



**Glenelg Shire Council
Minutes of the Council Meeting held on
Tuesday 24 March 2026 at 5:30 pm at
Dartmoor Public Hall
Dartmoor**

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1. PRESENT

Mayor Cr Karen Stephens, Deputy Mayor Cr Matt Jowett, Cr Duane Angelino, Cr Michael Carr, Cr Robyn McDonald, Cr Mike Noske, and Cr John Pepper.

Also in attendance were the Chief Executive Officer (Ms Helen Havercroft), Acting Director Corporate Services (Mr Aaron Moyne), Director Community Services (Mr Brett Jackson), Acting Director Infrastructure Services (Ms Jemma Dillon), and Business Support Officer Corporate Services Department (Ms Louise Haluska).

2. ACKNOWLEDGEMENT OF COUNTRY

The Mayor read the Acknowledgement of Country.

3. RECORDING OF MEETINGS

To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded and published. Council meetings may be livestreamed and the Chief Executive Officer will enable a copy of the recording to the public.

4. RECEIPT OF APOLOGIES

Nil.

5. CONFIRMATION OF MINUTES**5.1. CONFIRMATION OF MINUTES****Recommendation**

That the minutes of the Council Meeting held on 24 February 2026, as circulated, be confirmed.

MOTION**MOVED Cr Jowett**

That the minutes of the Council Meeting held on 24 February 2026, as circulated, be confirmed.

SECONDED Cr Carr**CARRIED**

FOR: Cr Angelino, Cr Carr, Cr Jowett, Cr McDonald, Cr Noske, Cr Stephens
and Cr Pepper

AGAINST: Nil

*Mayor Cr Stephens acknowledged the passing of the Hon. Dr Laura Amelia Bell; and
Acknowledged the achievements of the Dartmoor community.*

5.2. RECORD OF COUNCILLOR BRIEFINGS

Aaron Moyne, Acting Director Corporate Services

Summary

This report provides for Council to receive a record of any recent Councillor Briefing sessions undertaken since last reported at a Council meeting.

Background

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

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

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

Council Plan and Policy Linkage

Leading and Engaging – Being an active and transparent leader set up to deliver on our priorities.

Recommendation

That Council receives the record of the Councillor briefing held on 24 February 2026, 3 March 2026, 10 March 2026, and 17 March 2026.

MOTION

MOVED Cr Noske

That Council receives the record of the Councillor briefing held on 24 February 2026, 3 March 2026, 10 March 2026, and 17 March 2026.

SECONDED Cr Angelino

CARRIED

FOR: Cr Angelino, Cr Carr, Cr Jowett, Cr McDonald, Cr Noske, Cr Stephens
and Cr Pepper

AGAINST: Nil

Attachment List

1. Councillor Briefing Record 24 February 2026 [**5.2.1** - 1 page]
2. Councillor Briefing Record 03 March 2026 [**5.2.2** - 1 page]
3. Councillor Briefing Record 10 March 2026 [**5.2.3** - 1 page]
4. Councillor Briefing Record 17 March 2026 [**5.2.4** - 1 page]

6. DECLARATIONS OF CONFLICT OF INTEREST

6.1. DECLARATIONS OF CONFLICT OF INTEREST

Cr Carr declared a conflict of interest in relation to agenda item 11.2 Questions from Members of the Public.

7. COUNCILLOR ACTIVITY REPORTS**Cr STEPHENS, MAYOR**

Date	Meeting/Event	Location	Comments (Optional)
03.02.2026	Councillor Briefing	Portland	Regular Council Briefing session to discuss matters of strategic importance.
06.02.2026	Portland SES 50 Year Celebration dinner	Portland	Attended the 50-year anniversary dinner and presented Founding Member Mr Gary Hein with a Certificate of Appreciation on behalf of the community.
10.02.2026	Cultural Awareness Program Workshop – Public Position on Aboriginal Affairs	Portland	Councillor workshop to discuss and review items of significance to Glenelg and the community.
10.02.2026	Councillor Briefing	Portland	Regular Council Briefing session to discuss matters of strategic importance.
11.02.2026	Community Budget Information Session	Casterton	Community information session on the 2026-27 budget preparation seeking feedback from the community on their ideas and aspirations.
12.02.2026	Casterton RSL AGM	Casterton	Attended the AGM and thanked members for their contribution to the community.
13.02.2026	South West Alliance Board Meeting	Warrnambool	Bi-monthly board meeting of 5 councils from across South West region.
17.02.2026	Councillor Briefing	Portland	Regular Council Briefing session to discuss matters of strategic importance.
19.02.2026	Timber Towns Victoria meeting	Online	Bi-monthly statewide meeting.
24.02.2026	Council Meeting	Portland	Monthly Council meeting.
26.02.2026	Green Triangle Forestry Industry HUB meeting	Online	Regular board meeting.
28.02.2026	Heywood Wood Wine & Roses Festival	Heywood	Attended the annual festival and judged the Street Parade with Cr Angelino – spend time at council's FOGO tent chatting with community members on the

			introduction of the mandatory allocation of these bins across the Shire.
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Cr JOWETT, DEPUTY MAYOR

Date	Meeting/Event	Location	Comments (Optional)
10.02.2026	Cultural Awareness Workshop	Portland	Developing council's position on Aboriginal affairs
10.02.2025	Meeting with Bev McArthur MP and Roma Britnell MP	Portland	Our Councillor group had the opportunity to raise our local issues with both Bev and Roma
10.02.2025	Councillor Briefing	Portland	
11.02.2025	Community Budget Information Session	Heywood	Met with Heywood residents at the Heywood Bakery to hear their ideas on the 2026/27 budget
11.02.2025	Community Budget Information Session	Dartmoor	Met with many Dartmoor residents to hear what they wanted to see in the 2026/27 budget
12.02.2025	Community Budget Information Session	Nelson	Met with Nelson residents at the local CFA to listen to what they wanted in the 2026/27 budget
12.02.2025	Community Budget Information Session	Portland	Met with several Portland residents to hear what they would like to see in the 2026/27 budget
14.02.2025	Grand Opening Chiropractic Life	Portland	This was a wonderful opportunity to officially open a new business in Portland that will be focusing on the health and wellbeing of our residents. I see this as a great endorsement of our local economy that a new business is willing to make an investment in our growing economy here in the Glenelg Shire.
14.02.2025	Tyrendarra Show	Tyrendarra	I enjoyed attending the 108 th Tyrendarra Show. This is always a highly attended event with many wonderful attractions.
17.02.2026	Councillor Briefing	Portland	
21.02.2026	Portland Foreshore Car Show	Portland	This event is just going from strength to strength. At least

			320 vehicles this year were on display.
24.02.2026	Councillor Briefing	Portland	
24.02.2026	February Council Meeting	Portland	
26.02.2026	CEO/Councillor Catch Up	Portland	
28.02.2026	Wood, Wine & Roses	Heywood	

Cr MCDONALD

Date	Meeting/Event	Location	Comments (Optional)
01.02.2026	SES Demonstration/Open Day	Portland	A thrilling display of the deconstruction of a vehicle in order to remove a person trapped in a post collision car. The long-serving tenure of many local members demonstrates extraordinary commitment and leadership. It was great to see some younger members joining the team and putting their skills into practice.
03.02.2026	Councillor briefing	Portland	

Cr NOSKE

Date	Meeting/Event	Location	Comments (Optional)
10.02.2026	Cultural Awareness Workshop	Portland	
10.02.2026	Councillor Briefing	Portland	
17.02.2026	Councillor Briefing	Portland	
24.02.2026	Councillor Briefing	Portland	
24.02.2026	Council Meeting	Portland	
28.02.2026	Wood Wine & Roses Event	Heywood	Spent an interesting 2 hours chatting with people about a variety of things including FOGO and community issues.

Cr PEPPER

Date	Meeting/Event	Location	Comments (Optional)
03.02.2026	Councillor briefing	Portland	
05.02.2026	CEO Farm visit	Tahara	
10.02.2026	Cultural Awareness Program Workshop – Public Position on Aboriginal Affairs	Portland	

10.02.2025	Councillor briefing	Portland	
11.02.2026	Community budget information session	Casterton	
17.02.2026	Councillor briefing	Portland	
24.02.2026	Council Meeting	Portland	

Cr CARR

Date	Meeting/Event	Location	Comments (Optional)
03.02.2026	Councillor briefing	Portland	
10.02.2026	Cultural Awareness Workshop	Portland	Council Position on Aboriginal Affairs as a Council and Wellbeing commitment
10.02.2026	Rail Freight Alliance	Online	
10.02.2025	Councillor briefing	Portland	
13.02.2026	Rail Freight Alliance – AGM	Docklands	
13.02.2026	Tyrendarra Rec Reserve AGM	Tyrendarra	
17.02.2026	Councillor briefing	Portland	
21.02.2026	Classics by the Bay	Portland	The best classic show in Australia; the weather was fantastic.
24.02.2026	Council Meeting	Portland	
26.02.2026	Wood Wine and Roses – Volunteers Night	Heywood	

Cr ANGELINO

Date	Meeting/Event	Location	Comments (Optional)
03.02.2026	Councillor briefing	Portland	
10.02.2026	Cultural Awareness Program Workshop – Public Position on Aboriginal Affairs	Portland	
10.02.2026	Councillor briefing	Portland	
11.02.2026	Community budget sessions	Heywood bakery and Dartmoor general shop	Great day meeting with locals and a time for Council staff to meet locals and discuss issues.
17.02.2026	Councillor briefing	Portland	
24.02.2026	Council Meeting	Portland	
28.02.2026	Wood wine and roses	Heywood	A great parade to start the day and was another great event. The weather wasn't as bad as expected and the bands at the night session were fantastic with a Status

			Quo and Credence Clearwater tribute band.
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Recommendation

That Council notes the Councillor Activity Reports for 1 March 2026 to 28 March 2026.

MOTION**MOVED Cr Carr**

That Council notes the Councillor Activity Reports for 1 February 2026 to 28 February 2026.

SECONDED Cr McDonald**CARRIED**

FOR: Cr Angelino, Cr Carr, Cr Jowett, Cr McDonald, Cr Noske, Cr Stephens
and Cr Pepper

AGAINST: Nil

Attachment List

Nil.

8. NOTICES OF MOTION

Nil.

9. MANAGEMENT REPORTS

9.1. S5 COUNCIL TO CEO INSTRUMENT OF DELEGATION

Director: Aaron Moyne, Acting Director Corporate Services

Summary

In accordance with the principles of good governance, continuous improvement and statutory compliance, the review of the Delegations and Authorisations has been undertaken. In accordance with Section 11(7) of the *Local Government Act 2020*, Council reviews delegations twice a year or in accordance with changes to various Acts.

Background

The Glenelg Shire Council, together with a number of other Victorian municipalities, subscribes to the Maddock's Lawyers Delegations and Authorisations update service.

This review is based on Maddocks's proforma documents with appropriate alterations identified by each Director and their staff. Updates are provided to Council staff via email and updates to each provision and Instruments are outlined. A copy of the update is provided as an attachment to this report.

Some common instruments of delegation are as follows:

- S5 - Instrument of Delegation from Council to CEO. This delegates all of Council's powers, duties and functions which are capable of delegation, subject to some exceptions and limitations, to the CEO.
- S6 - Instrument of Delegation from Council to members of Council staff relating to Council powers, duties and functions within various Acts and Regulations (or specific parts of those Acts or Regulations), which contain a specific power of delegation. This delegates certain powers directly from Council to Council staff due to the legislation referred to containing specific powers of delegation.
- S7 - Instrument of Sub-Delegation from CEO to Council staff. This sub-delegates Council powers, duties or functions contained in Acts or Regulations which do not include a specific power of delegation.
- S13 - Instrument of Delegation from CEO to staff. This instrument allows the CEO to delegate his or her powers, duties and functions existing under all Victorian legislation. This differs to the S7 Instrument in that it does not relate to Council powers, duties and functions, but those vested in the CEO personally.
- S14 - Instrument of Delegation from CEO to staff (Vicsmart). This provides for the CEO to delegate his or her powers as a responsible authority under the *Planning and Environment Act 1987* in relation to VicSmart planning applications. The difference between the S6 and S7 instruments of delegation turn on the source of the powers of delegation.

▪ S18 – Instrument of Sub-delegation under the *Environment Protection Act 2017*. This is used by a council to delegate to members of its staff those powers that are contained in the Instrument of Delegation of the Environment Protection Authority under the *Environment Protection Act 2017* dated 4 June 2021.

Key Information

Most Council decisions are not made at Council meetings. Effective functioning of local government would not be possible if they were. Instead, most decision-making power is, or should be, allocated by formal delegations.

Section 11(1) of the *Local Government Act 2020* enables Councils to delegate to Council Committees and Staff a diverse range of powers, duties or functions to facilitate the effective and efficient management and operation of municipalities.

The S5 Instrument of Delegation from Council to the Chief Executive Officer (CEO) delegates all of Council's powers, duties and functions which are capable of delegation, subject to some exceptions and limitations, to the CEO.

The Chief Executive Officer may then by instrument of delegation under S47 of the *Local Government Act 2020*, sub-delegate any power, duty or function of the Council that has been delegated to the Chief Executive Officer by the Council to a member of Council staff.

Whilst the S5 Delegation already covers a person in the role of the CEO, including the appointment of the current CEO, since the last S5 was approved by Council in February 2023, it is considered best practice to regularly update the instrument as it can only delegate those powers that were in existence at the time the S5 was made.

At the December 2025 Council Meeting, Council adopted the revised Procurement Policy. A key change was the reduction of the CEO's delegation limit from \$500,000 (inclusive of GST) to \$400,000 (exclusive of GST). The S5 has been updated to reflect this change.

In addition, in accordance with S11(7) of the *Local Government Act 2020*, a Council must review, within the period of 12 months after a general election, all delegations which have been made and are still in force.

Risk

Failure to adequately review and implement updated Delegations could result in non-compliance with State and Federal legislation.

Finance

Adoption of the reviewed Delegations does not present any direct financial implications, however, the continuous improvement of delegations and authorisations ensures Council minimises its strategic risks associated with legislative compliance.

Consultation

Relevant managers and Directors are involved in the review process to ensure that delegations and authorisations remain accurate and in the best interests of Council.

Council Plan and Policy Linkage

Leading and Engaging – Being an active and transparent leader set up to deliver on our priorities.

Conclusion

The updated S5 Instrument of Delegation is now provided for Council approval and signing by the Mayor and CEO.

Recommendation

That Council approves the Instrument of Delegation from Council to the Chief Executive Officer (S5), which will come into force immediately upon this resolution being made and is signed by the Mayor and Chief Executive Officer, and notes that the previous Instrument is therefore revoked.

MOTION**MOVED Cr Carr**

That Council approves the Instrument of Delegation from Council to the Chief Executive Officer (S5), which will come into force immediately upon this resolution being made and is signed by the Mayor and Chief Executive Officer, and notes that the previous Instrument is therefore revoked.

SECONDED Cr Angelino**CARRIED**

FOR: Cr Angelino, Cr Carr, Cr Jowett, Cr McDonald, Cr Noske, Cr Stephens
and Cr Pepper

AGAINST: Nil

Attachment List

1. S5 Staff Package Instrument of Delegation Council to CEO [9.1.1 - 5 pages]

9.2. LEASE AGREEMENT BETWEEN GLENELG SHIRE COUNCIL AND 3RPC INC.

Director: Aaron Moyne, Acting Director Corporate Services

Summary

This report seeks Council's approval to enter into two new leases with 3RPC Incorporated for the ground floor and first-floor apartment property known as Ruth Martin Memorial Building, 34 Julia Street Portland.

Background

3RPC Incorporated has had a formal lease in place with Glenelg Shire Council since 1 August 2016 for the purposes of a community radio station.

The property known as the Ruth Martin Memorial Building is situated at 34 Julia Street, Portland (see map below). The current lease with 3RPC Incorporated commenced on 1 August 2016 and expired on 31 July 2025. As the lease had no further options, a new lease is required. The lease is currently in overholding whilst negotiations have taken place with the tenant.

The lease was presented and resolved at the July 2025 Council Meeting; however, the resolution was rescinded at the August 2025 Council Meeting pending the review of the Leasing and Licensing Policy. The new Leasing and Licensing Policy was adopted at the November 2025 Council Meeting.

3RPC Incorporated is seeking to remain in the building and in-principle agreement has been reached in terms of the new lease arrangements.

Key Information

The tenant previously paid \$1,508.65 (excl GST) per annum in total for both the ground floor radio station and the first-floor apartment up to the expiry of the last lease in July 2025.

3RPC Incorporated receives income from the first-floor apartment through a sub-lease of the property, which is reinvested into the radio station operations.

A rental valuation report for the property was obtained in March 2025, indicating a potential rental income of \$25,945.00 (excl GST). The amount indicates a full commercial rental amount of \$17,625.00 (excl GST) for the ground floor and \$8,320.00 (excl GST) for the first-floor apartment.

Two separate leases were proposed, each with a four-year term with one five-year extension option.

To bring this lease into alignment with other community group leases and the Leasing and Licensing Policy, a proposal was offered for a peppercorn rental amount of \$1.00 (incl GST) per annum on request for the ground floor radio station component.

A second proposal was offered for a separate lease of the first-floor apartment which is currently rented out by 3RPC Inc for residential purposes. A gradual rental increase transitioning from \$2,720.00 (excl GST) in year one, to \$5,520.00 (excl GST) in year two and then a full residential rental amount of \$8,320.00 (excl GST) per annum in the third and fourth years. A market review will be undertaken, to commence in the second term with annual CPI adjustments thereafter. This will be in accordance with the March quarter All Groups CPI figure for Melbourne.

The tenant has responded affirmatively to the proposal.

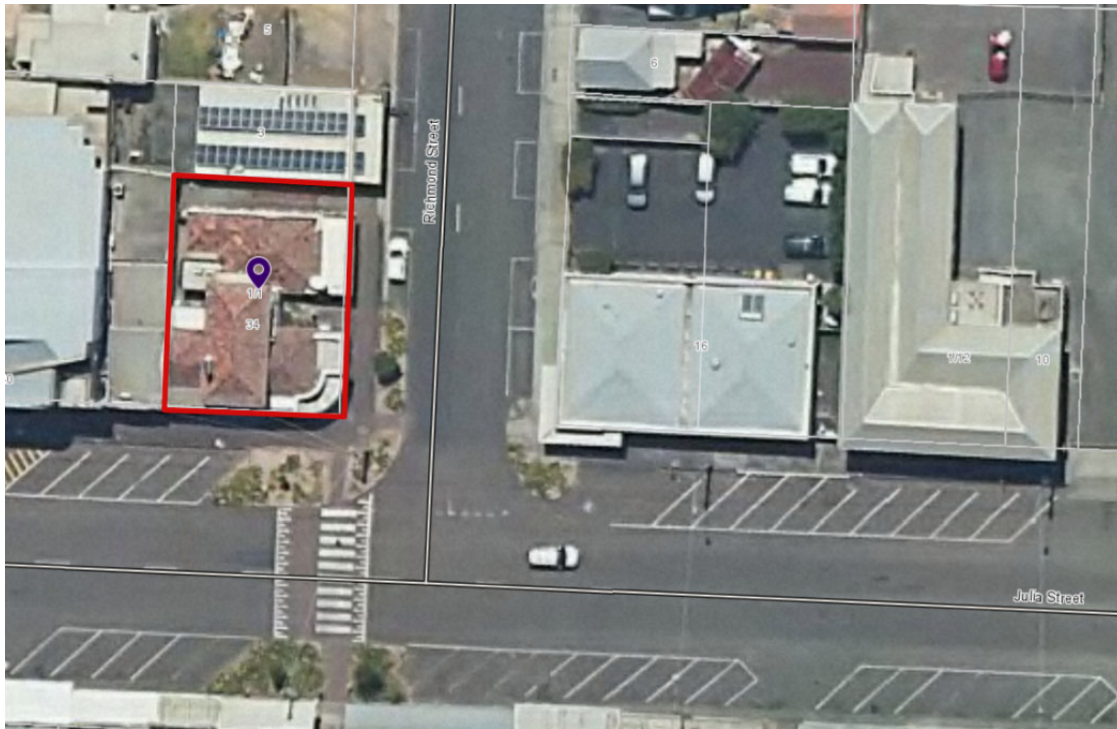


Image 1. Aerial image of 34 Julia Street, Portland

Risk

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.

Finance

The income received from the lease will be included in the current budget provisions.

Consultation

Communication with the Tenant relating to the new lease has occurred to ensure they are in support of the proposal.

Council and Wellbeing Plan 2025-2029 Alignment

Essential Services and Facilities - Quality, fit for purpose facilities, infrastructure and services that support our community.

Conclusion

It is recommended that Council approves two separate four (4) year leases with one (1) x five (5) year extension options with 3RPC Inc. for the ground floor and first floor apartment at the property known as Ruth Martin Memorial Building, 34 Julia Street, Portland.

Recommendation

That Council:

1. Approves a new four (4) year lease with one (1) x five (5) year extension option with 3RPC Inc. for the ground floor of the property known as Ruth Martin Memorial Building, 34 Julia Street, Portland.
2. Sets a peppercorn rental amount of \$1.00 (incl GST) per annum for the lease proposed in part one (1) of this resolution.
3. Approves a new four (4) year lease with one (1) x five (5) year extension option with 3RPC Inc. for the first-floor apartment of the property known as Ruth Martin Memorial Building, 34 Julia Street, Portland.
4. Sets the rental figure for Year 1 at \$2,720.00 (excl GST), Year 2 at \$5,520.00 (excl GST), and Years 3 and 4 at \$8,320 (excl GST) per annum, with a market review commencing in the second term followed by annual adjustments in accordance with the March quarter All Groups CPI figure for Melbourne for the lease proposed in part three (3) of this resolution.
5. Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed leases in parts one (1) and three (3) of this resolution.

Following a change of requirements by 3RPC, an alternate recommendation was proposed by officers which became the MOTION.

MOTION

MOVED Cr McDonald

That Council:

1. **Approves a new four (4) year lease with one (1) x five (5) year extension option with 3RPC Inc to commence 1 April 2026. for the ground floor of the property known as Ruth Martin Memorial Building, 34 Julia Street, Portland.**
2. **Sets a peppercorn rental amount of \$1.00 (incl GST) per annum for the lease proposed in part one (1) of this resolution.**
3. **Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed lease.**

SECONDED Cr Jowett

CARRIED

FOR: Cr Angelino, Cr Carr, Cr Jowett, Cr McDonald, Cr Noske, Cr Stephens
and Cr Pepper

AGAINST: Nil

Attachment List

Nil

9.3. LEASE AGREEMENT BETWEEN GLENELG SHIRE COUNCIL AND RIORDAN GROUP PTY LTD

Director: Aaron Moyne, Acting Director Corporate Services

Summary

This report is to brief Council on the community consultation undertaken for the proposed lease with Riordan Group Pty Ltd for the land located at north section of Fitzgerald Place, Portland known as LP138324 and seek Council's approval to enter into a new lease agreement for five (5) years with two (2) x five (5) year extension options.

Background

Council received correspondence from Riordan Group Pty Ltd in Portland requesting to lease the land at the entrance to their premises at Fitzgerald Place.

The parcel of land known as the north section of LP138324 is situated at Fitzgerald Place Portland (see image below) consisting of 565 square metres.

Key Information

An independent valuation conducted in November 2025 suggested a rental amount of \$1,130.00 (excl GST) per annum.

The tenant accepted the proposal and is seeking to lease the land with the proposed rental amount with annual CPI adjustments in accordance with the September quarter All Groups CPI figure for Melbourne. The first term of the lease would commence on 1 May 2026 and expire on 30 April 2031.

A community consultation was conducted from 28 January 2026 to 26 February 2026, in line with the Council's community engagement policy and Section 115 of the *Local Government Act 2020*, as the proposed lease period exceeds ten years.

The consultation involved a webpage on Your Say Glenelg including a survey questionnaire. Letters requesting feedback were also sent to all the surrounding and affected properties. The results of the survey are shown in the attachment to this report. There were 165 visits to the website and a total of three responses were received during the consultation process. Two of these stated they were not opposed to Council providing the lease commenting that there would be less things that Council have to maintain, and one opposed the lease with the comment "I don't want it to happen".

In response to the community consultation feedback, it is recommended that Council approve a five (5) year lease with two (2) x five (5) extensions.

The lease and subsequent extensions will be prepared and executed by solicitors at Council's cost.

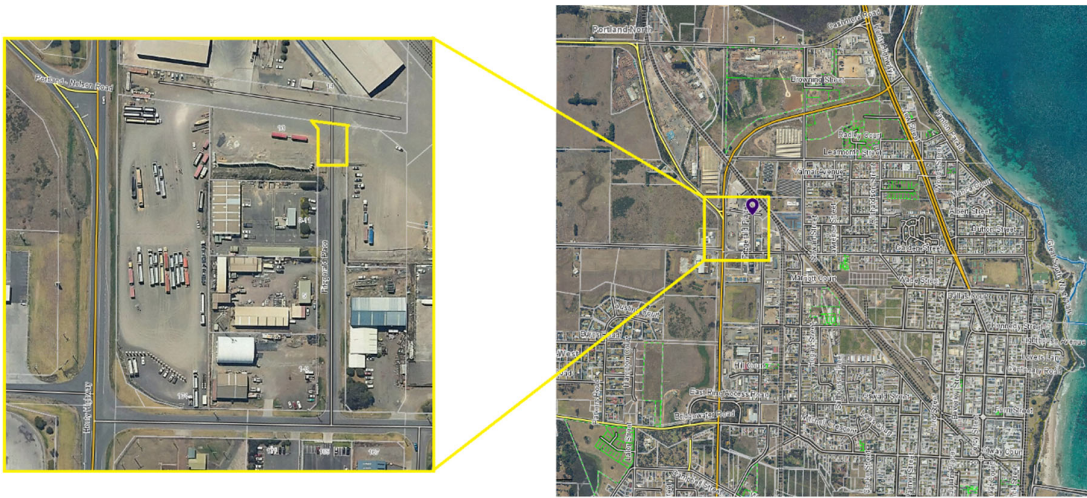


Image 1. Section of Land North of Fitzgerald Place Portland

Risk

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.

Finance

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

Consultation

Community Consultation was conducted via Your Say Glenelg from 27 January 2026 to 26 February 2026 including advertising on social media and a letter distribution to all surrounding affected property owners and occupants directing them to the webpage survey. Three submissions were received with a general consensus being that the lease should be executed.

Council and Wellbeing Plan 2025-2029 Alignment

Essential Services and Facilities - Quality, fit for purpose facilities, infrastructure and services that support our community.

Conclusion

It is recommended that Council approve entering a new lease agreement with Riordan Group Pty Ltd for the land known as the north section of LP138324.

Recommendation

That Council:

1. Approves a new five (5) year land lease with two (2) x five (5) year extension options with Riordan Group Pty Ltd for the land known as north section of LP138324 situated at Fitzgerald Place Portland.

2. Sets the rental figure at \$1,130.00 (excl GST) per annum, with the rent to be adjusted annually in accordance with the September quarter All Groups CPI figure for Melbourne.
3. Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed lease in part one (1) of this resolution.

MOTION**MOVED Cr Noske****That Council:**

1. **Approves a new five (5) year land lease with two (2) x five (5) year extension options with Riordan Group Pty Ltd for the land known as north section of LP138324 situated at Fitzgerald Place Portland.**
2. **Sets the rental figure at \$1,130.00 (excl GST) per annum, with the rent to be adjusted annually in accordance with the September quarter All Groups CPI figure for Melbourne.**
3. **Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed lease in part one (1) of this resolution.**

SECONDED Cr Angelino**CARRIED**

FOR: Cr Angelino, Cr Carr, Cr Jowett, Cr McDonald, Cr Noske, Cr Stephens
and Cr Pepper

AGAINST: Nil

Attachment List

1. Feedback Your Say Glenelg - Riordan Group Pty Ltd Lease Fitzgerald Place
[9.3.1 - 1 page]

9.4. LICENCE AGREEMENT BETWEEN GLENELG SHIRE COUNCIL AND CASTERTON SENIOR CITIZENS CENTRE INC.

Director: Aaron Moyne, Acting Director Corporate Services

Summary

This report seeks Council's approval to enter into a new licence agreement with Casterton Senior Citizens' Centre Inc. for the property known as the Casterton Senior Citizens Building, 14-24 Clark Street, Casterton.

Background

The Casterton Senior Citizens' Centre Inc. (CSCC) has been licensed to use the building since 1 July 2008.

The parcel of land known as the Casterton Senior Citizens Building is situated at 14-24 Clarke Street Casterton (see image below). The current licence commenced on 1 November 2023 and expired on 31 October 2025 with no further options. A new licence is now required. The licensee is currently in overholding whilst negotiations have been taking place.



Image 1. Aerial image of Casterton Senior Citizens' Building

Key Information

The licensee paid \$188.75 (excl GST) per annum at the end of the last licence.

In alignment with the updated Leasing and Licensing Policy, as a Not-for-profit Community Group, the licensee is seeking to continue using the building with the proposed fee being set at a peppercorn rent of \$1.00 (incl GST) per annum.

The licence term has been set to commence on 1 November 2025 for two years and eight months and expiring on 30 June 2028 to align it with the financial year and other similar licences.

The current licence included the use of the building for a weekly Monday afternoon session and a session from 10.30am to 4.00pm on the first and third Wednesday of the month. In recent months the committee has had new members who have had increased vision for the centre and requested to use the building more extensively. The new committee have asked for use of the building each weekday from 9am to 4pm and also on a Wednesday evening.

Owing to the extensive use of the building, and as part of the negotiations of the new licence agreement, the CSCC have accepted the responsibility of cleaning the building and paying for the utilities which will be a cost saving to Council and will enable the provision of a higher level of service to the community.

No legal costs are incurred with this licence as it is prepared in-house.

Risk

Ensuring a formal Licence Agreement is executed provides Council with a legally binding agreement relating to the occupancy and use of the building.

Finance

The income received from the licence has been included within the budget provisions for 2025/26.

Consultation

Negotiations with Casterton Senior Citizens' Centre Inc. have occurred regarding the details of the proposed licence.

Council and Wellbeing Plan 2025-2029 Alignment

Essential Services and Facilities - Quality, fit for purpose facilities, infrastructure and services that support our community.

Conclusion

It is recommended that Council approve entering a new licence agreement with Casterton Senior Citizens Centre Inc for the property known as the Casterton Senior Citizens Building, 14-24 Clark Street, Casterton

Recommendation

That Council:

1. Approves a new two (2) year and eight (8) month licence with Casterton Senior Citizens' Centre Inc. for the property known as the Casterton Senior Citizens Building, 14-24 Clark Street, Casterton.
2. Sets the licence fee at a peppercorn rent of \$1.00 per annum on request.
3. Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed licence in part one (1) of this resolution.

MOTION

MOVED Cr Pepper

That Council:

1. **Approves a new two (2) year and eight (8) month licence with Casterton Senior Citizens' Centre Inc. for the property known as the Casterton Senior Citizens Building, 14-24 Clark Street, Casterton.**
2. **Sets the licence fee at a peppercorn rent of \$1.00 (inc GST) per annum on request.**
3. **Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed licence in part one (1) of this resolution.**

SECONDED Cr McDonald

CARRIED

FOR: Cr Angelino, Cr Carr, Cr Jowett, Cr McDonald, Cr Noske, Cr Stephens
and Cr Pepper

AGAINST: Nil

Attachment List

Nil

9.5. LICENCE AGREEMENT BETWEEN GLENELG SHIRE COUNCIL AND PORTLAND SENIOR CITIZENS' CENTRE INC

Director: Aaron Moyne, Acting Director Corporate Services

Summary

This report is to seek Council's approval to enter a new licence agreement with Portland Senior Citizens' Centre Inc. for the property known as the Fawthrop Community Centre, Hood Street, Portland.

Background:

The Portland Senior Citizens' Centre Inc. has been licensed to use the site since 1 July 2008.

The parcel of land known as Fawthrop Community Centre is situated at Hood Street, Portland (see image below) - with the licence only applicable to orange areas identified in Image 2. The current licence commenced on 1 November 2023 and expired on 31 October 2025 with no further options. A new licence is now required. The licensee is currently in overholding whilst negotiations have been taking place.



Image 1. Aerial image of Fawthrop Community Centre

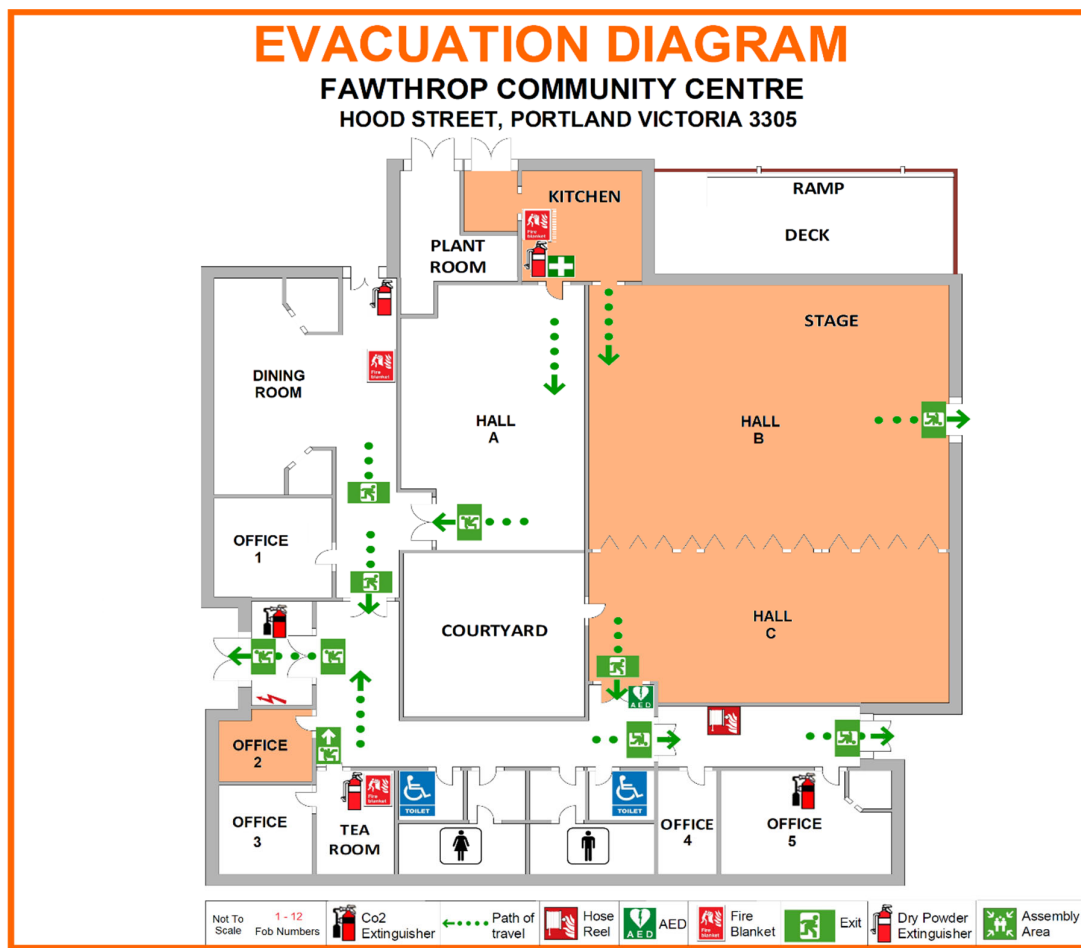


Image 2. Diagram of Portland Senior Citizens' Centre Inc. Licensed Area

Key Information

The licence fee paid was \$188.75 (excl GST) per annum at the end of the last licence.

In alignment with the updated Leasing and Licensing Policy, as a Not-for-profit Community Group, the licensee is seeking to continue using the building with the proposed fee being set at a peppercorn rent of \$1.00 (inc GST) per annum.

The licence term has been set to commence on 1 November 2025 for two years and eight months and expiring on 30 June 2028 to align it with the financial year and other similar licences.

As this is a licence with possible multiple users of the area, all outgoings (e.g. electricity and water) are paid by Council. Estimated utility costs are approximately \$15,000 per annum. Council will also continue to undertake cleaning of the amenities and shared spaces within the building.

As part of the negotiations for the new licence agreement, the Portland Senior Citizens have accepted the responsibility of set up and set down for activities as well as cleaning of the licenced area which will be a cost saving to Council. Currently this is undertaken by Council staff. This new arrangement will come into place from 1 July 2026. No general maintenance or repair costs are charged to the licensee.

No legal costs are incurred with this licence as it is prepared in-house.

Risk

Ensuring a formal Licence Agreement is executed provides Council with a legally binding agreement relating to the occupancy and use of the building.

All legal and legislative requirements have been considered.

Finance

The income received from the licence has been included within the budget provisions for 2025/26.

Consultation

Negotiations with Portland Senior Citizens' Centre Inc. have occurred regarding the details of the proposed lease.

Council and Wellbeing Plan 2025-2029 Alignment

Essential Services and Facilities - Quality, fit for purpose facilities, infrastructure and services that support our community.

Conclusion

It is recommended that Council approve entering a new licence agreement with Portland Senior Citizens' Centre Inc. for the property known as the Fawthrop Community Centre, Hood Street, Portland.

Recommendation

That Council:

1. Approves a new two (2) year and eight (8) month licence with Portland Senior Citizens' Centre Inc. for the property known as the Fawthrop Community Centre, Hood Street, Portland.
2. Sets the licence fee at a peppercorn rent of \$1 per annum on request.
3. Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed licence in part one (1) of this resolution.

MOTION

MOVED Cr Noske

That Council:

1. **Approves a new two (2) year and eight (8) month licence with Portland Senior Citizens' Centre Inc. for the property known as the Fawthrop Community Centre, Hood Street, Portland.**

2. **Sets the licence fee at a peppercorn rent of \$1.00 (inc GST) per annum on request.**
3. **Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed licence in part one (1) of this resolution.**

SECONDED Cr McDonald

CARRIED

FOR: Cr Angelino, Cr Carr, Cr Jowett, Cr McDonald, Cr Noske, Cr Stephens
and Cr Pepper

AGAINST: Nil

Attachment List

Nil

9.6. PLANNING SCHEME AMENDMENT C115GELG

Director: Brett Jackson, Director Community Services

Summary

The purpose of this report is to enable consideration of the next steps in relation to the proposed planning scheme amendment C115GELG following an exhibition period.

Background

Dartmoor and Nelson was identified in the Glenelg Hopkins Regional Floodplain Management Strategy in 2017 as requiring flood information and this flood study has been undertaken so that future planning decisions are soundly based with measures to minimise flood risk to community.

On 22 April 2022, Council was successful in obtaining funding to prepare the Dartmoor and Nelson Flood Study, and subsequent planning scheme amendment, through the Australian Government's, Preparing Australian Communities – Local Stream program.

Key Information

Dartmoor and Nelson Flood Study

A flood study is a technical investigation of flooding behaviour, based on records of rainfall, catchment impacts and physical terrain. It determines how far and high flood waters are expected to reach as well as the range of flood related risks and ways to reduce and manage those risks.

The flood study applies to the Glenelg River from land to the north of Dartmoor and to the south of Nelson to the river mouth at the Southern Ocean. The study was undertaken in accordance with guidance from the 2019 Australian Rainfall and Runoff Report as well as the Victorian Guideline for Modelling the interaction of Catchment and Coastal Flooding, 2022. This covers a full suite of riverine and storm tide events.

This flood study was undertaken to produce two scenarios.

Scenario 1

The modelling at 0.8 metres by 2100 (Climate Change Scenario 1) was completed in accordance with Victorian Government Planning Scheme at clause 13.01-2S. Climate Change Scenario 1 represents a 32% increase in rainfall intensity.

Scenario 2

The study also undertook modelling at 1.2 metres by 2100 with up to 41 percent increase in intensity of rainfall to account for climate change reflected by Climate Change Scenario 2.

The study has followed best practice methodology and guidance to prepare the flood mapping for the amendment.

The Marine and Coastal Policy plans for a sea level rise of at least 0.8 metres by 2100. An action of the Marine and Coastal Strategy is a review of the 0.8 metres sea level

rise and in anticipation of an outcome, the 1.2 metres has been modelled consistent with written advice from Government. This position of State Government has been demonstrated in changes required to recent amendments in other Council areas and coastal development requiring Marine and Coastal consent.

28 January 2025 Council Meeting

Council resolved to seek authorisation to prepare the draft planning scheme amendment to be exhibited concurrently with the completed flood study.

The Department of Transport and Planning (DTP) responded that a review of the flood schedules and the local floodplain development plan was required to be completed as part of Amendment C115gelg (the Amendment) leading to a delay in the project's completion.

In addition DTP sought further clarification from Council on whether it would proceed through the Standing Advisory Committee process run by DTP or the standard planning scheme amendment process.

26 August 2025 Council Meeting

Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit the amendment. In this resolution the floodplain mapping followed Scenario 2 with a 1.2 metres sea level rise for Amendment C115. This was also via the standard planning scheme amendment process, and not via Standing Advisory Committee process through DTP.

Authorisation was received by DTP on 21 October 2025.

Exhibition occurred from 11 December 2025 to 6 February 2026. Five (5) submissions objecting to the amendment were received. The main issues raised in the submissions include:

- Inaccurate historical and topographical data used in the flood study.
- Adverse risk management approach to floodplain mapping.
- Removal of the proposed flood overlays from specific land parcels.

The complete submissions received and a schedule of submissions with a summary of the submission and a planning response is attached.

In response to submissions, the Glenelg Hopkins Catchment Management Authority have provided a technical response that is attached.

Considerations of next steps

Under Section 23 of the *Planning and Environment Act 1987* after considering the submissions received Council can:

- *change the amendment in the manner requested; or*
- *refer the submission to a panel appointed under Part 8; or*

- *abandon the amendment or part of the amendment.*

To remove all the objections from the submitters would require complete removal of the flood overlay on their specific properties.

It is not appropriate to recommend these changes because it would not result in an orderly planning outcome. Removal of properties from planning overlays would leave flood hazard risks unmanaged on certain sites with inconsistency of application of flood controls on land in the study area. This would create inconsistent risk management of floodplain hazard with sites excluded despite having technical assessment of flooding impacts showing the hazard – that are also supported by the Glenelg Hopkins Catchment Management Authority as waterway manager.

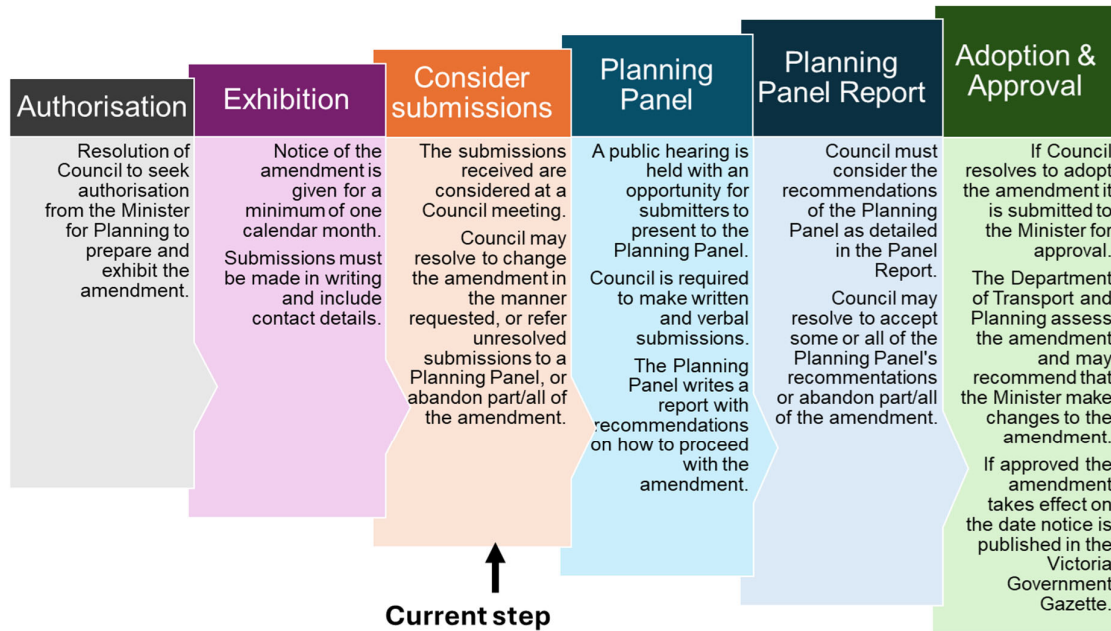
Regarding specific flood modelling concerns, a comprehensive hydrologic and hydraulic analysis has been undertaken to inform the study and has been subject to independent peer review. The modelling incorporates multiple datasets, including storm surge data, LiDAR topography, and recorded tide levels from the 2014 and 2016 event, to accurately estimate water volumes within the estuary system. While not all technical detail is included within the Summary Report, this information is comprehensively documented within the *Dartmoor and Nelson Flood Study – Flood Modelling Report*.

Where concerns regarding modelling arise, it is standard practice for such matters to be tested and resolved through the Planning Panel process, with input from technical experts. This approach has been successfully applied in previous planning scheme amendments, including the Surrey River Flood Study (2013), where issues identified during Directions Hearings were addressed prior to the main Panel Hearing.

Based on the CMA's advice, it is considered that the likelihood of substantive issues arising in this instance is low; however, the Panel process remains an appropriate mechanism should further technical review be required.

In this context, it is recommended to refer all submissions to a Planning Panel for consideration. This will enable submitters to present in person to an independent Panel appointed by the Minister for Planning, along with testing the technical rigour and validity of the flood investigation. The Panel will be able to assess in detail all matters of concern raised by submitters and provide a report back to Council for consideration before a final decision on whether to adopt Amendment C115 or not is taken by Council.

The diagram below shows the stages of the Planning Scheme Amendment process for context including the current step:



Risk

The process for a planning scheme amendment is set out in Part 3 of the *Planning and Environment Act 1987*.

The attached submissions are redacted in accordance with Section 197C and 197F of the *Planning and Environment Act 1987*.

The floodplain mapping controls seek to manage new development to protect from hazards of flooding along the Glenelg River. If submissions are not referred to a Panel then these controls cannot be implemented, which presents risks of further development occurring in flood prone areas and increased threat to property.

Finance

Funding was received from the Australian Government's Preparing Australian Communities – Local Stream program. Funding for the project ended 31 March 2025, with the flood study now complete.

The cost of a planning panel is to be met by the operational budget of Council. There is \$25,000 allocated in the current financial year budget to allow for Planning Panel process and expert witness representation.

Consultation

Exhibition of the Amendment from 11 December 2025 until 6 February 2026 included:

- Notice in the local newspapers.

- Letters to landowners and occupiers of land directly affected by the proposed extent of the Floodway Overlay (FO1) and Land Subject to Inundation Overlay (LSIO1).
- Two community drop-in sessions. One in Dartmoor and another in Nelson.

There were five submissions received. As the submissions received are not resolved, a Council resolution is required to request that the Minister for Planning appoint an independent planning panel and that the submissions be referred to this panel.

The planning panel will enable all submitters to present to panel on their concerns in person and be considered in detail. Pre-set panels dates are set for directions hearing on 4 May 2026 and panel hearing on 15 June 2026.

- Council and Wellbeing Plan 2025-29 Alignment

Sustainable Environment - Achieving a balance between protecting the environment and supporting sustainable growth and development.

Conclusion

Given that the submissions received are not resolved it is recommended that Council request that the submissions be referred to a panel. This will enable key issues raised by submitters to be further reviewed and considered in detail by an independent planning panel, providing an opportunity for them to present in person. The Panel will then provide a report back to Council for consideration on whether to adopt the floodplain mapping controls proposed by Amendment C115.

Recommendation

That Council:

1. Requests the Minister for Planning appoint an independent Planning Panel under Part 8 of the *Planning and Environment Act 1987* to consider submissions received in response to amendment C115gelg to the Glenelg Planning Scheme; and
2. Refers amendment C115gelg and submissions to the Panel for consideration and recommendation, pursuant to Section 23(1)(b) of the *Planning and Environment Act 1987*.

MOTION

MOVED Cr Noske

That Council:

1. **Requests the Minister for Planning appoint an independent Planning Panel under Part 8 of the *Planning and Environment Act 1987* to consider submissions received in response to amendment C115gelg to the Glenelg Planning Scheme; and**

2. Refers amendment C115gelg and submissions to the Panel for consideration and recommendation, pursuant to Section 23(1)(b) of the *Planning and Environment Act 1987*.

SECONDED Cr Angelino

CARRIED

FOR: Cr Angelino, Cr Carr, Cr Jowett, Cr McDonald, Cr Noske, Cr Stephens
and Cr Pepper

AGAINST: Nil

Attachment List

1. Dartmoor and Nelson Flood Study - Summary Report [9.6.1 - 92 pages]
2. Instruction-sheet- Digitalilty-accessible-version-4 - C115gelg [9.6.2 - 2 pages]
3. C115gelg Ordinance combined [9.6.3 - 50 pages]
4. Incorporated Document - LFDP - C115gelg [9.6.4 - 15 pages]
5. Submissions C 115 gelg Redacted [9.6.5 - 50 pages]
6. Schedule of Submissions and response C115gelg [9.6.6 - 6 pages]
7. C 115 gelg submissions CMA comments Redacted [9.6.7 - 5 pages]

10. URGENT BUSINESS

Nil.

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

Nil.

11.2. QUESTIONS FROM MEMBERS OF THE COMMUNITY

Cr Carr declared a Conflict of Interest to questions relating to the poultry farm and left the meeting at 6:22pm.

Mr Ian & Mrs Gwen Towers of Narrawong asked the following questions:

1. Land Use Classification

We purchased a property in 2008. The Land Use Classification on our rate notice has always been Residential Rural/Rural Lifestyle. It was zoned RCZ2 until the draft Planning Amendment C106GLELG proposed rezoning to FZ2. The Planning Panel recommended it be zoned FZ2 in PAC106 until a fit for purpose strategic study on RCZ2 land could be done to account for and clusters of RCZ2 land already used for rural residential purposes.

Why was our land then zoned FZ1 in the adopted C106 in September 2022?

Planning scheme zoning and rate categorisation are different.

Zoning controls land use and development, while rate categorisation is set by Council for rating purposes under the Local Government Act. A property's zone does not automatically determine its rate category, and vice versa.

Amendment C106 rezoned the land from Rural Conservation Zone schedule (RCZ2) to Farming Zone schedule 1 (FZ1) which was gazetted into the scheme on 20 January 2023. The Amendment was underpinned by Council's strategic work in the Rural Land Strategy and Portland Rural Living Assessment. As there were no strategically identified conservation values for this area of land and the prevailing use is agriculture, it was rezoned to FZ1.

The proposed exhibition of rezoning for this land was FZ1, not FZ2. The Planning Panel assessing Amendment C106 did not make recommendation for it to be rezoned to FZ2.

2. Land Use Classification

The Panel expected that once the suggested strategic planning study was completed and our land and the properties around use, where opportunities for commercial farming are gone were properly evaluated, they could or might be strategically identified for rural residential purposes.

Was that extra strategic planning study recommended by the C106 Planning Panel ever done by Council and if not, why not?

The Planning Panel report for Amendment C106 was issued on 12 August 2022 where it recommended that Council adopt Amendment C106 subject to six formal recommendations listed in the report. None of the six formal recommendations expressed that further strategic work be undertaken. There was a statement in the Planning Panel report which said: *Further work is required to properly assess if any of Rural Conservation Zone 2 (proposed to be Farming Zone 2 in C106) land should be strategically identified for rural residential purposes.* This statement however was not a formal recommendation for Council consideration as part of its decision on Amendment C106. Also, as identified above, this was specifically referencing only land being rezoned from RCZ2 to FZ2, which did not apply to this land in Narrawong which is FZ1 and was never considered for FZ2 or other rural zonings. In context, this statement by the Planning Panel does not apply to this land in Narrawong.

3. Poultry Farm

Council also issued a permit for a 5,000 hen Free-range Poultry Farm on our immediate neighbour's property in 2022. The permit was issued without notification to us or other neighbours. We have continually endured noise and odour issues and foul run-off through our land since then.

Did Council consider the amenity of the surrounding area and the steepness of the land used for the Poultry Farm before issuing the Permit, and has Council done any monitoring of noise levels, odour and run off from the property to ensure it is meeting Poultry Farm operational guidelines. If not, why not?

The planning permit P22111 that was issued was exempt from public notice under the Glenelg Planning Scheme. It considered all relevant factors relating to amenity and topography of the land as per planning scheme requirements.

Council has not undertaken any monitoring given the low density nature of the operations and there have been no formal complaints lodged about pollution from this site.

Mr Dan & Mrs Margaret Mitchell of Narrawong asked the following questions:

1. Poultry Farm

Council issued a permit for a 5,000 bird Poultry Farm beside us in July 2022. The only access to that property is via a gate located 100m up a very steep section of the narrow dirt track that is Beavis Road.

Given the Bushfire Management Overlay on the area, did Council planners consider access requirements as required by the Act when they granted that permit?

Our driveway is located further up Beavis Road and access/egress is regularly blocked by large delivery trucks stuck on Beavis Road for hours until the Poultry farm operator pulls them with his tractor.

Planning application P22111 was issued on 29 July 2022 for a low-density mobile outdoor poultry farm, with a maximum capacity of 5000 laying poultry. The existing access off Beavis Road was considered suitable noting it is already used for a range of agricultural vehicles including tractors and trucks to transport animals and feed. The change from the previous grazing agriculture to a low density mobile outdoor poultry farm was considered minor impact in terms of volume and size of agriculture vehicles and assessed to be compliant with the Glenelg Planning Scheme.

2. Land Use

Two months after granting that permit, Council zoned that land and all immediate neighbouring properties (which border on a large Rural Living enclave on Mt Clay) FZ1 in PAC106GELG. Given planning overlays in place, small scale animal husbandry is the only practical farming activity possible on the area. However, Agricultural Victoria guidelines effectively ban livestock farming within 500m of poultry farm operations because of biosecurity issues. All seven surrounding FZ1 properties are within 500m radius of the Poultry Farm.

Did Council undertake a land suitability study before issuing the Poultry Farm Permit and/or rezoning surrounding properties FZ1?

Amendment C106 rezoned the land from Rural Conservation Zone schedule 2 (RCZ2) to Farming Zone schedule 1 (FZ1) which was gazetted into the scheme on 20 January 2023. The Amendment was underpinned by Council's strategic work in the Rural Land Strategy and Portland Rural Living Assessment.

Planning application P22111 that was issued on 29 July 2022 for the poultry farm, was supported by appropriate Poultry Farm Management Plan and Nutrient Management Plan and assessed to be in accordance with the Glenelg Planning Scheme.

3. Poultry Farm

When issuing the 2022 Poultry Farm Planning Permit, did the permit include conditions that required the operator to obtain an appropriate EPO licence or permit to operate a dead bird composting pit that also receives organic animal waste from off-farm third-party animal or fish processing operations?

If not, can we ask why such permits were not required.

A planning permit cannot legally dictate via conditions whether licences or permits are required by other legislation.

Mr Brian Kennedy of Narrawong asked the following question:

1. Poultry Farm

In regard to a previous granting of an application for a 5000 chicken farm at 34 Beavis Road Narrawong in 2022 was the council fully aware of the Environmental guidelines

for the Australian Egg industry 2008 Section 4.2.1. Location and planning considerations include, "Avoiding locations near urban or rural Residential development wherever possible".

I ask this question as I am one of the many rural residential ratepayers close to this property, I purchased my property for the peaceful, quiet and environmentally pristine environment. I am concerned that as this requirement may have been disregarded in the past, and there is now an application to increase that number of fowls to 12000. Thanks for hearing my question.

The guideline document referred to "Environmental Guidelines for the Australian Egg Industry" in 2008 was prepared for the Australian Egg Corporation by the Federal Government Department of Agriculture Fisheries and Forestry. This is not a statutory document in the Glenelg Planning Scheme for consideration by Council but is a strategic document to guide implementation of State Government policy.

The relevant State Government policy for considering poultry farm application that was relevant to the earlier proposal of up to 5000 chickens is the Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines and Clause 53.09 of the Glenelg Planning Scheme.

Based on Clause 53.09 guidelines, the minimum setback for poultry farm of this size was 100 metres from a dwelling and 400 metres from an urban residential zone, which the proposal readily complied with. Therefore, it was not considered to be 'near' an urban or rural residential development.

Cr Carr returned to the meeting at 6:29pm.

12. CLOSURE OF COUNCIL MEETING

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 6:30 pm.

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