



Glenelg Shire Council
Minutes of the Council Meeting held on
Tuesday 28 June 2022 at 7:00 pm at the Portland Civic Hall
Bentinck Street Portland

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1. PRESENT

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

Also in attendance were the Acting Chief Executive Officer (Mr Paul Phelan), Director Corporate Services (Mr David Hol), Acting Director Assets (Mr Chris Saunders), Executive Assistant Corporate Services (Ms Rachael Fellows) and Executive Assistant Community Services (Ms Kirby Weber).

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 an audio recording of the meeting conducted and the recording of that meeting may be made available to the public.

5. RECEIPT OF APOLOGIES

Cr Scott Martin (Deputy Mayor) and Greg Burgoyne (Chief Executive Officer).

6. QUESTION TIME**6.1. QUESTIONS FROM THE GALLERY****1. Rate Capping**

Mr Ben Laws of Portland, asked the following question;

- a. How does the members of this Council come to the decision to adjust rates by such a large margin?*

Mayor Anita Rank advised the rates are calculated by a formula created by the State Government and those formulas include CIV (Property Value), and due to the formulas that Council are bound to use and the rise in property values.

- b. Why does Council think this is justifiable when current cost of living is so high and continuing this in the foreseeable future?*

Mayor Anita Rank advised the Councillors have taken into consideration the cost of living pressures and developed a Budget in accordance with the requirements of the State Government.

2. Rate Agreements

Mr David Currie of Warrock, asked the following questions

- a. *Can you explain what the - 7% rate agreement means as published in the Hamilton Spectator?*

Mayor Anita Rank advised that this in regard to the rate agreements with different organisations that are separate to property rates with larger companies, those agreements have gone down due to similar reasons their valuations may have gone down and Council may have lost money on those agreements as well.

- b. *Why should the farmers be penalised as a result of this agreement?*

Mayor Rank advised that these agreements sit outside of the rates that are calculated.

- c. *Will our services increase with this rise in the north of the Shire?*

Mayor Rank explained that Council endeavor to provide services and projects across the Shire and may not happen in this financial year but the next or following years.

3. Property Valuations

Mrs Lesley Yuill of Bolwarra, asked the following questions;

- a. *Council are proposing to increase the value of our property by \$200,000 how can Council justify this? This increase is it on a sustainable market values?*

Mayor Rank has advised yes the property value has increased and Council is bound by a formula by the State Government.

Yes property values have increased and possibly could continue to increase, Council is bound by a rate formula which is dictated by the State and there is only one or two ways that Council can alter. The way it is calculated by the value of your property, Council could lobby to the State Government for some help or some concession.

- b. *With property values already decreasing, what happens when our property value goes down, does Council decrease the Rates or an adjustment made?*

Mayor Rank advised that the valuations are done annually if your valuation goes down so does your Rates and will see a decrease in your Rates the following year. The positive out of the annulisation of valuations is if your property value goes down so does your Rates, previously the valuations a cost incurred by Council were done 3 yearly. Public members can ask for their property to be revalued.

4. Council Reserves

Mr John Northcott of Merino, asked the following questions:

- a. *State of Council reserves are they readily available?*

Mr David Hol, Director Corporate Services advised that the Draft Budget looks at Council of having 4.6 million at end of the next financial year.

- b. Have the supplementary rates and building fees increased ? (Article circulated to Councillors from the Hamilton Spectator 15 April 2021 by Mr Northcott)*

Mr David Hol, Director Corporate Services advised the building fees is accounted for as income in the Draft Budget which is around \$250,000 and supplementary rate is also listed in the Draft Budget at a figure of around \$135,000. .

- c. Is it right that the Basketball Stadium that there is 1 million dollars a year in the Budget for this?*

Mayor Anita Rank advised that the Basketball Stadium was a priority project in the Council Plan, which people advocated for it was based on Federal Government funding, that funding is now off the table.

5. Rate Income

Mr Kevin Stark of Lake Mundi, asked the following question:

Has the gross and net income of the rebate ever been banked by the Shire?

Mayor Rank advised that its money that Council have never received.

6. Rate Increase

Ms Hayley Rundell, of Portland asked the following questions:

- a. A friends Rates notice has gone up \$1200 last year and another \$500 this year, that is a \$1700 rate rise how is this sustainable on a working wage how can they afford to pay these rates?*

Mayor Rank if there are hardship issues and reach out to Council to discuss this, if on a concession to contact Glenelg Shire Council rates department.

- b. How can this be 1.75% rate cap?*

Mayor Rank advised due to the way the Rates have been calculated, the rate cap is added on top of the total amount of rates that can be received. It can be for individual property owners be above the 1.75% due to the way its calculated

7. CPI Increase

Mr William Simpson of Portland, asked the following question:

What is the justification of a 20% rate increase above which is far and beyond the CPI increase?

Mayor Rank advised that it's the way the Rates are calculated, they are calculated on the Capital Improved Value.

8. Draft Budget and Rate document

Mr Andrew McEachern of Strathdownie, asked the following question:

Are all Councillors aware of the document that you are voting on tonight, has been described by the Victorian Minister for Local Government Mr Shaun Leane, being a proposal as quote "does NOT meet the objective of the Fair Go Rates System limit unexpected rate hikes" and that this assessment was sent in a letter to the Victorian Farmer's Federation, Ms Emma Germano?

Mayor Rank advised she wasn't aware of this, and Mr Leane should have a look at how the rates are calculated as they (state Government) set the way rates are calculated.

MOTION

MOVED Cr Wilson

That question time be extended by 20 minutes.

SECONDED Cr Carr

CARRIED

FOR: Mayor Rank, Cr Stephens, Cr Smith, Cr Hawker, Cr Wilson, Cr Carr.

AGAINST: Nil

9. Rate rise

Mr Elwyn Thomas of Portland, asked the following question:

Why are the rates higher than CPI?

Mayor Rank advised that it's the way the Rates are calculated, they are calculated on the Capital Improved Value.

10. Difference of Income

Mr Howard Templeton of Tahara Bridge, asked the following questions:

- a. *Your 4-year plan till 30 June 2025 indicates that in the year 2022/23 your projections for income from rates and charges is \$27,964,000 but in the draft budget for the same year is \$31,393,000 a difference of \$3,429,000. Why such a great divergence from the plan and even if this huge increase is allowable under law do you believe this is in the spirit of the rate cap set by the Essential Service Commission/Victorian Government is set at 1.75%?*

Mayor Rank advised that the difference is due to removing the rebate and the rates are calculated on the gross value. And that's the rebate we are legally obligated to remove.

- b. *What modelling have you done to see how this massive increase will affect the more vulnerable in our community. Such as the pensioners, fixed income retirees, single income families with 3 children and a mortgage and the 29% of Glenelg residents that live on their own?*

Mayor Rank advised that these have been all taken into consideration over the previous months while deliberating the Budget and benchmarked against other Councils.

11. Transparency and the rise of Rates

Ms Donna Thomas of Portland, asked the following question:

Why was everything done in secret and underhanded and not letting the residences know?

Mayor Rank with regards to the Rate Strategy went out with public notice, was advertised and requested submissions for the Budget and Rates Strategy. No attendance at Portland open session and 1 at Heywood and a small number of people at the Casterton.

12. Glenelg Shire Council Draft Budget

Mr Colin Smith of Grassdale, asked the following questions:

- a. *Are you aware that the proposed Glenelg Shire Budget has been discussed in Victoria Parliament by Member Bev McArthur and do you think the Glenelg Shire will be viewed in a favorable light?*

Mayor Rank advised that Ms McArthur is entitled to her opinion and her question, that fact she raised it Parliament is a good thing because she should be advocating for the State Government to change the way rates are calculated. Do I think the Glenelg Shire will be favorable light, yes I do.

- b. *Why is the Glenelg Shire not capable of budgeting their expenses in a responsible way?*

Mayor Rank advised that property values have gone up, a balanced budget has been created.

13. Primary Producers

Ms Megan Dulalakis of Mumbanar, asked the following question:

Why are farmers facing an unjustified increase and rate agreements gone down?

Mr David Hol Director Corporate Services advised that the rate agreements are outside the rate cap, under rate agreement those organisations pay a higher rate to have some security.

14. Rate Increase

Mrs Marnie Lewis of Portland, asked the following question:

Do you think that a 3 bedroom weatherboard house, in a street with no curb and channel warrants a \$3500 rate bill each year?

Mayor Anita Rank advised no this is not fair is it, due to the valuation of the properties.

15. Increase in Services

Mr Peter Suter of Portland, asked the following questions:

- a. *What extra services will be provided on the 50% rate rise increase, what additional work or services will be done for rate payer?*

Mayor Rank advised that Council endeavor to provide services that are listed within the Budget.

- b. *How does each Councillor justify the increase of 20% ?*

Mayor Rank advised each Councillor will have an opportunity at the time of the report to speak to the report.

16. Draft Budget and previous version

Mr Graeme Wallis of Coleraine, asked the following questions:

- a. *I note several changes to the Draft Budget from the public consultation draft the current draft in the agenda today, specifically to the primary producers will increase by 22.28% and in the final draft rate will decrease by 14.4%, which figure is correct?*

Mayor Rank advised the reason for change was to provide better clarity. Mr David Hol, Director Corporate Services advised that the document was reformatted to provide better clarity of the figures.

- b. *The difference between what is collected in the 2021/22 year then in the 2022/23 is in line with the 1.75% rate cap, however the amount actually collected in 2021/22 after the primary production rebate was \$19.887 million. The increase in the amount collected from last year to the next year will be massive \$4 million or 20%. Do you agree that by manipulating the figures in this way that Council will be able to report to the essential services commission that you are compliant with the Fair Go Rates system whilst exceeding the Rate cap by about 3.5million?*

Mayor Rank advised that Glenelg Shire is not manipulating the figures

17. Rate rise and the community

Mr Gary Humm of Portland asked the following questions:

- a. *The proposed excessive rate rise by Glenelg Shire Council does not seem to consider the detrimental social impact. What measures the Glenelg Shire Council will immediately implement to offset the hardships that will be created?*

Mayor Rank advised that if someone is eligible for concession they can apply for this concession.

- b. *The proposed rate rises will cause social harm and financial hardship to those who are already marginalised in our community. What alternative budget proposals have you submitted to Glenelg Shire to ensure those who can least afford this added cost are no further disadvantaged?*

Mayor Rank advised that alternative proposal may be discussed when the report item is discussed.

- c. *Would those Councillors & others involved in the budget preparation who actively seek to harm this community by supporting this budget do the right thing and demonstrate the integrity we expect and step aside and vacate their position immediately?*

Mayor Rank advised that I speak for all Councillors are we do not actively seek to cause harm in our community.

MOTION

MOVED Cr Carr

That question time be extended by five minutes.

SECONDED Cr Stephens

CARRIED

FOR: Mayor Rank, Cr Stephens, Cr Smith, Cr Hawker, Cr Wilson, Cr Carr.

AGAINST: Nil

18. State rating system

Mr Michael Byrne of Cape Bridgewater, asked the following questions:

- a. *Does the Glenelg Shire Council Draft Budget 2022/23 pass the pub test, do you agree?*

Mayor Rank advised that the Budget passes the pub test, but the rate system does not, it disadvantages people who the property valuations have gone up.

- b. *The rating system as it stands now functions with more function and equity in metropolitan Melbourne than regional Victoria, going forward will the Premier Daniel Andrews instruct the State Local Government Minister to look for a better way to reflect the expectation of Victorian regional communities?*

Mayor Rank advised that I hope so, Mr Byrne.

19. Previous differential rating system

Mr Garry Everett of Heywood, asked the following questions:

- a. *Is the Finance department and Council going to take ownership of the miss guided costly decision made in 2010/11 to change the rating system from a differential rating system to a rebate system?*

Mayor Rank advised that the finance department doesn't need to take ownership as its a direction by Council.

- b. *Does Council think its 'fair' and 'just' to raise Rates by 20.57% for Primary Production, General land 22.28% while Commercial land goes up 6.33% ?*

Mayor Rank advised that on the variances are due to the differential that Council has decided to move too.

- c. *Will Glenelg Shire Council open up discussions (forum) with all sectors of the Shire for a moral, ethical and fairer system to raise money to run Local Government in the long term?*

Mayor Rank thanked Mr Everett and will take this suggestion on board.

6.2. QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING

1. Rating Increase and Cost of Living Pressures

Mr Kevin Stark of Lake Mundi asked the following questions:

- a. *With cost of living pressures increasing, including a 0.25% increase in interest rates, yet Council are determined to seek a 23% rate rise for farmers within the Glenelg Shire, what are you doing as a Council in response to the increase in cost of living pressure for the agricultural sector?*

Mayor Cr Anita Rank advised that we are still in a draft budget process so Council have not made that determination yet. Mayor Cr Rank acknowledged that we are all facing rise in cost of living pressures and we have dealt with those through our budget, we have labored over our budget and we have tried to make cost savings and we have endeavored to do that to the best of our ability.

- b. *Are you aware of a farming family in Wando Vale that are looking at rate increases between 59-69%, which is above the average of 22%, and wondering if you are aware what's happening with the rates?*

Mayor Cr Anita Rank advised of being aware of this and also confirmed having read the recent letter to the editor in the newspaper. Mayor Cr Rank confirmed that those rate increases are based on property valuations.

- c. *The Glenelg Shire draft differential rating discussion paper states 'in recent times there has been a significant upward push in property values, contrary to belief this does not equate to any increase in Council rates' which is a lie, are you*

prepared to go to Wando Vale or Casterton and explain to these ratepayers that property valuations do not equate to increase in Council rates or is this an untrue statement?

Mayor Cr Anita Rank acknowledged that she did take an exception to the fact that this is untrue and that she is happy to meet with any constituent of our Council on this if a request is received.

2. Draft Budget and Rating Strategy

Mr Michael Byrne of Cape Bridgewater asked the following questions:

- a. *The figure of \$383,000 which is minus 7.3% compared to last year in the rate agreements figure, under the fair go rates system a maximum figure of 1.75% has been set however this minus figure allow you the option of increasing the figure of \$383,000 to be put firmly on the rate notices of other Glenelg Shire rate payers. Mayor Rank did you take up that option?*

Mr David Hol, Director Corporate Services advised trying to understand the context of the question it is important to note that rating agreements are outside of the fair go rates scheme. Mr Byrne further clarified whether the \$383,000 cannot be offset by increasing the rates on other Glenelg Shire ratepayers, and Mr Hol confirmed that this is correct..

- b. *Service rates and charges listed as a 20.2% increase, which is a total of \$4.016 million from the general rates notice, who do you get it off if this is not from rate agreements?*

Mr David Hol, Director Corporate Services advised the draft budget document clearly identifies the revenue attributed to the particular areas where Council are getting revenue from rates.

- c. *On behalf of all Glenelg Shire ratepayers, what is going to be their approximate rate increase on their homes and property in the 2022-23 financial year?*

Mayor Cr Anita Rank advised that everybody's rates notice is different, so would not know the answer to this question as they are all calculated differently as everyone's notice is different.

7. DECLARATIONS OF CONFLICT OF INTEREST

Cr Carr declared a General Conflict of Interest in item 14.9 Heritage Grant Application - 60 Julia Street, Portland and advised this prior to the meeting.

8. CONFIRMATION OF MINUTES

Recommendation

That the minutes of the Council Meeting held on Tuesday 24 May 2022, as circulated, be confirmed.

MOTION

MOVED Cr Hawker

That the minutes of the Council Meeting held on Tuesday 24 May 2022, as circulated, be confirmed.

SECONDED Cr Carr

CARRIED

FOR: Mayor Cr Rank, 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

Nil.

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 Cr Smith

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

SECONDED Cr Carr

CARRIED

FOR: Mayor Cr Rank, 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 years

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

a. Council Plan and Policy Linkage

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b. Legislative, Legal and Risk Management Considerations

Section 35 of the *Local Government Act 2020*.

c. Consultation and/or communication processes implemented or proposed

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

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

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

d. Financial Implications and Collaboration

Nil.

e. Governance Principles

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

Attachment List

Separately circulated as Confidential attachment

14.2. GLENELG SHIRE COUNCIL FINANCIAL REPORT MAY 2022

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 31 May 2022.

MOTION**MOVED Cr Stephens**

That Council receives the Financial Report for the period ending 31 May 2022.

SECONDED Cr Carr**CARRIED**

FOR: Mayor Cr Rank, 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

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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.

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 - MAY 2022 [**14.2.1** - 7 pages]

14.3. STRATHDOWNIE DRAINAGE SCHEME - REQUEST TO RAISE A SPECIAL CHARGE FOR 2022/2023

Director: David Hol, Director Corporate Services

Executive Summary

The purpose of this report is to provide the outcome of the community engagement process including any submissions received for the proposed Strathdownie Drainage area Special Charge for 2022/2023 and to recommend that the Special Charge be declared.

Recommendation

That Council declare a Special Charge for the properties located in the constituted Strathdownie Drainage Area for the 2022/2023 Financial Year:

- a. That the Special Charge be declared for defraying any expenses incurred in relation to the operation, maintenance, improvement, and administration of the Strathdownie Drainage Area which Council considers is of special benefit to those persons required to pay the Special Charge.
- b. That the total estimated revenue in 2022/2023 Financial Year from the Special Charge be \$16,000.00
- c. That the Special Charge be due and payable by the 30 September 2022.
- d. That the rate of ten per cent (10.0%) be specified as the rate of interest set by Council for the purposes of Section 172(2) of the *Local Government Act 1989* and further, that this rate be effective and so set until a new rate of interest is set in accordance with Section 172(2) of the *Local Government Act 1989*.

MOTION

MOVED Cr Stephens

That Council declare a Special Charge for the properties located in the constituted Strathdownie Drainage Area for the 2022/2023 Financial Year:

- a. **That the Special Charge be declared for defraying any expenses incurred in relation to the operation, maintenance, improvement, and administration of the Strathdownie Drainage Area which Council considers is of special benefit to those persons required to pay the Special Charge.**
- b. **That the total estimated revenue in 2022/2023 Financial Year from the Special Charge be \$16,000.00**
- c. **That the Special Charge be due and payable by the 30 September 2022.**

- d. That the rate of ten per cent (10.0%) be specified as the rate of interest set by Council for the purposes of Section 172(2) of the *Local Government Act 1989* and further, that this rate be effective and so set until a new rate of interest is set in accordance with Section 172(2) of the *Local Government Act 1989*.

SECONDED Cr Carr

CARRIED

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

AGAINST: Nil

Background/Key Information:

The Strathdownie Drainage Scheme Committee is an independent group responsible for the operation, maintenance and development of the Strathdownie drainage area scheme.

The drainage area contains 173 assessments and covers an area of approximately 51,620 hectares.

At the Council meeting held on Tuesday 22 March 2022, Council resolved to give notice of its intention to consider the declaration of a Special Charge for the properties located in the constituted Strathdownie Drainage area for the 2022/2023 financial year. The Proposed Special Charge will raise \$16,000.00.

Council provides a financial management service to the Strathdownie Drainage Scheme Committee and coordinates the collection of funds through debtor invoices via a Special charge when approved by Council. The accumulated funds of the Scheme were \$155,890 as at the 9 June 2022.

The Committee has advised that the additional funds are required for ongoing clearance and maintenance works whilst maintaining a minimum financial balance as a contingency.

The special charge will be calculated by averaging the special charge over the combined Capital Improved Values (CIV) of properties in the Strathdownie Drainage Area. The CIV of an individual assessment is adjusted to reflect the % ownership of the area that falls within the Strathdownie Drainage Area.

Where the invoice amount is less than \$5, an invoice requesting payment will not be issued to debtors. For debtors whose current invoice amount is less than \$5, a manual invoice will be created showing \$0 balance payable and the statement advising that payment won't be required until the balance owing is greater than \$5.

Under Sections 163(1A) and 223 of the *Local Government Act 1989 (the Act)*, any person wishing to make a written submission in relation to Council's proposal to make a declaration of a Special Charge had until 5.00 pm on Wednesday 27 April 2022 to do so. No submissions were received.

a. Council Plan and Policy Linkage

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b. Legislative, Legal and Risk Management Considerations

Under Sections 163(1A) of the *Local Government Act 1989 (the Act)*, Council is required to give notice of its intention to declare a special charge. This enables the ratepayers within the designated drainage area to make a submission in relation to the proposed charge.

c. Consultation and/or communication processes implemented or proposed

The following public consultation process has been followed in accordance with Council's Community Engagement Policy to ensure due consideration and feedback is received from relevant stakeholders.

- Proposed special charge recommended to Council by the representative group;
- Community engagement through local news outlets and social media, including Your Say for a period of 28 days;
- Letter of intention to levy a special charge sent to Strathdownie ratepayers; and
- Proposed special charge (with any revisions) be presented to June Council meeting for adoption.

d. Financial Implications and Collaboration

The proposed special charge would raise \$16,000.00 for the 2022/23 financial year to cover maintenance, emergency works and operational costs, as requested.

e. Governance Principles

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

Attachment List

1. Minutes of Meeting 24 February 2022 [**14.3.1** - 1 page]
2. Signed Letter - Strathdownie Drainage Scheme 2022 Request [**14.3.2** - 1 page]

3. Summary Report Your Say Glenelg 06 Jun 2016 To 29 May 2022 On 30 May 2022 [**14.3.3** - 6 pages]

14.4. GLENELG SHIRE COUNCIL FEES AND CHARGES 2022-2023

Director: David Hol, Director Corporate Services

Executive Summary

The purpose of this report is to recommend Council adoption of the Draft Fees and Charges Schedule 2022/2023 that was released for community consultation by Council on Friday 29 April 2022.

Recommendation

1. That the Draft Fees and Charges Schedule 2022/2023 prepared in accordance with Section 94 of the *Local Government Act 2020* be the Glenelg Shire Council Fees and Charges Schedule 2022/2023;
2. That Council adopts the Fees and Charge Schedule 2022/2023 outlined in this report;
3. That Council give public notice that the Glenelg Shire Council Fees and Charge Schedule 2022/2023 has been adopted, in accordance with Council's Community Engagement Policy; and
4. That Council delegates to the CEO and Directors the ability to waive or reduce fees and charges where specific exceptional circumstances exist.

MOTION

MOVED Cr Stephens

1. That the Draft Fees and Charges Schedule 2022/2023 prepared in accordance with Section 94 of the *Local Government Act 2020* be the Glenelg Shire Council Fees and Charges Schedule 2022/2023;
2. That Council adopts the Fees and Charge Schedule 2022/2023 outlined in this report;
3. That Council give public notice that the Glenelg Shire Council Fees and Charge Schedule 2022/2023 has been adopted, in accordance with Council's Community Engagement Policy; and
4. That Council delegates to the Chief Executive Officer and Directors the ability to waive or reduce fees and charges where specific exceptional circumstances exist.

SECONDED Cr Wilson

CARRIED

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

AGAINST: Nil

Background/Key Information:

Glenelg Shire Council provides a wide range of services to our community, often for a fee or charge. The nature of these fees and charges generally depends on whether they relate to compulsory or discretionary services.

Some of these, such as statutory planning fees, are set by state government statute and are commonly known as 'regulatory fees'. In these cases councils usually have no control over service pricing, and these fees have been excluded from this report.

User fees and charges are a significant source of income for Glenelg Shire Council and in accordance with Section 94 of the *Local Government Act 2020*, Glenelg Shire Council is required to prepare and adopt a budget for each financial year and the subsequent 3 financial years by the 30 June. Included in this process is the setting of the Fees and Charges for the coming financial year 2022/2023.

Budget responsible officers and finance unit staff have reviewed the current fees and charges proposed in this document. In the 2022/2023 financial year Council have utilised the Essential Services Commission rate cap increase of 1.75%. This increase has been applied to most areas except where rounding proved difficult and in that case the increase was rounded down.

The only fees and charges that have increased greater than the rate cap figure of 1.75% are those that include regulatory fees where increases were mandated through legislative elements such as the increase in the government levy for waste charges.

At the 26 April 2022 Council Meeting, the Draft Fees and Charges Schedule 2022/2023 was presented and released for Community Consultation on 29 April. No submissions were received relating to the fees and charges document.

Some minor alterations have been identified and subsequently updated in the draft Fees and Charges Schedule 2022/2023 since the document was released for comment. A summary of these changes include:

Health Unit

Environmental Protection Act (EPA) Fees – Some fees were listed as a per unit charge instead of a fee per application. They have now been updated. The EPA fees are a Regulatory Fee set under the Environment Protection Regulations 2021.

Environmental Protection Act (EPA) Fees – 2 fee types weren't included in the draft Fees and Charges schedule. These have now been included. The EPA fees are a Regulatory Fee set under the Environment Protection Regulations 2021.

Food Act Registration Fees – The fee type was not included in the draft Fees and Charges schedule. It has now been included, and has not increased more than 1.75%.

Administration Services

Administration Services – Rates – The fee type was accidentally excluded from the draft Fees and Charges Schedule 2022/2023. It has now been included and has not increased more than 1.75%.

There are instances where Council may need to waive, or reduce fees, for a particular fee type. These instances will be considered on a case by case basis and should only be waived in specific exceptional circumstances. It is prudent that Council delegate the ability to waive or reduce these fees to the CEO and Directors for these operational requests.

The Draft Fees and charges schedule for 2022/2023 is now presented for Council consideration and 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

Under the *Local Government Act 2020*, Part 4 Division 2 - Budget Process and specifically section 94, Council is required to prepare and adopt an annual budget and subsequent 3 financial years. The fees and charges for Council operations is part of this process.

c. Consultation and/or communication processes implemented or proposed

Unit managers and budget responsible officers have been engaged to review each fee and charge and compare with neighbouring councils, applying a range of “Best Value” principles including service cost, quality standards, value for money, community expectations and values, as well as balance the affordability and accessibility of the service.

The draft fees and charges document was released for community consultation and made available for public inspection alongside the draft Budget after the April Council Meeting.

No submissions were received on the draft schedule.

d. Financial Implications and Collaboration

Fees and charges (excluding annual waste charges) accounts for approximately 7%, or \$3.4M of Council’s total revenue. Waste charges make up 5% of total revenue, or \$2.38M.

The fees and charges schedule is a key document that forms part of Council’s budget for 2022/2023. 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. 2022 2023 Fees and Charges Council Meeting [**14.4.1** - 30 pages]

14.5. GLENELG SHIRE COUNCIL DECLARATION OF RATES AND SERVICE CHARGE FOR 2022-2023

Director: David Hol, Director Corporate Services

Executive Summary

The purpose of this report is to recommend Council declare the 2022/23 rates and annual service charges for waste, that was proposed at the Council meeting on 26 April 2022.

This declaration of rates and annual service charge is in accordance with the requirements of the *Local Government Act 1989* Section 158 and aligns with the information required to be reported in the 2022/23 Budget Document in accordance with requirements of the *Local Government Act 2020* Section 94.

Recommendation

That Council:

1. Declare to raise an amount of \$31,242,309, General rates and Annual Kerbside Collection charges, from the 1 July 2022 to the 30 June 2023, and
2. Declare that the General Rate amounts will be raised by applying a differential rate of 100% to General land, 100% to Commercial and Industrial land and 70% for Primary Production land, and
3. Continue to grant a 100% concession for the 84 parcels of land at Dutton Way that remain undeveloped.

MOTION

MOVED Cr Wilson

That Council defers the declaration of the General rates and Annual Kerbside Collection charges, from the 1 July 2022 to the 30 June 2023, until the Primary production land additional income from the rebate is removed from the gross rate tally total of \$31,242,309 in the proposed Draft Budget and public consultation has been conducted prior to the 26 July 2022 Council Meeting.

This motion was disallowed by Mayor Rank, in accordance with section 94 (1) of the *Local Government Act 2020*, A Council must prepare and adopt a Budget by 30 June each financial year.

MOTION

MOVED Cr Smith

That Council:

1. **Declare to raise an amount of \$31,242,309, General rates and Annual Kerbside Collection charges, from the 1 July 2022 to the 30 June 2023, and**
2. **Declare that the General Rate amounts will be raised by applying a differential rate of 100% to General land, 100% to Commercial and Industrial land and 70% for Primary Production land, and**
3. **Continue to grant a 100% concession for the 84 parcels of land at Dutton Way that remain undeveloped.**

SECONDED Cr Hawker

CARRIED

FOR: Mayor Cr Rank, Cr Hawker and Cr Smith

AGAINST: Cr Stephens, Cr Carr and Cr Wilson

The Chairperson used a casting vote FOR the MOTION.

MOTION

MOVED Cr Carr

That Councillor Smith be granted an extended speaking time.

SECONDED Cr Stephens

CARRIED

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

AGAINST: Nil

MOTION

MOVED Cr Wilson

That Councillor Stephens be granted an extended speaking time.

SECONDED Cr Carr

CARRIED

FOR: Mayor Cr Rank, Cr Hawker, Cr Carr, Cr Smith and Cr Wilson

AGAINST: Nil

DIVISION:

Mayor Rank, Cr Hawker and Cr Smith voted FOR the MOTION.

Cr Wilson, Cr Stephens and Cr Carr voted AGAINST the MOTION.

The Chairperson used a casting vote FOR the MOTION.

Background/Key Information:

Under the Act, Council is required to prepare and adopt an annual budget. The budget is required to be adopted by 30 June each year.

As part of the budget process, Council must declare in respect of the upcoming Financial Year –

- a) The amount which Council intends to raise by General Rates, Municipal Charges, Service Rates and Service Charges and the time period that the General Rate applies; and
- b) Whether the General Rates will increase by application of a Uniform Rate; Differential Rate; or a Urban Farm Rates, Farm Rates or a Residential use rates (if the Council is permitted to raise such rates under section 161A).

Rates and Annual Service Charges

The Gross amount of Rates and Annual Service charges that Council intends to raise for 2022/2023 is \$31,242,309. This is calculated on the Capital Improved Values (CIV) of Land.

An increase of 1.75% has been applied on the General rate base of Council, in line with the rate cap, providing General Rate Revenue of approximately \$23.875M. Rate Agreements, Cultural and Recreational Land assessments and Annual Kerbside waste charges are outside of the General Rate Revenue amount.

The declaration or rates has been calculated as follows:

| Category | No. of Assessments | Rate Income 2022/2023 |
|--------------------------------|--------------------|-------------------------|
| General land | 10,098 | \$ 12,509,924.00 |
| Commercial & Industrial Land | 1,024 | \$ 1,580,180.00 |
| Primary production Land | 2,765 | \$ 9,785,316.00 |
| Cultural and Recreational Land | 30 | \$ 26,681.00 |
| Rate Agreements | 6 | \$ 4,858,526.00 |
| Annual Kerbside Waste charge | | \$ 2,481,682.00 |
| Total Rates and Charges | 13,923 | \$ 31,242,309.00 |

Additional supplementary valuations are undertaken for a range of reasons, including new and renovated buildings, subdivisions, demolitions, land use changes and other types of property improvements. It is estimated that an additional \$133,318 will be raised during 2022/23. This estimate has been included in the Gross amount of Rates and Annual Service Charges and is reflected in table 4.1.1(i) of the Budget document.

Valuation data has been received for Glenelg Shire assessments by independent valuers and has seen an overall increase in Capital Improved Value (CIV) of 34%.

| Category | CIV 2021/22 | CIV 2022/23 | % change |
|-------------------------------|----------------------|----------------------|---------------|
| General Land | 2,516,026,000 | 3,355,713,000 | 33.37% |
| Commercial Land | 354,633,000 | 423,874,000 | 19.52% |
| Primary Production | 2,729,388,000 | 3,749,790,000 | 37.39% |
| Capital Improved Value | 5,600,047,000 | 7,529,377,000 | 34.45% |

As outlined in the Revenue and Rating Plan, Council resolved to transition away from a rebate scheme to a differential rate in a motion put forward in the June 2021 Council Meeting.

The following table summarises the proposed Differential Rating Structure compared to the Rebate Structure in 2021/22. It also includes a comparison of the rates (cents) in the dollar, which are calculated on Capital Improved Value.

| Category | RATE INCOME Adopted Budget | Rate in the dollar | RATE INCOME Proposed Budget | Rate in the dollar (70% Differential for PP) |
|--|-------------------------------|--------------------|--------------------------------|--|
| | 2021/22 | 2021/22 | 2022/2023 | 2022/2023 |
| General Land | \$ 10,537,117 | 0.004188 | \$ 12,509,924 | 0.003728 |
| Commercial Land | \$ 1,485,203 | 0.004188 | \$ 1,580,180 | 0.003728 |
| Primary Production Land | \$ 11,430,677 | | \$ 9,785,316 | |
| Rebate | (\$3,429,203) | | \$0.00 | |
| Total Primary Production | \$ 8,001,474 | 0.004188 | \$ 9,785,316 | 0.002610 |
| Recreational Land | \$ 11,906 | | \$ - | |
| Rebate | (\$5,953) | | \$0.00 | |
| Total Recreational Land | \$ 5,953 | 0.004188 | \$ - | N/A |
| General Rate Income | \$ 23,464,903 | | \$ 23,875,421 | |
| Cultural and Recreational Land | \$ 17,774 | 0.002094 | \$ 26,681 | 0.001864 |
| Rate Agreements | \$ 5,176,000 | N/A | \$ 4,858,526 | N/A |
| User Garbage Collection Income | \$ 2,439,000 | N/A | \$ 2,481,682 | N/A |
| Total Rate & Charge Revenue | \$ 31,097,677 | | \$ 31,242,309 | |

Rate Discussion Paper February 2022

A Community Consultation on the Glenelg Shire Council Rating structure was undertaken in February 2022 through the Rates Discussion Paper.

Feedback was sought on -

- The criteria for classifying a Primary Producer;
- The rate for Commercial and Industrial Properties;
- The rate for vacant land;
- The benefit of services for Recreational and Cultural land; and
- A proposed differential rate for Primary Production Land.

After consideration of the 46 submissions, and those wishing to speak in person to Council, the following was proposed in the draft declaration of rates released for Community Consultation in April 2022.

- No changes were recommended for the classification of a Primary Producer,
- No changes were recommended to the rate in the dollar applied to Commercial and Industrial Land.
- No changes were recommended to the rate in the dollar applied to Vacant Land;

Recreational and Cultural land was considered, and it was determined that having regard to the benefit derived to the Community from Recreational and Cultural land, that Council consider that a 50% charge in lieu of rates is appropriate for such properties. A review of the remaining properties in the Recreation category has resulted in these properties now being assessed under the Recreation and Cultural Land Act.

Information obtained from the submissions, combined with the comparisons to similar Councils within the State, resulted in a recommendation that a Differential Rate of 70% be applied to Primary Producers.

Council released the draft declaration of rates at the Council meeting in April 2022. 78 submissions were received and 12 people requested to speak directly with Council. Council will consider these submissions when declaring the rates and the budget for 2022/23.

Rating Structure

For 2022/2023, General Rates will be calculated by applying a Differential Rate to the CIV.

Under Section 161 (2) when declaring a differential rate Council must specify the -

- If there has been a change in the Valuation system;
- The objective of the Differential Rating;
- The definition of the types or classes of land which are subject to the rate, and a statement of the reasons for the use and level of that rate in relation to those types or classes of land; and
- Specific characteristics of the land which are the criteria for declaring the differential rate.

There has been no material change to the valuation system and the capital improved methodology has been utilised.

The Objective of the Differential Rating

The objective of the Differential Rating system is to ensure that every landowner makes a reasonable contribution to Rate Revenue. Rates are calculated for each Class of Land based on their Differential rate. Changes to the differential rate of one category impacts all others.

Council have provided Primary Producers in the Shire with a 30% rebate since the 2010/2011 rating year. In 2021/2022, this equated to \$3.429M.

The criteria for applying eligible rebates is restricted to the preservation or restoration of certain types of building, or to support development of the municipal district, or part thereof. In all cases, the rebate must provide a benefit to the community as a whole, being the public benefit test.

It is recommended that General land and Commercial and Industrial land attract a 100% rate and that Primary Producer Land attract a 70% Differential of the General land Rate.

Definition and Specific Characteristics

Council has proposed the following rate categories within its rating structure for 2022/23

General Land Rate

Definition:

General land is any rateable land which does not have the characteristics of Primary Producer land and Commercial/ Industrial Rate Land.

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that any differential rate in the dollar declared for defined general rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

Types and Classes:

Rateable land having the relevant characteristics described below:

- used primarily for residential purposes; or
- any land that is not defined as Primary Production or Commercial/Industrial Land.

Level of Rate:

100% of General Rate.

Geographic Location:

Wherever located within the municipal district.

Commercial/Industrial RateDefinition:

Commercial/Industrial Land is any land, which is used primarily for carrying out the manufacture or production of, or trade in goods or services

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the rate in the dollar declared for defined Commercial/Industrial Rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

The commercial businesses of Glenelg Shire Council benefit from ongoing significant investment by Council in services and infrastructure. Council also notes the tax deductibility of Council rates for commercial properties which is not available to the residential sector, and the income generating capability of commercial based properties.

The Commercial differential rate is applied to recognise the economic development objectives for the Glenelg Shire Council as outlined in the Council Plan. These objectives include an ongoing significant investment to create a vibrant economy and includes the maintenance and improvement of tourism infrastructure. Construction and maintenance of public infrastructure, development and provision of health and community services and the general provision of support services and promotion of business in the municipality.

Types and Classes:

Commercial/Industrial having the relevant characteristics described below:

- used primarily for commercial purposes; or
- any land that is not defined as General Land or Primary Production Land.

Level of Rate:

100% of the General Rate.

Geographic Location:

Wherever located within the municipal district.

Primary ProductionDefinition:

Primary production properties being defined as greater than 40 hectares (with some specified exceptions such as horticulture, viticulture etc.).

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the rate in the dollar declared for defined Primary Production land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services with considerations to maintain agriculture as a major industry in the municipal district, to facilitate the longevity of the farm sector and achieve a balance between providing for municipal growth and retaining the important agricultural economic base.

Types and Classes:

Primary Production land having the relevant characteristics described below:

- used primarily for primary production purposes; or
- any land that is not defined as General Land or Commercial/Industrial Land.

Level of Rate:

70% of the General Rate.

Geographic Location:

Wherever located within the municipal district.

Other

Council also has the following categories that fall outside of the rate capping environment:

- Cultural and Recreation –

Land which falls within the definition of the *Cultural and Recreational Lands Act 1963* which has the purpose of providing or promoting cultural or sporting recreational or similar facilities for outdoor use; and

- Specific Rating Agreements

Land that is ratable and where specific rating agreements have been approved by relevant parties.

Annual Garbage Charge

The proposed Annual Service charge for Garbage for 2022/23 is \$291.70, which is a 1.75% increase on the 2021/22 charge of \$286.70 and will raise an amount of approximately \$2.481M.

Concession of Rates – Dutton Way Properties

Each year, in accordance with section 169 of the *Local Government Act 1989*, Glenelg Shire Council has granted a rate concession of 100% to property owners along Dutton Way.

In 2021/2022, approximately 84 properties had a rate concession of 100% applied against their Rates assessments. This value of these rebates was \$5,070.40.

The 84 parcels of land that attracts these concessions is mostly located between Dutton Way Road and Keirana Avenue. Properties that are located between Keirana Avenue and Moore Drive are not rateable (see Attachment 2 – Dutton Way Rates Concession).

This concession has been in place since the former Heywood Shire Council first granted the concession. The rate concession initially commenced when a planning amendment was imposed by the then State Government on a specified area that restricted any further development due to a potential risk of land erosion by the sea.

In the past a rate and valuation notice was not issued for this rate concession. This resulted in some ratepayers not being aware of the valuation for the property and that a rate concession had been granted.

The *Valuation of Land Act 1960* requires that a notice be issued to the owners/occupiers of all rateable properties annually to show the valuations. In some cases, valuations can have Victorian Land tax implications.

A Rates and Valuation notice is issued to all property owners annually. The Rate notice includes the CIV valuation, the total amount of rates payable, the 100% concession and the \$0 balance owing.

Section 169 (1A) of the *Local Government Act 1989* requires a Council Resolution be passed granting the concession and specifies that the concession must benefit the community as a whole.

It is recommended that a Council Resolution be made that grants a 100% Rate concession for the 84 parcels of land at Dutton Way specified in the attachment. It is in the Communities best interest that this land remains undeveloped due to the high risk of land erosion of the sea.

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 158 (1) of the *Local Government Act 1989* requires that a Council must at least once in respect of each financial year declare by 30 June its rates and service charges.

c. Consultation and/or communication processes implemented or proposed

The information in this report incorporates the Draft Budget 2022/23 engagement process:

The following public consultation process was undertaken in accordance with Council's Community Engagement Policy to ensure due consideration and feedback is received from relevant stakeholders.

- Draft Budget 2022/2023 prepared by officers;
- Draft Budget 2022/2023 placed on public exhibition at the April Council Meeting;
- Community engagement through local news outlets and social media, including Your Say; and
- Draft Budget 2022/2023 (with any modifications) presented to June Council meeting for adoption.

In accordance with Section 161 (3) of the Act 1989 Council must ensure that copies of the information in this report are available on its Internet website and for public inspection at the Council office.

d. Financial Implications and Collaboration

The declaration of differential rates and an annual service charge will generate the rate revenue and annual service charge, forming a significant part of Council's revenue source and ensuring compliance with the Essential Services Commission rate cap.

e. Governance Principles

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

Attachment List

1. Dutton Way Map Rates Concession [**14.5.1** - 1 page]

14.6. ADOPTION OF THE GLENELG SHIRE COUNCIL BUDGET 2022-2023

Director: David Hol, Director Corporate Services

Executive Summary

The purpose of this report is to recommend that Council adopt the Draft Budget for 2022/2023 and the subsequent 3 financial years. The Draft Budget 2022/2023 document was released for community consultation by Council on Tuesday 26 April 2022 with 78 submissions received and a submission hearing process undertaken.

Recommendation

1. That Council receive and consider the 78 submissions received on the Draft Budget 2022/2023 and that each submitter be responded to, thanked for their submission, and advised of the outcome of the submission.
2. That the Draft Budget 2022/23 prepared in accordance with Section 94 of the *Local Government Act 2020* be the Glenelg Shire Council Budget 2022/2023;
3. That Council adopts the Draft Budget 2022/2023, with/without modification; and
4. That Council receive and note the resultant changes to the 2021-2031 Financial Plan that were identified when preparing Budget 2022/2023.

MOTION**MOVED Cr Hawker**

1. **That Council receive and consider the 78 submissions received on the Draft Budget 2022/2023 and that each submitter be responded to, thanked for their submission, and advised of the outcome of the submission.**
2. **That the Draft Budget 2022/23 prepared in accordance with Section 94 of the *Local Government Act 2020* be the Glenelg Shire Council Budget 2022/2023;**
3. **That Council adopts the Draft Budget 2022/2023, without modification; and**
4. **That Council receive and note the resultant changes to the 2021-2031 Financial Plan that were identified when preparing Budget 2022/2023.**

SECONDED Cr Smith**CARRIED**

FOR: Mayor Cr Rank, Cr Hawker and Cr Smith

AGAINST: Cr Stephens, Cr Carr and Cr Wilson

The Chairperson used a casting vote FOR the MOTION.

DIVISION

**Mayor Rank, Cr Hawker, Cr Smith voted FOR the MOTION.
Cr Carr, Cr Wilson, Cr Stephens voted AGAINST the MOTION.**

The Chairperson used a casting vote FOR the MOTION.

Background/Key Information:

Under the Act, Council is required to prepare and adopt an annual budget. The budget is required to be adopted by 30 June each year.

The process for formulating the Draft Budget 2022/2023 included a series of officer workshops, briefings and Council discussions over a period of 6 months.

The Fair Go Rates System (FGRS) legislates the maximum amount a council may increase their general rate revenue per annum. For the 2022/2023 year there is a 1.75 percent rate increase.

The Draft Budget has been developed through a rigorous review process by Council and Council staff. Council has placed an emphasis on the continuation of service delivery; the ongoing provision of facilities for our community; support for our residents; and sustainable financial viability for the Shire. Cost pressures caused by a variety of external factors continue to have a significant impact on Council's financial position. More recently, the impact of COVID19 has seen the Council initiate a range of measures to financially support residents, the community and local business.

Key information provided in the Budget includes the rate increase, operating result, works program (including capital works), financial position and financial sustainability.

The Budget 2022/2023 document also includes:

- Budgeted Statements, including the Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows and Capital Works Statement, for the year ended 30 June 2023 and projections for the subsequent 3 financial years;
- A general description of the services and initiatives to be funded in the budget;
- The total amount Council intends to raise by rates and charges for the year ended 30 June 2023;
- Statement of Human Resources and planned expenditure; and
- Capital Works Program for the year ended 30 June 2023 and projections for the subsequent 3 financial years.

At the 26 April 2022 Council Meeting, the draft budget 2022/23 was presented and released for Community Consultation.

Draft budget drop-in sessions were held in Portland, Casterton and Heywood and was attended by a total of 6 people. Feedback from the attendees at these sessions was provided to Councilors.

The Budget submission period ended on the 1 June, and at the conclusion of the public consultation period, 78 submissions relating to the budget were received. Councillors conducted a Budget Submission hearing on Tuesday 14 June and heard submissions from 12 parties.

Following preparation of the draft budget early in 2022, some minor adjustments to the budget document have been required which now reflects a proposed operating surplus of \$62k. In addition, the format of the tables has been refined to enable further clarity for comparison purposes with regards to the transition from the rebate scheme to the differential rate format.

When preparing the Budget 2022/2023, some changes have become apparent necessitating updates to the 2021-2031 Financial Plan that was adopted by Council in October 2021. Details of the significant changes are -

- Expected result in 2022/23 improved as a result of an increase in capital grant income;
- Depreciation recognised more accurately in the Draft Budget 2022/23;
- The Financial Plan aimed to reduce materials and services by approximately \$2.4M, however this target was not reached. It is assumed in 2023/24 efficiencies will be identified to reach this target;
- Employee expenses are budgeted higher than expected in the Financial Plan due to increased resources required for Council services that were previously contracted and also due to additional funded initiatives that were not apparent in the preparation of the financial plan. The EBA has also since been negotiated from 1 July and Years 2 and 3 of this agreement will see a 2% increase in salaries, compared to 1.5% allowed in the Financial Plan; and
- Rate income has increased slightly from the Financial Plan and is a result of a small increase in the rate cap used in these calculations compared to the rate cap published in December by the ESC. Rate income in the Budget 22/23 aligns with assumptions in the Financial Plan, that included a reduction in rate revenue within the Rate agreement category and the move from a rebate structure to a differential structure.

Councillors have considered the submissions both written and verbal, and the draft 2022/2023 budget is presented to Council for consideration and adoption with or without amendment. In addition, the amendments to the 10 year financial plan are provided for Council consideration and 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

Under the Local Government Act 2020, Part 4 Division 2 - Budget Process and specifically section 94, Council is required to prepare and adopt an annual budget and subsequent 3 financial years.

Supporting this Act, the *Local Government (Planning and Reporting) Regulations 2020* detailed the new requirements of Councils in relation to both Financial and performance planning, goal-setting/budgets and reporting. Compliance has been ensured by adopting many of the Victorian Model budget templates and suggested reporting practices.

Financial sustainability is a key consideration for the budget process.

c. Consultation and/or communication processes implemented or proposed

The following public consultation process was followed in accordance with Council's Community Engagement Policy to ensure due consideration and feedback was received from relevant stakeholders.

- Draft Budget 2022/2023 prepared by officers;
- Draft Budget 2022/2023 placed on public exhibition at the April Council meeting;
- Community engagement through local news outlets and social media, including Your Say;
- Community Budget sessions at Portland, Heywood and Casterton attended by 6 people;
- Provision of submissions received to Councillors for consideration in addition to a submissions hearing undertaken on the 14 June.
- Draft Budget 2022/2023 (with any revisions) presented to (June) Council meeting for adoption.

d. Financial Implications and Collaboration

All known current and future budget implications are outlined in the Budget 2022/2023 and are based on assumptions in the document.

The compilation and delivery of the annual budget process is provided for within Council recurrent budgets.

e. Governance Principles

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

Attachment List

1. GSC Budget 2022-2023 - Council Meeting 28 June 2022 [**14.6.1** - 46 pages]

The Council meeting was adjourned at 8.53pm and resumed at 8.57pm.

14.7. GLENELG SHIRE COUNCIL ASSET PLAN 2022

Director: Chris Saunders, Acting Director Assets

Executive Summary

The purpose of this report is to seek Council adoption of the Glenelg Shire Council Asset Plan 2022.

Recommendation

That Council adopts the Glenelg Shire Council Asset Plan 2022.

MOTION

MOVED Cr Carr

That Council adopts the Glenelg Shire Council Asset Plan 2022.

SECONDED Cr Wilson

CARRIED

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

AGAINST: Nil

Background/Key Information:

Section 92 of the *Local Government Act 2020* requires Council to develop, adopt and keep in force an Asset Plan. The Asset Plan is a high-level document intended to inform the community how Council controlled infrastructure assets will be managed to achieve the Council Plan and Community Vision.

The plan is to be reviewed every four years and the revision adopted by each newly elected Council. Each review is to go out for deliberative community engagement, the initial plan is exempt from this level of community engagement. However, Council placed the draft plan out for community discussion on “Your Say Glenelg” for two weeks and received no comments.

The Asset Plan is required to be adopted by Council by 30 June 2022.

a. Council Plan and Policy Linkage

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

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

b. Legislative, Legal and Risk Management Considerations

Local Government Act 2020, Section 92.

c. Consultation and/or communication processes implemented or proposed

Community engagement was undertaken on the draft Glenelg Shire Council Asset Plan 2022 in accordance with the Glenelg Shire Councils Community Engagement Policy, no submissions were received.

d. Financial Implications and Collaboration

There are no financial implications for the first iteration of the Asset plan, however subsequent versions may require aspects from the community consultation to be considered in how Council manages their assets.

e. Governance Principles

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

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

Attachment List

1. ECM 2984778 v 2 Glenelg Shire Council Asset Plan 2022 FINAL [14.7.1 - 20 pages]

14.8. ARTS GLENELG ARTS AND CULTURE STRATEGY 2022 TO 2026

Director: Melanie Bennett, Acting Director Community Services

Executive Summary

The purpose of this report is to seek Council adoption for the Arts Glenelg Arts and Culture Strategy 2022 to 2026.

Recommendation

That Council adopts the Arts Glenelg Arts and Culture Strategy 2022-2026.

MOTION

MOVED Cr Stephens

That Council adopts the Arts Glenelg Arts and Culture Strategy 2022-2026, with modification.

SECONDED Cr Carr

CARRIED

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

AGAINST: Nil

Background/Key Information:

The *Arts Glenelg Arts and Culture Strategy 2022 to 2026* (the Strategy) is a four-year direction for delivering Glenelg Shire Council's Arts and Culture services.

The Strategy is closely aligned with other local, regional, state, and national strategic creative industries activities.

It is supported by and links to the regional *Southwest Creative Industries Strategy*, launched in December 2020.

Implementing this Strategy is one of the Priority Projects in the *Glenelg Shire Council Plan 2021 to 2025*.

The Draft Strategy 2022 to 2026 was endorsed by Council for public exhibition from 27 April to 26 May 2022 at the Council Meeting held on 26 April 2022.

The draft document received a total of 95 visits via the Your Say Glenelg platform, with 64 document downloads, 4 engaged visitors, 54 informed visitors and 75 aware visitors. Five submissions were received via email.

A total of nine (9) written feedback submissions were received and considered. All were supportive of the Strategy in general. The specific feedback received highlighted the following insights which are consistent with the Strategy's focus areas:

- More modern murals, street art and a permanent stage on Bentinck St lawns – *Focus Area 4: Cultivate Activation in our creative spaces.*
- Opportunities for community involvement – *Focus Area 5: Support and develop our creatives to thrive* and *Focus Area 6: Use arts and culture to connect the community and inspire ideas.*
- Arts is important to general wellbeing; lack of space for exhibitions and larger performances; Small Night In concept great – *Focus Area 4: Cultivate Activation in our creative spaces.*
- Strengthen connected and inspiring creative Glenelg Shire communities and individuals – *Focus Area 2: Nurture our young creatives through cultural opportunities* and *Focus Area 5: Support and develop our creatives to thrive.*
- Request for more spaces to exhibit and support contemporary abstract art; Portland could be an avant garde artistic destination – *Focus Area 4: Cultivate activation in our creative spaces.*
- Support for Julia Street Creative Space supporting the aspirations of the Strategy and collaboration with Council.
- Request for the strategy to address broader issues of diverse communities and people with disabilities - *Focus Area 4: Cultivate activation in our creative spaces.*

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 development of an Arts and Culture Strategy and the subsequent deliberative engagement activities are recommended by state authorities, i.e., Creative Victoria, and is a prudent and transparent Council action.

c. Consultation and/or communication processes implemented or proposed

Southwest Creative Industries Strategy 2020 to 2024 undertook significant regional engagement in 2019 and this document draws upon the evidence, learnings, and framework. A subsequent focused approach for local stakeholder engagement was undertaken in line with Council's Community Engagement Policy.

The Draft document was published online and promoted to the community. A total of five written feedback submissions were received and considered.

d. Financial Implications and Collaboration

The majority of actions within the Strategy are included in the existing Arts and Culture operational budget. Relevant funding opportunities will be sought for some activities where possible and applicable.

e. Governance Principles

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

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

Attachment List

1. Arts Glenelg Arts and Culture Strategy 2022 to 2026 [**14.8.1** - 20 pages]

14.9. HERITAGE GRANT APPLICATION RECOMMENDATION 60 JULIA ST PORTLAND

Director: David Hol, Director Corporate Services

Executive Summary

Heritage grants and loans are available on a year-round basis. An individual report and recommendation is provided for the grant application at 60 Julia Street, Portland that has provided all information required for evaluation.

Council's Heritage Advisor has provided a report confirming eligibility of these works as per the Heritage Support Policy. Council officers have evaluated the application and this report presents the recommendation.

Recommendation

That Council approve the grant application of \$5,000 from the heritage grants and loans restoration fund for the conservation works at 60 Julia Street, Portland in accordance with the recommendations in Council's heritage advisor report and relevant permits.

Cr Carr re declared a Conflict in item 14.9 Heritage Grant Application Recommendation 60 Julia Street, Portland and left the meeting at 9:11 pm.

MOTION

MOVED Cr Wilson

That Council approve the grant application of \$5,000 from the heritage grants and loans restoration fund for the conservation works at 60 Julia Street, Portland in accordance with the recommendations in Council's heritage advisor report and relevant permits.

SECONDED Cr Smith

CARRIED

FOR: Mayor Cr Rank, Cr Hawker, Cr Stephens, Cr Smith and Cr Wilson

AGAINST: Nil

Cr Carr returned to the meeting at 9:15 pm.

Background/Key Information:

On 27 April 2021 Council adopted the Heritage Support Policy. Recommendations for grants and loans are evaluated by Council officers in consultation with Council's heritage advisor.

"Annesley", 60 Julia Street, Portland is an individually listed heritage property (HO61) built in 1879 as a two storey residence and surgery. The 1981 Portland Urban

Conservation Study states 'The house is an interesting example of a substantial nineteenth century town house designed in an Italianate style'.

A heritage grant application was submitted on 7 May 2022 to undertake conservation works to restore and paint the exterior façade in a traditional colour scheme for a grant of \$10,000.

Two quotes (\$50,952 & \$49,940) have been provided for labour and materials. The quote for \$50,952 is associated with the applicant, therefore as per policy guidelines, labour provided by the applicant is ineligible. A revised quote for \$29,480 has been submitted for materials and scaffold hire only. Council's Heritage Advisor inspected the property on 21 February 2022 and advised that the works are eligible for a grant.

The application meets all the eligibility requirements of the Heritage Support Policy. The Heritage Support Policy guidelines allows a maximum of \$10,000 per financial year. As the applicant has also applied and is eligible for a Retail Façade Improvement Program grant for the amount of \$5,000, the recommendation for a heritage grant is \$5,000.

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

There are no specific legislative, legal or risk management considerations.

c. Consultation and/or communication processes implemented or proposed

The applicant will be advised of the outcome following the Council Meeting.

d. Financial Implications and Collaboration

The Heritage Grants and Loans restoration fund has an estimated balance of \$30,000 once all grants approved to date are acquitted. Given the reduced balance in the fund and the applicant applying for two grants it is recommended that \$5,000 be granted.

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.

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 ongoing financial viability of the Council is to be ensured.

Attachment List

1. Annesley House Heritage Grant Application Redacted [**14.9.1** - 18 pages]

14.10. VICTORIAN STATE GOVERNMENT WASTE REFORM

Director: Chris Saunders, Acting Director Assets

Executive Summary

Minister for Energy, Environment and Climate Change, announced that from 1 July 2022, Recycling Victoria will oversee and regulate the state's waste and recycling sector, following the introduction of the new Circular Economy (Waste Reduction and Recycling) Bill.

It is proposed to reformatise the Barwon South West Resource Recovery and Waste Forum so that beyond the 1 July 2022 there continues to be a formalised structure for ongoing collaboration for Councils on a regional and state-wide level.

This report recommends that Council endorses the appointment of a Councillor to represent Glenelg Shire Councils interests as part of an advocacy role.

Recommendation

That Council endorse the appointment of Councillor _____ to represent Glenelg Shire Council on recycling and waste matters as part of a regional advisory group.

MOTION

MOVED Cr Carr

That Council endorse the appointment of Councillor Wilson to represent Glenelg Shire Council on recycling and waste matters as part of a regional advisory group.

SECONDED Cr Stephens

CARRIED

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

AGAINST: Nil

Background/Key Information:

Minister for Energy, Environment and Climate Change, announced that from 1 July 2022, Recycling Victoria will oversee and regulate the state's waste and recycling sector, following the introduction of the new Circular Economy (Waste Reduction and Recycling) Bill.

As part of the policy, the Victorian Government committed to developing a new waste and recycling Act and establishing a waste authority by 2021. This provided the Victorian Government with a system-wide view that will allow it to more effectively oversee the waste and recycling sector, including identifying and responding to future market shocks. This will also ensure that waste and recycling services are reliable and meet community expectations and contribute to Victoria's waste and recycling goals.

On commencement of Recycling Victoria (RV), the Waste and Resource Recovery Groups (WRRGs) will be dissolved, and relevant functions will be transferred to Recycling Victoria.

It is proposed to reform an entity similar to the Barwon South West Resource Recovery and Waste Forum so that beyond the 1 July 2022 there continues to be a formalised structure for ongoing collaboration for Councils on a regional and state-wide level. In order to facilitate this, it is proposed that Council endorses the appointment of a Councillor represent Glenelg Shire Councils interests as part of an advocacy role.

The Councillor Representative would be undertaking duties including;

- Meeting with other councils in the Barwon South West region to consider recycling and waste matters and provide advice to councils in the region.
- Appointing a chair of the regional advisory group on recycling and waste, who would represent the region in a state-wide advisory group, including electing a state-wide chair.
- Developing a proposal for governance (including a Terms of Reference) of regional coordination between the councils, for consideration by Council at a future date
- Calling on the state government to support regional collaboration by providing the secretariat function via RV.

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.

b. Legislative, Legal and Risk Management Considerations

The Circular Economy (*Waste Reduction and Recycling*) Act 2021 has been introduced. The Act coincides with; *Environment Protection Act 1970*, *Local Government Act 2020*, *Planning and Environment Act 1987*, *Occupational Health and Safety Act 2004*, *Dangerous Goods Act 1985*, *Sustainability Victoria Act 2005*

c. Consultation and/or communication processes implemented or proposed

The Victorian Government sought feedback on a proposed model for the new Act and waste authority through delivery of an options paper to consider feedback on proposed models from Local Government and industry leaders.

d. Financial Implications and Collaboration

Financial implications will be determined during the implementation of the Act. The establishment of this group is to accommodate advocacy pathways between Local Government and State Government.

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.

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.

Attachment List

Nil

14.11. CONTRACT 2021-22-58 RC PIPES, ENVIRONMENTAL PROTECTION PRODUCTS, GRATES ACCESS COVERS STORMWATER PIPES AND ASSOC PRODUCTS

Director: Chris Saunders, Acting Director Assets

Executive Summary

This report is to brief Council on the tender evaluation process for the supply of reinforced concrete pipes, environmental protection products, grates, access covers, stormwater pipes and associated products to the Glenelg Shire Council under Contract 2021-22-58 and provides recommendations regarding the awarding of this contract.

Recommendation

That Council:

1. Award Contract 2021-22-58 for the supply of Reinforced Concrete Pipes, Environmental Protection Products, Grates, Access Covers, Stormwater Pipes and Associated Products to the following tenderers:
 - Cadia Group Pty Ltd;
 - Mailors Flat Concrete Products Proprietary Limited;
 - Reece Australia Pty Ltd; and
 - Westvic Earthmoving Pty Ltd.
2. That the Chief Executive Officer be authorised to execute all documents relating to this contract.
3. That the Director Assets be authorised to negotiate and execute further extensions of the contract in accordance with the contract documentation.
4. That the Director Assets be authorised to complete all financial payments and documents in relation to this contract.

MOTION

MOVED Cr Hawker

That Council:

1. **Award Contract 2021-22-58 for the supply of Reinforced Concrete Pipes, Environmental Protection Products, Grates, Access Covers, Stormwater Pipes and Associated Products to the following tenderers:**
 - **Cadia Group Pty Ltd;**
 - **Mailors Flat Concrete Products Proprietary Limited;**
 - **Reece Australia Pty Ltd; and**
 - **Westvic Earthmoving Pty Ltd.**

2. That the Chief Executive Officer be authorised to execute all documents relating to this contract.
3. That the Director Assets be authorised to negotiate and execute further extensions of the contract in accordance with the contract documentation.
4. That the Director Assets be authorised to complete all financial payments and documents in relation to this contract.

SECONDED Cr Carr**CARRIED**

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

AGAINST: Nil

Background/Key Information:

The current contract for the supply of above-mentioned goods expires on 30 June 2022 and no further options to extend the current contract are available. As such, Council requires a new contract to cover future supply.

This report covers the tender requirements relating to the the supply of reinforced concrete pipes, environmental protection products, grates, access covers, stormwater pipes and associated products for use within the Glenelg Shire.

The term of the contract will be for three (3) years with two (2) options to extend the contract by an extra one (1) year.

Public Tenders were called on Thursday 5 May 2022 and closed at 3pm on Thursday 26 May 2022.

At the closure of the tender submission period a total of four (4) submissions were received. Tender submissions were received via Tenderlink from:

- Cadia Group Pty Ltd;
- Mailors Flat Concrete Products Proprietary Limited;
- Reece Australia Pty Ltd; and
- Westvic Earthmoving Pty Ltd.

The Tender Evaluation Panel considered the tender submissions taking into account the selection criteria and weighting which covers cost, availability resources and capacity, economic contribution to the Glenelg Shire Council region and the level of commitment demonstrated to maximise environmental sustainability.

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

All legal and legislative requirements have been considered.

c. Consultation and/or communication processes implemented or proposed

Tenders were invited in accordance with Council's Procurement Policy and communications with prospective tenderers was via Councils Tenderlink website to ensure a fair and transparent platform for tendering.

Notification of the successful and unsuccessful tenders will also be provided to tenderers following Council's resolution relating to this Contract.

d. Financial Implications and Collaboration

Expenditure associated with this tender will be incorporated into future budget forecasts. The costs for the recommended tenders will be within budget allocations.

e. Governance Principles

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

Attachment List

Separately circulated as a Confidential attachment.

14.12. CONTRACT 2021-22-60 PROVISION OF LIMESTONE CRUSHING SERVICES

Director: Chris Saunders, Acting Director Assets

Executive Summary

This report is to brief Council on the tender evaluation process for the Provision of Limestone Crushing Services to the Glenelg Shire Council under Contract 2021-22-60 and provides recommendations regarding the awarding of this contract.

Recommendation

That Council:

1. Award Contract 2021-22-60 for the Provision of Limestone Crushing Services to Mibus Bros (Aust) Pty Ltd.
2. That the Chief Executive Officer be authorised to execute all documents relating to this contract.
3. That the Director Assets be authorised to negotiate and execute further extensions of the contract in accordance with the contract documentation.
4. That the Director Assets be authorised to complete all financial payments and documents in relation to this contract.

MOTION

MOVED Cr Hawker

That Council:

1. **Award Contract 2021-22-60 for the Provision of Limestone Crushing Services to Mibus Bros (Aust) Pty Ltd.**
2. **That the Chief Executive Officer be authorised to execute all documents relating to this contract.**
3. **That the Director Assets be authorised to negotiate and execute further extensions of the contract in accordance with the contract documentation.**
4. **That the Director Assets be authorised to complete all financial payments and documents in relation to this contract.**

SECONDED Cr Carr

CARRIED

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

AGAINST: Nil

Background/Key Information:

The current contract for the provision of this service expires on 30 June 2022 and no further options to extend the current contract are available. As such, Council requires a new contract to cover future supply of this service.

This report covers the tender requirements relating to the quality supply of limestone crushing services for the purposes of producing road making material within the Glenelg Shire.

The term of the contract will be three (3) years with Council reserving the right to extend the contract, if it so desires, by adding an additional two (2) by one (1) year extension options.

Public Tenders were called on Thursday 5 May 2022 and closed at 3pm on Thursday 26 May 2022.

At the closure of the tender submission period a total of two (2) submissions were received. Tender submissions were received via Tenderlink from:

- Mibus Bros (Aust) Pty Ltd; and
- Civcrush Pty Ltd.

The Tender Evaluation Panel considered the tender submissions taking into account the selection criteria and weighting which covers cost, availability resources and capacity, OHS, record of past performance, economic contribution to the Glenelg Shire Council region and the level of commitment demonstrated to maximize environmental sustainability.

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

All legal and legislative requirements have been considered.

c. Consultation and/or communication processes implemented or proposed

Tenders were invited in accordance with Council's Procurement Policy and communications with prospective tenderers was via Council's Tenderlink website to ensure a fair and transparent platform for tendering.

Notification of the successful and unsuccessful tenders will also be provided to tenderers following Council's resolution relating to this Contract.

d. Financial Implications and Collaboration

Cost for the provision of the Services for this contract will be incorporated within adopted budgets.

e. Governance Principles

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

Attachment List

Separately circulated as a Confidential attachment.

15. CONFIDENTIAL REPORTS

Nil.

16. URGENT BUSINESS

Nil.

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 Carr

CARRIED

FOR: Mayor Cr Rank, 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 9.22pm.

I HEREBY CERTIFY THAT PAGES 1 TO 59 CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

CR ANITA RANK
MAYOR

26 July 2022