparency.

This report is for Councillor expenditure that has been incurred during the period 1 October 2021 to 31 December 2021.

### Recommendation

That Council receives the Councillors quarterly expenditure report for the period 1 October 2021 to 31 December 2021.

### MOTION

**MOVED Cr Hawker**

**That Council receives the Councillors quarterly expenditure report for the period 1 October 2021 to 31 December 2021.**

**SECONDED Cr Smith**

**CARRIED**

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

**AGAINST:** Nil

### Background/Key Information:

In accordance with Section 40 of the *Local Government Act 2020*:

- (1) A Council must reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses which the Council is satisfied-
  - (a) Are bona fide expenses; and
  - (b) Have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
  - (c) Are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

Regulation 14 (db) of the *Local Government (Planning and Reporting) Regulations 2014* requires that expenses, including reimbursements of expenses for each Councillor and member of a Council Committee paid by the Council are to be categorised separately as:

- Travel expenses (Includes remote allowance) – TR;
- Car mileage expenses – CM;
- Childcare expenses – CC;
- Information and communication technology – IC; and
- Conference and training expenses – CT.

Under Section 41(2)(d) of the *Local Government Act 2020*, Council must have particular regard to expenses incurred by a Councillor who is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*. This is a new requirement under the *Local Government Act 2020*, therefore is not addressed in *Regulation 14 (db) of the Local Government (Planning and Reporting) Regulations 2014*.

Documentation is required to provide evidence of the expense specifying the business purpose for each claim.

Councillors are also required to maintain a logbook with each entry providing a clear description of the business purpose.

Following is a table of expenditure that has been incurred by Councillors during the period 1 October 2021 to 31 December 2021.

*Note: In some instances, journaling of some items may not necessarily appear in the month that they were expended and will appear in the next quarterly report.*

Councillor	TR	CM	CC	IC	CT	Carer	Grand Total
Carr				\$ 421			\$ 421
Hawker				\$ 811			\$ 811
Martin				\$ 666			\$ 666
Rank				\$ 709	\$ 350		\$ 1,059
Smith				\$ 432			\$ 432
Stephens	\$ 2,122			\$ 1,083			\$ 3,205
Wilson				\$ 677			\$ 677
Grand Total	\$ 2,122			\$ 4,799	\$ 350		\$ 7,271

In accordance with Section 39 of the *Local Government Act 2020*, Councillors are entitled to receive an allowance whilst performing their duty as a Councillor. The Mayor or a Deputy Mayor are also entitled to receive a higher allowance with the Mayor being provided full use of a vehicle.

Following is a table of Councillor allowances paid for the period 1 October 2021 to 31 December 2021:

Councillor	Amount
Carr	\$ 7,217
Hawker	\$ 7,217
Martin	\$ 7,217
Rank	\$ 22,331
Smith	\$ 7,217
Stephens	\$ 7,217
Wilson	\$ 7,217
Grand Total	\$ 65,635

a. Council Plan and Policy Linkage

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b. Legislative, Legal and Risk Management Considerations

- *Local Government Act 2020* – Section 39 Allowances for Mayors, Deputy Mayors and Councillors.
- *Local Government Act 2020* – Section 40 Reimbursement of Expenses of Councillors and members of a delegated committee.
- Regulation 14 (db) of the *Local Government (Planning and Reporting Regulations 2014)*.
- *Carers Recognition Act 2012*.

c. Consultation and/or communication processes implemented or proposed

Councillor Expenditure is reported on a quarterly basis to the Council Meeting and Audit and Risk Committee and the quarterly expenditure is accessible via Council's website.

Councillor Expenditure is also reported annually in Council's Annual Report.

d. Financial Implications and Collaboration

Councillor Allowances and Councillor Expenditure are accounted for in the 2021-2022 Annual Council 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.

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

**Attachment List**

Nil

14.3. GLENELG SHIRE COUNCIL FINANCIAL REPORT DECEMBER 2021

Director: David Hol, Director Corporate Services

Executive Summary

The Financial Report is a key document in assuring responsible and responsive governance and decision making. This high-level report is provided to give Council the ability to monitor Glenelg Shire's financial performance.

Recommendation

That Council receives the Financial report for the period ending December 2021.

**MOTION**

**MOVED Cr Stephens**

**That Council receives the Financial report for the period ending December 2021.**

**SECONDED Cr Smith**

**CARRIED**

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

**AGAINST:** Nil

Background/Key Information:

The 2021/2022 Annual Budget was adopted by Council on 22 June 2021.

This report provides information on the current status of Council's financial position and performance and includes:

- Comprehensive Income Statement;
- Balance Sheet;
- Statement of Cash Flows; and
- Statement of Capital Works.

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

This report is prepared monthly and is in addition to the requirements set out in the Local Government Act 2020 Division 2, Section 97 where Council is required to prepare a quarterly budget report to be submitted to Council.

In addition, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required. A statement is noted in the attachment.

Also, in accordance with Division 4, Section 101 Council is required to consider the following Financial Management Principles:

- (a) Revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans;
- (b) Financial risks must be monitored and managed prudently having regard to economic circumstances.

c. Consultation and/or communication processes implemented or proposed

The finance report is prepared monthly for Council and submitted to the Audit and Risk Committee quarterly.

d. Financial Implications and Collaboration

The resourcing of the preparation of the financial report and year-end audit of the financial statements is provided for in the adopted budget.

The financial report is a key document that is required to monitor Council's budget and financial result.

The information in this report contributes to various strategic planning documents under Council's strategic planning framework, including the Annual Budget, Financial Plan and Revenue and Rating Plan.

e. Governance Principles

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

**Attachment List**

1. Financial Statements 2021 2022 to 31 December 2021 [**14.3.1** - 8 pages]

#### 14.4. DIFFERENTIAL RATING PROPOSAL

Director: David Hol, Director Corporate Services

##### Executive Summary

In June 2021, Council adopted the Rating and Revenue Strategy and in doing so resolved to investigate options for transitioning into a differential rating structure within year 1 of the plan.

This report recommends that Council release for community consultation the Differential Rating Discussion Paper to enable Council to consider the views of the community when setting a Differential Rate for 2022/23 and beyond.

The feedback from the community will be considered as Council prepares the budget prior to its adoption in June 2022.

##### Recommendation

That Council:

1. Adopts the draft Differential Rating Discussion Paper.
2. Releases the Differential Rating Discussion paper for the community engagement process in accordance with Council's Engagement Policy for a period of 4 weeks commencing 31 January 2022.
3. Schedules three Public Information sessions for residents to discuss their feedback with Councillors.

##### MOTION

**MOVED Cr Stephens**

That Council:

1. **Adopts the draft Differential Rating Discussion Paper as amended.**
2. **Releases the Differential Rating Discussion paper for the community engagement process in accordance with Council's Engagement Policy for a period of 4 weeks commencing 31 January 2022.**
3. **Schedules three Public Information sessions.**

**SECONDED Cr Wilson**

**CARRIED**

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

**AGAINST:** Nil

Background/Key Information:

A discussion paper has been produced in response to the Council resolution in June 2021 regarding a proposed transition to a differential rating structure.

The discussion paper provides further explanation of the rating process and the current rating structure. The paper considers and compares the current Glenelg Shire Council rating structure against a number of other municipalities and proposes a number of changes including.

- A proposed differential rate for Primary Producers.
- Seeks comment on Recreational and Cultural lands concessions.
- Seeks opinion on Commercial and Industrial Rating structure.
- Explores the potential of additional rating classes.
- Seeks comment on the criteria for being classed as a Primary Producer

Community feedback is being sought on these options for Council to consider when preparing its rating strategy and budget requirements for the period from 2022/23 and beyond.

Given the likely interest in this matter, it is proposed that the document be released for a period of 4 weeks and that public information sessions be scheduled within this period. The findings from the community consultative process undertaken for the Rating and Revenue Plan in 2021 suggests that residents will want to raise their concerns directly with Councillors at these sessions.

The outcomes of the community consultation process will be integral in formulating the Council budget as the rating component income will impact any expenditure for Councils services. The draft budget is due to be released for public comment in April 2022 and then submitted to the June Council meeting for adoption.

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

This paper reflects the requirements of both the Local Government Act of 1989 and 2020 and subsequent regulations, Best Practice Documents and Ministerial Guidelines for Differential Rating.

c. Consultation and/or communication processes implemented or proposed

This report recommends that Council undertake a Consultation and Communication Processes on the Differential Rating Discussion Paper in line with the GSC Community Engagement Policy

d. Financial Implications and Collaboration

The outcome of the rating structure directly and significantly affects the financial position of Council.

e. Governance Principles

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

**Attachment List**

1. Draft Glenelg Shire Council Differential Rating Discussion Paper [**14.4.1** - 19 pages]

#### 14.5. LEASE AGREEMENT BETWEEN GLENELG SHIRE COUNCIL AND AIRCRAFT MAINTENANCE ENGINEERING SOLUTIONS PTY LTD

Director: David Hol, Director Corporate Services

##### Executive Summary

This report is to seek Council's approval for a new three (3) year lease with two (2) x one (1) year extensions for an airport hangar at the Portland Airport, between the Glenelg Shire Council and Aircraft Maintenance Engineering Solutions Pty Ltd.

##### Recommendation

That Council:

1. Approves a new three (3) year lease with two (2) x one (1) year extensions to be entered into with Aircraft Maintenance Engineering Solutions Pty Ltd for the use of an aircraft hangar located at 1260 Bridgewater Lakes Road, Cashmore.
2. Sets the rental figure at \$11,000.00 (including GST) per annum, with rent 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 1 of this resolution.

##### MOTION

**MOVED Cr Wilson**

**That Council:**

1. **Approves a new three (3) year lease with two (2) x one (1) year extensions to be entered into with Aircraft Maintenance Engineering Solutions Pty Ltd for the use of an aircraft hangar located at 1260 Bridgewater Lakes Road, Cashmore.**
2. **Sets the rental figure at \$11,000.00 (including GST) per annum, with rent 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 1 of this resolution.**

**SECONDED Cr Carr**

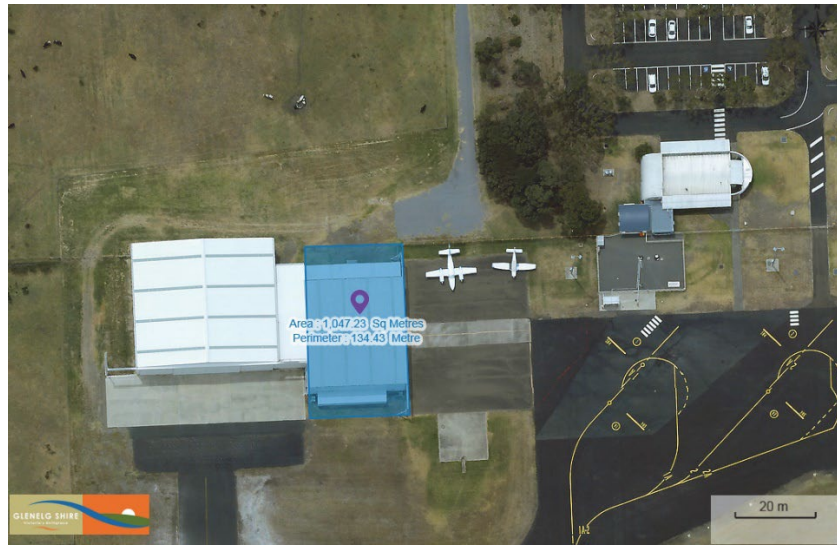
**CARRIED**

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

**AGAINST:** Nil

Background/Key Information:

The aircraft hangar is situated at the Portland Airport, 1260 Bridgewater Lakes Road, Cashmore (see below image).



The previous lease with Aircraft Maintenance Engineering Solutions Pty Ltd (the tenant) was for a term of three (3) years from 1 January 2019 to 31 December 2021.

The tenant currently pays \$10,646.48 (including GST) per annum with Council paying all outgoings.

The tenant currently uses the hangar to carry out activities related to its aircraft maintenance business.

Following discussions with the tenant an in-principle agreement has been reached for a three (3) year term with two (2) x one (1) year extensions, the rent being \$11,000.00 (including GST) per annum, with rent adjusted annually in accordance with the March quarter All Groups CPI figure for Melbourne.

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 the Portland Airport Manager and 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

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. B-DOUBLE PERMIT APPLICATION RENEWAL FOR SCOTT STREET,  
HUNTER STREET AND BEST STREET HEYWOOD**

Director: Chris Saunders, Acting Director Assets

**Executive Summary**

This report is to brief Council on a B-Double truck permit renewal request received through the National Heavy Vehicle Regulator (NHVR). The request relates to a transport business conducting business from Hunter Street, Heywood.

**Recommendation**

That Council approve the National Heavy Vehicle Regulator permit application Case number 262250r1v3 for a 12 month period, subject to a speed restriction of 40 km per hour.

**MOTION**

**MOVED Deputy Mayor Cr Martin**

**That Council approve the National Heavy Vehicle Regulator permit application Case number 262250r1v3 for a 12 month period, subject to a speed restriction of 40 km per hour.**

**SECONDED Cr Carr**

**CARRIED**

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

**AGAINST:** Nil

**Background/Key Information:**

The National Heavy Vehicle Regulator (NHVR) permit request (Case: 262250r1v3) has been received seeking to renew permission for B-Double trucks to access a business on Hunter Street in Heywood. The request is to allow travel along Hunter Street, Best Street and Scott Street, Heywood.

Currently, an existing Council resolution forbids B-Double truck access to urban streets without specific approval from Council. It should be noted that Council has received complaints about trucks in this area as there are childcare facilities along the route.

Permission has previously been granted however, as the existing business has been at this location for many years and it has therefore been considered appropriate to continue to allow larger vehicles access to the site.

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

b. Legislative, Legal and Risk Management Considerations

Council is the Responsible Road Authority under the *Heavy Vehicle National Law Application Act 2013*, which is administered by the NHVR. There are two risks to be considered for this application:

1. Community dissatisfaction with the large vehicles using local roads; and
2. Economic loss to the community if the business is unable to operate.

c. Consultation and/or communication processes implemented or proposed

As this is an existing business that has utilised Hunter and Scott Streets for many years, no consultation with the local community is considered necessary.

A press release for the local paper will be issued.

d. Financial Implications and Collaboration

There are no financial implications for Council.

e. Governance Principles

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

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

**Attachment List**

Nil

#### 14.7. BUILDING BETTER REGIONS FUND - COMMUNITY INVESTMENTS STREAM - ROUND 6

Director: Chris Saunders, Acting Director Assets

##### Executive Summary

This report is to brief Councillors on two potential funding opportunities under the Building Better Regions Fund Community Investments Stream and seeks Council endorsement of project submissions and a commitment to co-contribution of funds across the next three financial years, for the following two projects:

- The development of a Multi-purpose Recreational Facility which was identified as a Council Priority Project in the area of the current Portland Basketball Stadium; and
- The redevelopment of the Heywood Pool as identified in the Glenelg Aquatic Services Strategy 2014.

##### Recommendation

That Council:

1. Endorse the application to the Building Better Regions Fund (BBRF) Round 6 seeking \$10,000,000 for the construction of a new Multi-purpose Recreational Facility.
2. Commits a project contribution of \$5,000,000 over three years being \$1,000,000 in the 2022-2023 financial year, and \$2,000,000 in the 2023-2024 financial year and \$2,000,000 in the 2024-2025 financial year, subject to Council securing \$10,000,000 of grant funding through BBRF Round 6 for the Multi-purpose Recreational Facility.
3. Commits to funding applications as they arise, via State or Federal Government funding streams, for the remaining \$25,000,000 for the Multi-purpose Recreational Facility, subject to Council securing \$10,000,000 of grant funding through the BBRF Round 6.
4. Endorse the application to the BBRF – Round 6 seeking \$5,000,000 for the rebuild of the Heywood Pool and facilities.
5. Commits a project contribution of \$5,000,000 over three years being \$1,000,000 in the 2022-2023 financial year, and \$2,000,000 in the 2023-2024 financial year and \$2,000,000 in the 2024-2025 financial year, subject to Council securing \$5,000,000 of grant funding through the BBRF Round 6 for the Heywood Pool.
6. Authorise the Director Assets to execute any funding agreements and variations related to these projects.

**MOTION****MOVED Cr Carr****That Council:**

- 1. Endorse the application to the Building Better Regions Fund (BBRF) Round 6 seeking \$10,000,000 for the construction of a new Multi-purpose Recreational Facility.**
- 2. Commits a project contribution of \$5,000,000 over three years being \$1,000,000 in the 2022-2023 financial year, and \$2,000,000 in the 2023-2024 financial year and \$2,000,000 in the 2024-2025 financial year, subject to Council securing \$10,000,000 of grant funding through BBRF Round 6 for the Multi-purpose Recreational Facility.**
- 3. Commits to funding applications as they arise, via State or Federal Government funding streams, for the remaining \$30,000,000 for the Multi-purpose Recreational Facility, subject to Council securing \$10,000,000 of grant funding through the BBRF Round 6.**
- 4. Endorse the application to the BBRF – Round 6 seeking up to \$5,000,000 for the rebuild of the Heywood Pool and facilities.**
- 5. Commits a project contribution of up to \$5,000,000 over three years being \$1,000,000 in the 2022-2023 financial year, and \$2,000,000 in the 2023-2024 financial year and \$2,000,000 in the 2024-2025 financial year, subject to Council securing up to \$5,000,000 of grant funding through the BBRF Round 6 for the Heywood Pool.**
- 6. Authorise the Director Assets to execute any funding agreements and variations related to these projects.**

**SECONDED Cr Smith****CARRIED**

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

**AGAINST:** Nil

**Background/Key Information:**

The Building Better Regions Fund (BBRF) Round 6, focusing on Community Investments, was released on 13 December 2021 with applications closing on 10 February 2022. Council endorsement is required to demonstrate a pre-commitment of funds for a co-contribution over three financial years towards each project, subject to Council securing funding through the BBRF round 6.

### Multi-Purpose Recreational Facility

The submission of the grant application represents the first stage of assessing the project's eligibility for funding of up to \$10 million through the BBRF Round 6.

In 2010, the Indoor Recreation Feasibility Study recommended future redevelopment and expansion of Portland Basketball stadium facilities. A further review was undertaken in 2020, supporting the development of an indoor sporting hub facility stating that "The community need for an indoor stadium remains a strong and well represented case". Both studies acknowledged the compliance and condition issues relevant to the existing basketball facility and its unsuitability for netball or volleyball.

Currently Portland has one public basketball stadium offering two courts located on the corner of Otway and Fitzgerald Streets. A single court was initially established on the site in 1967 with a second court added in 1971. The facility also features a social club room, office, canteen/kitchen, toilets, lobby with squash/racquetball courts in the adjacent joined building.

Maintenance costs of the facility in 2020-2021 totaled \$54,500 and ongoing issues include roof leaks, sub floor moisture and rust, have resulted in high maintenance/renewal costs expected into the future.

The project scope will include construction of a new four-court recreational facility including a competition/show court with retractable seating and capacity for 500 plus spectators, new/refurbished squash/racquetball courts, function rooms, café, retail, team rooms, umpire rooms, first aid, and administration offices. This will provide for additional sports such as squash/racquetball, gymnastics, table tennis, volleyball, dance and martial arts.

The new facility will accommodate a range of indoor sports, meet safety and compliance requirements, improve access and inclusion opportunities, boost participation and provide a venue that can attract events and competitions to Portland. The provision of adequate parking is also a high priority. The project would make use of both the existing land that the basketball stadium is sited on and the land immediately opposite on the east side of Fitzgerald Street.

### Heywood Pool

The submission of the grant application represents the first stage of assessing the project's eligibility for funding of up to \$5 million through the BBRF Round 6.

The 2019 Inspection Report found that the Heywood swimming pool provides an important opportunity for social connection within the Heywood community. It provides a central place for young people and families to gather during the summer months.

The two reports indicate underutilisation of the facility; however this could be attributed to the facility not providing options for various aged users, minimal facilities for younger children and no programmed alternatives such as learn to swim or squad swimming. The pool depth also contributes to the low water temperature, limiting the number of days that the community is enticed to attend.

The Glenelg Aquatic Strategy recommends that Council consider creating the Heywood aquatic area as an “interactive aquatic playground” that could be accessed for 12 months of the year. The playground would have a unique design to include a range of interactive aquatic and leisure features including water sprays, large tipping buckets, water cannons and bubblers. During the winter months the water could be turned off and the areas used as a dry playground.

The strategy includes the possibility of the following elements:

- Interactive outdoor aqua play/leisure water
- Construction of a new pool;
- Indoor multi-purpose program room;
- Upgraded changerooms and amenities; and
- Upgraded reception area.

Such a facility could be an attraction for the Heywood township, link to the skatepark, and create a sense of community pride. The new facility would meet safety and compliance requirements, improve access and inclusion opportunities, and potentially boost participation.

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

All associated permits and approvals related to the development are intended to form key milestones within the funding agreement (pending funding approval).

c. Consultation and/or communication processes implemented or proposed

There has been extensive previous consultation with key stakeholders and broader community in the review and development of the Indoor Sports and Recreation Feasibility Study Review, the Active Your Way Glenelg Recreation Plan and the Municipal Health and Wellbeing Plan 2021-2025. Pending confirmation of funding further consultation is planned to be undertaken with key stakeholders in relation to the development.

Community consultation for the Heywood Pool project was delayed in 2020 and 2021 due to Covid-19. Extensive consultation is planned to be undertaken with key stakeholders in relation to the development over the coming year.

d. Financial Implications and Collaboration

BBRF provides a \$1 for \$1 contribution with a requirement of a commitment by Council that the 50% co-contribution funds are available at the time of submission of the application.

The demonstration of commitment to funds is anticipated to be an endorsed commitment to pursuing funding streams for the remaining \$25 million for the Multi-purpose Recreational Facility, and endorsed commitment of \$5 million for the Heywood Pool, via the budget process over the next three financial years.

The estimated project cost for the Multi-purpose Recreational Facility is \$40 million. Officers would be seeking \$10 million through the funding program, \$25 million through other funding streams as they become available and a commitment of \$5 million via Council budget processes.

The estimated cost for the Heywood Pool is \$10 million. Officers would be seeking \$5 million through the BBRF, and a commitment of \$5 million via Council budget processes.

e. Governance Principles

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**

Nil

**15. CONFIDENTIAL REPORTS**

Nil.

**16. URGENT BUSINESS****16.1 CULTURAL CENTRE PRIORITY PROJECT****MOTION**

**MOVED Cr Stephens**

**That Council determine that this item be designated as urgent business, within the Council Meeting, in accordance with clause 2.5.3 of the Glenelg Shire Council Governance Rules adopted 25 August 2020.**

**SECONDED Cr Wilson**

**CARRIED**

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

**AGAINST:** Nil

**MOTION**

**MOVED Cr Stephens**

- 1. That Council receives a report at the Ordinary Council Meeting, 26 April 2022 providing details on the potential for the development of a 'Cultural Centre'.**
- 2. That previous plans such as the Civic Master Plan and strategies such as the Cultural Heritage Strategy be considered in the development of any report.**
- 3. Potential funding opportunities be identified.**

**SECONDED Cr Wilson**

**CARRIED**

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

**AGAINST:** Nil

16.2 LOWERING THE INDIGENOUS FLAG ON JANUARY 26**MOTION****MOVED Mayor Cr Rank**

**That Council determine that this item be designated as urgent business, within the Council Meeting, in accordance with clause 2.5.3 of the Glenelg Shire Council Governance Rules adopted 25 August 2020.**

**SECONDED Cr Carr****CARRIED**

<b>FOR:</b>	Mayor Cr Rank, Deputy Mayor Cr Martin, Cr Hawker, Cr Stephens, Cr Carr, Cr Smith and Cr Wilson
<b>AGAINST:</b>	Nil

**MOTION****MOVED Mayor Cr Rank**

**That Council lower the indigenous flag in Portland on January 26 as a sign of respect for the indigenous community.**

**SECONDED Cr Carr****CARRIED**

<b>FOR:</b>	Mayor Cr Rank, Deputy Mayor Cr Martin, Cr Hawker, Cr Carr and Cr Smith
<b>AGAINST:</b>	Cr Stephens and Cr Wilson

**17. SEPARATELY CIRCULATED ATTACHMENTS****Recommendation**

That the documents separately circulated to Councillors, CEO, Directors and to the Public, as listed above, be received.

**MOTION**

**MOVED Cr Wilson**

**That the documents separately circulated to Councillors, CEO, Directors and to the Public, as listed above, be received.**

**SECONDED Cr Stephens**

**CARRIED**

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

**AGAINST:** Nil

**18. CLOSURE OF COUNCIL MEETING**

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 7:45pm.

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

CR ANITA RANK  
MAYOR

22 FEBRUARY 2022

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