



Glenelg Shire Council

Minutes of the Ordinary Council Meeting held on

**Tuesday, 24 October 2017 at the Portland Municipal Offices, Cliff
Street Portland**

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TIME:

7:00pm

PRESENT:

Cr Anita Rank (Mayor), Cr Robert Halliday, Cr Chrissy Hawker, Cr Alistair McDonald, Cr Karen Stephens, Cr Geoff White and Cr Gilbert Wilson.

Also in attendance were the Chief Executive Officer (Mr Greg Burgoyne), Director Assets (Mr Paul Healy), Acting Director Corporate Services (Mr David Hol), Acting Council Support Coordinator (Ms Kim Overall), Media and Communications Officer (Ms Jessie Little).

OPENING PRAYER:

The Mayor opened the meeting with the Council Prayer.

ABORIGINAL ACKNOWLEDGEMENT:

The Mayor read the Aboriginal Acknowledgement.

RECEIPT OF APOLOGIES:

Ms Edith Farrell, Director Community Services

CONFIRMATION OF MINUTES:

Recommendation

That the minutes of the Special Council Meeting Tuesday 10 October 2017 be received and the Ordinary Council Meeting minutes held on Tuesday 28 September 2017 and be received with the following amendment:

F12. Contract 2017-18-06 Panel for the Provision of Information Systems Hardware & Services

That Item 1d. Electronics Pty Ltd be amended to 'Green Triangle Electronics Pty Ltd'.

MOTION

MOVED Cr Stephens

That the minutes of the Special Council Meeting Tuesday 10 October 2017 be received and the Ordinary Council Meeting minutes held on Tuesday 28 September 2017 and be received with the following amendment:

F12. Contract 2017-18-06 Panel for the Provision of Information Systems Hardware & Services

That Item 1d. Electronics Pty Ltd be amended to 'Green Triangle Electronics Pty Ltd'.

SECONDED Cr McDonald

CARRIED

DECLARATIONS OF CONFLICT OF INTEREST:**CONFLICT OF INTEREST**

'The Local Government Act contains mandatory requirements for both direct and indirect conflict of interest. The objective of the provisions is to enhance good governance in Victorian local government and to improve public confidence in the probity of decision making at Victoria's 79 Councils. Councillors are responsible for ensuring that they comply with the relevant provisions contained in Part 4 – Division 1A of the Act.

An online copy of the Local Government Act is available at www.localgovernment.vic.gov.au select – legislation. Alternatively, a printed copy is available for Councillors upon request'.

Cr Wilson declared an Indirect Conflict of Interest in Item F3. Review of Footpath Trading Policy. Cr Wilson has advised the Chief Executive Officer in writing prior to the meeting and classified the type of interest that has given rise to the conflict.

Cr Hawker declared a direct interest in Item F3. Review of Footpath Trading Policy. Cr Hawker has advised the Chief Executive Officer in writing prior to the meeting and classified the type on interest that has given rise to the conflict.

Chief Executive Officer, Mr Burgoyne declared a Conflict of Interest in Item F12. Chief Executive Officer Performance Review 2016/2017.

QUESTION TIME:

Nil.

SUSPENSION OF STANDING ORDERS

MOTION

MOVED Cr Wilson

That standing orders be suspended at 7.03pm to congratulate Councillor Halliday, Councillor Stephens and Councillor White on their Municipal Associations Victoria years of service awards.

SECONDED Cr McDonald

CARRIED

MOTION

MOVED Cr Wilson

That standing orders be resumed at 7.06pm.

SECONDED Cr McDonald

CARRIED

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN IN WRITING OR PREVIOUSLY TAKEN ON NOTICE:

QUESTIONS FROM THE GALLERY:

A. NOTICES OF MOTION:

B. DEPUTATIONS:

C. PETITIONS:

D. COMMITTEE REPORTS:

E. ASSEMBLY OF COUNCILLOR RECORDS:**E1. ASSEMBLY OF COUNCILLORS RECORDS 14 SEPTEMBER 2017 – 12 OCTOBER 2017 (INCLUSIVE)**

Director: David Hol, Acting Director Corporate Services

Author: Rachael Fellows, Senior Administration Officer Corporate Services

Separate Circulations – Non Confidential

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | ECM DocSetID |
|-----|--|--------------|
| 1. | Meeting Record of Community Grants Advisory Committee held on Tuesday 29 August 2017 | 2335295 |
| 2. | Meeting Record of Community Grants Advisory Committee held on Tuesday 19 September 2017 | 2351882 |
| 3. | Meeting Record Heritage Advisory Committee held on Monday 25 September 2017 | 2348036 |
| 4. | Assembly of Councillors - Community Engagement Framework Training held on Tuesday 26 September 2017 | 2346148 |
| 5. | Assembly of Councillors - Councillors and CEO Meeting held on Tuesday 26 September 2017 | 2349550 |
| 6. | Assembly of Councillors – Councillor Briefing session held on Tuesday 26 September 2017 | 2346147 |
| 7. | Meeting Record of the Casterton Saleyards Advisory Committee held on Thursday 28 September 2017 | 2350361 |
| 8. | Meeting Record of the Tourism Advisory Committee held on Friday 6 October 2017 | 2350899 |
| 9. | Meeting Record of the Local Port of Portland Bay Advisory Committee held on Monday 2 October 2017 | 2351844 |
| 10. | Assembly of Councillors – Councillors Workshop held on Tuesday 10 October 2017 | 2351676 |

Separate Circulation – Confidential

The separate circulation listed in the table below have been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):

| No. | Separate Circulation | Relevant Grounds Under Section 89(2) of the Act | ECM |
|-----|--|--|---------|
| 1. | Assembly of Councillors – CEO Review Committee Tuesday 26 September 2017 | Contains personnel matters section 89 (2) (a) of the Local Government Act 1989 | 2346146 |

E1. ASSEMBLY OF COUNCILLORS RECORDS 14 SEPTEMBER 2017 – 12 OCTOBER 2017 (INCLUSIVE)

(continued)

Executive Summary

In accordance with the *Local Government Act 1989* Assembly of Councillors records (including records of those titled as committees) must be reported to the next 'practical' ordinary Council meeting and recorded in the minutes of that meeting. The objective of submitting the Assembly of Councillors (including records of those titled as committees) records to Council meetings is to ensure public transparency in Council decision making processes.

Background

The Chief Executive Officer must ensure that a written record is kept of every Assembly of Councillors records (including records of those titled as committees). Department of Community Development and Planning circular L97 advises that Assembly of Councillors records "*only needs to be a simple document that records:*

- *the names of all Councillors and staff at the meeting;*
- *a list of the matters considered;*
- *any conflict of interest disclosed by a Councillor; and*
- *whether a Councillor who disclosed a conflict left the room.*

The circular also advises that: "*The record is not required to be in the form of minutes. The recommended approach is to record the "matters" discussed, by listing the headings of the matters. In some cases, meetings may be considering a single matter...*"

The circular further advises that: "*This does not mean that the record cannot be reported to the Council in the form of minutes. In Councils where it is established practice for minutes of advisory committees to be tabled at Council meetings, the minutes will be sufficient for the purpose if they include the required information, including disclosures.*"

Report

The legislative requirement became effective from the 24 September 2010.

This report covers the period from Thursday 14 September 2017 – Thursday 12 October 2017 (inclusive). All Assembly of Councillors records (including records of those titled as committees) held during this period must be included.

E1. ASSEMBLY OF COUNCILLORS RECORDS 14 SEPTEMBER 2017 – 12 OCTOBER 2017 (INCLUSIVE)

(continued)

The following assembly of Councillors records (including records of those titled as committees) held during the period specified above have been received from the relevant Departments/Units:

- Meeting Record of Community Grants Advisory Committee held on Tuesday 29 August 2017 (DocSetID: 2335295);
- Meeting Record of Community Grants Advisory Committee held on Tuesday 19 September 2017 (DocSetID: 2351882);
- Meeting Record Heritage Advisory Committee held on Monday 25 September 2017 (DocSetID: 2348036);
- Confidential - Assembly of Councillors – CEO Review Committee held on Tuesday 26 September 2017 (DocSetID: 2346146);
- Assembly of Councillors - Community Engagement Framework Training held on Tuesday 26 September 2017 (DocSetID: 2346148);
- Assembly of Councillors - Councillors and CEO Meeting held on Tuesday 26 September 2017 (DocSetID: 2349550);
- Assembly of Councillors – Councillor Briefing session held on Tuesday 26 September 2017 (DocSetID: 2346147);
- Meeting Record of the Casterton Saleyards Advisory Committee held on Thursday 28 September 2017 (DocSetID: 2350361);
- Meeting Record of the Tourism Advisory Committee held on Friday 6 October 2017 (DocSetID: 2350899);
- Meeting Record of the Local Port of Portland Bay Advisory Committee held on Monday 2 October 2017 (DocSetID: 2351844);
- Assembly of Councillors – Councillors Workshop held on Tuesday 10 October 2017 (DocSetID: 2351676).

**E1. ASSEMBLY OF COUNCILLORS RECORDS 14 SEPTEMBER 2017 –
12 OCTOBER 2017 (INCLUSIVE)**

(continued)

a. Council Plan Linkage and Policy Context

The purpose of this report is to ensure compliance with the *Local Government Act 1989*. References include:

- Section 3(1) – Definition of “Assembly of Councillors”;
- Section 80A – Requirements for an assembly of Councillors; and
- Section 3(1) – Definition of “advisory committee”

b. Legislative and Legal Considerations

This report links to the Council Plan, particularly key objective: (1) - responsible and responsive governance and decision making.

c. Consultation and/or communication processes implemented or proposed

This report has considered the requirements of the Victorian Charter of Human Rights and Responsibilities.

e. Risk Management

Nil.

f. Resource Implications

Nil.

g. Charter of Human Rights and Responsibilities

Nil.

h. Budget Implication

The cost of preparing the monthly reports on Assembly of Councillors records (including records of those titled as committees) is another compliance cost imposed by the state government and is an indirect cost within the corporate governance unit salaries and on cost budget.

**E1. ASSEMBLY OF COUNCILLORS RECORDS 14 SEPTEMBER 2017 –
12 OCTOBER 2017 (INCLUSIVE)**

(continued)

Preparing Assembly of Councillors records (including records of those titled as committees) is an indirect cost within the salaries and on cost budget for each Department/Unit that is responsible for the specified meeting.

Conclusion

This report is a summary of the Assembly of Councillors records for the period Thursday 14 September 2017 – Thursday 12 October 2017 (inclusive).

Officer Recommendation

That Council receives the report on Assembly of Councillors Records (including records of those titled as committees) for the period Thursday 14 September 2017 – Thursday 12 October 2017 (inclusive).

MOTION**MOVED Cr Halliday**

That Council receives the report on Assembly of Councillors Records (including records of those titled as committees) for the period Thursday 14 September 2017 – Thursday 12 October 2017 (inclusive).

SECONDED Cr Hawker**CARRIED**

F. MANAGEMENT REPORTS:**F1. MONTHLY FINANCIAL REPORT – SEPTEMBER 2017**

Director: David Hol, Acting Director Corporate Services
Author: Lauren Easson, Finance Coordinator

Separate Circulation – Non Confidential

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | ECM |
|-----|--|---------|
| 1. | Monthly Financial Report – September 2017 | 2351173 |

Executive Summary

The finance report up to 30 September 2017 has been prepared and has been separately circulated to Councillors, the CEO and Directors with this Council Agenda.

Background

The Monthly Finance Report is a key document in assuring responsible and responsive governance and decision making. This high level report is provided monthly to provide council and residents the ability to monitor Glenelg Shire's financial performance on a regular basis.

Report

The 2017/2018 Annual Budget was adopted by Council on 27 June 2017.

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

- Executive Summary;
- Income (Operating) Statement;
- Balance Sheet;
- Cash Flow Statement;
- Capital Works Statement;
- Capital Project Expenditure;
- Statement of Changes in Equity; and
- Statement of Human Resources;

The report has been prepared on an accrual basis to ensure accurate matching of income and expenditure, both operating and capital items, for the period ending 30 September 2017.

The finance report provides a high level of financial reporting.

The monthly finance report provides comment on favourable and unfavourable variations and trends identified to date.

F1. MONTHLY FINANCIAL REPORT – SEPTEMBER 2017

(continued)

a. Council Plan Linkage and Policy Context

Creative Glenelg – Creative, inspired, forward thinking and action orientated.

b. Legislative and Legal Considerations

This report is being presented in accordance with section 138 of the *Local Government Act 1989*.

c. Consultation and/or communication processes implemented or proposed

Not applicable.

d. Risk Management

Not applicable.

e. Resource Implications

Not applicable.

f. Charter of Human Rights and Responsibilities

The monthly finance report has considered the requirements of the Victorian Charter of Human Rights and Responsibilities.

g. Sustainability and Environmental Considerations

Not applicable.

h. Budget Implication

As outlined in monthly finance report.

Conclusion

The Monthly Financial Report is a key document in assuring responsible and responsive governance and decision making. This high level report is provided monthly to provide council and residents the ability to monitor Glenelg Shire's financial performance on a regular basis.

F1. MONTHLY FINANCIAL REPORT – SEPTEMBER 2017

(continued)

Officer Recommendation

That the Monthly Financial Report for the period ending 30 September 2017 be received.

MOTION

MOVED Cr Hawker

That the Monthly Financial Report for the period ending 30 September 2017 be received.

SECONDED Cr Stephens

CARRIED

F2. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER

CEO: Greg Burgoyne, Chief Executive Officer
 Author: Kylie Walford, Council Support Coordinator

Separate Circulation – Confidential

The separate circulation listed in the table below has been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | Relevant Grounds Under Section 89(2) of the Act | ECM DocsetID |
|-----|--|--|--------------|
| 1. | Councillor and Chief Executive Officer Leave of Absence Register | (Security of Councillor's Property) Any other matter which the council or special committee considers would prejudice the council or any person - section 89 (2) (h) | 2350966 |

Executive Summary

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

Background

In accordance with Section 66B of the *Local Government Act 1989* Councillors are entitled to take Leave of Absence.

Report

Section 66B of the *Local Government Act 1989* states:

- (1) If a Councillor is required to take leave of absence under this Act, the Councillor
 - a. may continue to be a Councillor but must not perform the duties of functions of a Councillor during the period of leave;
 - b. remains entitled to receive a Councillor allowance unless this Act otherwise provides;

F2. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER

(continued)

- c. is not entitled to be reimbursed for out-of-pocket expenses during the period of leave;
 - d. must return all Council equipment and materials to the Council for the period of leave if the Council requires.
- (2) If a Mayor is required to take a leave of absence under this Act, the Mayor is, for the duration of the leave, to be considered as incapable of acting under section 73(3) and subsection (1) applies to the Mayor as if the Mayor were a Councillor only.
- a. Council Plan Linkage and Policy Context

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.
 - b. Legislative and Legal Considerations

Section 66B of the *Local Government Act 1989*.
 - 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. Risk Management

Not applicable.
 - e. Resource Implications

Nil.
 - f. Charter of Human Rights and Responsibilities

This report has considered the requirements of the Victorian Charter of Human Rights and Responsibilities.

F2. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER

(continued)

g. Sustainability and Environmental Considerations

Not applicable.

h. Budget Implication

Nil.

Conclusion

It is recommended that Council approve the Councillor and Chief Executive Officer Leave of Absence Register presented to the October Ordinary Council Meeting.

Officer Recommendation

That Council approve the Councillor and Chief Executive Officer Leave of Absence Register presented as a confidential circulation under Section 89(2) of the *Local Government Act 1989*.

MOTION

MOVED Cr Halliday

That Council approve the Councillor and Chief Executive Officer Leave of Absence Register presented as a confidential circulation under Section 89(2) of the *Local Government Act 1989*.

SECONDED Cr Wilson

CARRIED

Cr Wilson and Cr Hawker re-declared an Indirect Conflict of Interest in item F3. Review of Footpath Trading Policy and left the meeting at 7:08pm.

F3. REVIEW OF FOOTPATH TRADING POLICY

Director: David Hol, Acting Director Corporate Services

Author: Scott Millard, Manager Compliance & Corporate Information

Separate Circulation – Non Confidential

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | ECM |
|-----|--|---------|
| 1. | Draft Footpath Trading Policy CPO-CORPS-LL-001 Version No. 2018.01 | 2322479 |

Executive Summary

The purpose of this report is to provide Council with a revised draft Footpath Trading Policy for consideration.

It is proposed that the Footpath Trading Policy (the Policy) be an incorporated document within the proposed General Local Law 2018 and therefore be included within the public submission process required for the making of a local law.

Background

The current Footpath Trading Policy was last revised and adopted by Council on 26 August 2014 and is an incorporated document in the General Local Law 2008. The current policy is due for review by 1 July 2018 however the General Local Law 2008 expires in March 2018.

Report

It is proposed that the Footpath Trading Policy be incorporated into the General Local Law 2018 and therefore it is appropriate that the policy be reviewed and included within the formal submission process required for the making of a local law.

Once the policy is adopted by Council any further modifications made can only commence following notice in the Victoria Government Gazette.

The policy has previously been developed to encourage the appearance of a vibrant business district while giving assurance that pedestrians continue to have unobstructed and safe access to our footpaths at all times.

F3. REVIEW OF FOOTPATH TRADING POLICY

(continued)

Apart from minor wording and formatting changes the following list provides a summary of the proposed changes:

| <i>Clause No. / Clause Name / Sub clause or Paragraph No.</i> | <i>Proposed Change</i> | <i>Comment</i> |
|---|--|---|
| Document Heading | Inclusion of version no. 2018.01 | Ensures that there is a clear understanding of the document version incorporated in the Local Law. |
| Review | Amended to include: "Prior to March 2028. This policy is an incorporated document under the Glenelg Shire Council General Local Law 2018. Any amendments to this policy will require a notice in the Victoria Government Gazette prior to it taking effect." | To highlight the need for notice of any amendments due to its incorporation in the General Local Law. |
| 2. Scope Sub clause (f) | Amended to include "other specific activities" and deletion of "for the conduct of a special event". | Special events are not relevant to this policy and a new section for other specific activities has been included. |
| Clause 8 – Trading Zone | | |
| 1 st paragraph | Amended to include "teardrop flags". | Clarifies that teardrop flags are a permitted use. |
| 4 th paragraph | Amended to reflect a change of 1.0m from the adjoining trading zone to 0.5m from adjoining property boundary or a line extending to the kerb. | No impact to the permit holder as it has been changed for clarification only. |
| 5 th paragraph | Amended from both trading zones to only trading zone 2. | This clause should only relate to trading zone 2 to allow sufficient pedestrian access from the kerb. |

F3. REVIEW OF FOOTPATH TRADING POLICY

(continued)

| | | |
|---|---|--|
| <p>Clause 11 – Adjacent Premises</p> <p>2nd paragraph</p> | <p>Amended to “Where this section applies, there still must be a minimum of 0.5m clearance space between each separate property boundary or a line extending from the adjoining property boundary to the kerb”.</p> | <p>The current policy wording is ambiguous. There is no impact to the permit holder.</p> |
| <p>Clause 15 – Public Liability Insurance & Indemnity</p> <p>Whole clause</p> | <p>Updated provisions</p> | <p>These provisions have been updated after discussions with Council’s insurer and OHS Emergency Officer. There should not be any additional impact to the permit holder.</p> |
| <p>Clause 16 – General Conditions Outdoor Eating Facilities</p> <p>Sub clause (m)</p> | <p>Delete “The permit holder must allow an authorised officer of the Council access to the outdoor eating facility at any time with or without notice and provide any documents when requested by an authorised officer of the Council.”</p> | <p>Existing provisions are sufficient and this Sub clause is not required.</p> |
| <p>Clause 18 – Liquor Licences</p> <p>Sub clause (d)</p> <p>Sub clause (e)</p> | <p>Amended to “The Council’s General Local Law 2018 states that without a permit, a person must not consume, or have in his or her possession, in an unsealed container, any alcohol in or on any public place declared by resolution of Council (Schedule 4 in the List of Schedules) unless the public place is a licensed premises or authorised premises under the <i>Liquor Control Reform Act 1998</i>.”</p> <p>Deletion of Sub clause stating that Council may by resolution declare a part of a street, road or other public place an alcohol free zone for the purposes of conducting a special event or function.</p> | <p>For consistency with the proposed General Local Law 2018.</p> <p>This provision has been removed from the proposed General Local Law 2018. Where an event permit is issued there is no requirement for a footpath trading permit.</p> |

F3. REVIEW OF FOOTPATH TRADING POLICY

(continued)

| | | |
|--|---|--|
| 19. Windproof Ashtrays | Deleted. | Not required due to changes to the <i>Tobacco Act 1987</i> relating to smoking at outdoor eating premises. |
| 23. Flags and Banners Sub clause (d) | Amended to include "Teardrop style flags may be affixed to a footpath only upon application and the issuing of a Works in Road Reserve permit". | Makes provision to allow the fixing of the teardrop flags to footpaths in certain circumstances. This is consistent with Council facilities affixing teardrop flags. |
| 24. General Conditions – Display of Goods Sub clause (d) | Amended to include "Notwithstanding the provisions of clause 8 of this policy, there should be a minimum clearance space in trading zone 2 of 1.0m for each 1.5m display to allow for pedestrian access". | Current clause required a 1.0m gap for displays in both trading zones up to 1.5m in length. New provision restricts provision to trading zone 2 and states the minimum clearance required. |
| Other Specific Activities 25. Umbrellas 26. Heaters 27. Advertising 28. Outdoor Speakers & Live Entertainment Whole clauses | The wording of these provisions remain unchanged, however they have been moved from outdoor eating facilities to a generic section. | These facilities may be used for other purposes apart from outdoor eating facilities. |
| 31. Information Required from the Applicant Sub clause (g) Sub clause (j) | Amended to include the requirement to provide a design or photograph of the advertising sign. Amended to include "Payment of the relevant fees, if applicable". | Additional provision to assist with the application assessment. To be consistent with current practice, where permit fees are not charged. |

F3. REVIEW OF FOOTPATH TRADING POLICY

(continued)

| | | |
|---|--|---|
| 36. Compliance Monitoring Sub clause (a) | New Sub clause "Verbal discussion with the permit holder". | Provides a more customer focused option prior to commencing an enforcement process. |
| 40. Reference to Legislation | New clause. "Any reference to legislation within this policy must be read as any amendments of that legislation from time to time or its successor". | Provides for future changes to legislation without the need to amend the policy. |
| 41. Records Management | New clause. | Consistent with standard Council policy requirements. |

The proposed changes will have limited to no impact on permit holders and in most situations provides clarification on Council's requirements for footpath trading.

a. Council Plan Linkage and Policy Context

Growing Glenelg – sustaining and growing a diverse economy and social prosperity.

Connecting Glenelg – connecting people, places and spaces.

Liveable Glenelg – embracing inclusive, health, sustainable and diverse cultures.

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative and Legal Considerations

Consideration has been given to the *Disability Discrimination Act 1992*, *Disability Act 2006*, *Summary Offences Act 1966*, *Food Act 1984*, *Public Health & Wellbeing Act 2008*, *Liquor Control Reform Act 1998*, *Environment Protection Act 2006* and the draft proposed Glenelg Shire Council General Local Law 2018.

c. Consultation and/or communication processes implemented or proposed

If the revised policy is endorsed by Council, it will be subjected to a public submission process under section 119 of the *Local Government Act 1989* required for the making of the proposed General Local Law 2018, prior to adoption.

F3. REVIEW OF FOOTPATH TRADING POLICY

(continued)

d. Risk Management

The Footpath Trading Policy provides appropriate controls of trading on Council controlled footpaths and therefore mitigates risk by placing restrictions, conditions, insurance and indemnity requirements.

e. Resource Implications

No additional resources are envisaged in the administration and enforcement of this policy.

f. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in relation to the revised policy.

g. Sustainability and Environmental Considerations

Not applicable.

h. Budget Implication

The cost of administering this revised policy is included within the Local Laws budget.

Conclusion

Whilst there have been a number of amendments made to the revised policy the changes made will have limited impact on applicants and permit holders. It is proposed that the document be endorsed by Council and included in the formal submission process required prior to the making of the proposed General Local Law 2018. Therefore the intention is that the revised policy will not commence until the day the General Local Law 2018 commences.

Officer Recommendation

1. That the revised Footpath Trading Policy be endorsed and included in the public submission process required under section 119 of the *Local Government Act 1989* for the making of the proposed General Local Law 2018.
2. That the endorsed Footpath Trading Policy be considered for adoption at a future Council meeting along with the adoption of the General Local Law 2018.

F3. REVIEW OF FOOTPATH TRADING POLICY

(continued)

MOTION

MOVED Cr Stephens

1. That the revised Footpath Trading Policy be endorsed and included in the public submission process required under section 119 of the *Local Government Act 1989* for the making of the proposed General Local Law 2018.
2. That the endorsed Footpath Trading Policy be considered for adoption at a future Council meeting along with the adoption of the General Local Law 2018.

SECONDED Cr Halliday

CARRIED

Cr Wilson and Cr Hawker returned to the meeting at 7:10pm.

F4. REVIEW OF ITINERANT TRADING POLICY

Director: David Hol, Acting Director Corporate Services

Author: Scott Millard, Manager Compliance & Corporate Information

Separate Circulation – Non Confidential

| No. | <i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i> | ECM |
|-----|---|---------|
| 1. | Draft Itinerant Trading Policy CPO-CORPS-LL-002 Version No. 2018.01 | 2324969 |

Executive Summary

The purpose of this report is to provide Council with a revised draft Itinerant Trading Policy for consideration.

It is proposed that the Itinerant Trading Policy (the Policy) be an incorporated document within the proposed General Local Law 2018 and therefore be included within the public submission process required for the making of a local law.

Background

The current Itinerant Trading Policy was last revised and adopted by Council on 24 March 2015 and is an incorporated document in the General Local Law 2008. The current policy is due for review by 1 March 2019 however the General Local Law 2008 expires in March 2018.

Report

It is proposed that the Itinerant Trading Policy be incorporated into the General Local Law 2018 and therefore it is appropriate that the policy be reviewed and included within the formal submission process required for the making of a local law.

Once the policy is adopted by Council any further modifications made can only commence following notice in the Victoria Government Gazette.

The policy has previously been developed to provide Council with a framework for the operation and management of itinerant trading within the municipality.

F4. REVIEW OF ITINERANT TRADING POLICY

(continued)

Apart from minor wording and formatting changes the following list provides a summary of the proposed changes:

| <i>Clause No. / Clause Name / Sub clause or Paragraph No.</i> | <i>Proposed Change</i> | <i>Comment</i> |
|---|--|---|
| Document Heading | Inclusion of version no. 2018.01 | Ensures that there is a clear understanding of the document version incorporated in the Local Law. |
| Review | Amended to include: "Prior to March 2028. This policy is an incorporated document under the Glenelg Shire Council General Local Law 2018. Any amendments to this policy will require a notice in the Victoria Government Gazette prior to it taking effect." | To highlight the need for notice of any amendments due to its incorporation in the General Local Law. |
| References | Building Regulations 2006 has been removed. Disability Discrimination Act has been replaced with Disability Act 2006. General Local Law 2018 has been inserted. | Legislation updated. |
| 3. Aim | | |
| 3 rd paragraph | Deletion of the following sentence "at times when permanent outlets are either not operating or not available in the immediate area." | This sentence was inconsistent with the issuing of permits. |
| 4 th paragraph | Addition of the following "Glenelg Shire Council is forward thinking and inclusive. We will continue to innovate and develop our diverse economy to deliver services that meet the needs of our community by connecting people, places and spaces". | Updated wording to be consistent with the current Council Plan. |

F4. REVIEW OF ITINERANT TRADING POLICY

(continued)

| | | |
|---|--|---|
| <p>6. Policy</p> <p>6.1 Itinerant Trading Permits</p> <p>6th paragraph</p> | <p>Addition of “The issuing of a permit will be considered within 14 days at the end of the public notice period”</p> | <p>This will allow Council time to consider submissions received.</p> |
| <p>7. General Requirements</p> <p>1st paragraph</p> <p>Sub clause (j)</p> | <p>Amend the paragraph to read “Itinerant traders must display an apparent need for such a service in the proposed area or should demonstrate that their proposal will positively contribute to the community, tourist or visitor experience.”</p> <p>Amend the sub clause to read “Whether there will be an The effect on other traders;”</p> | <p>Under the <i>Competition and Consumer Act 2010</i> Council cannot restrict competition and therefore this provides a less onerous obligation on applicants.</p> |
| <p>10. Signage</p> <p>2nd paragraph</p> | <p>Signage height amended to 1000mm high.</p> | <p>The current policy allowed signage to be 1200mm high which is greater than the allowable signage size for under the Draft Footpath Trading Policy.</p> |
| <p>12. Public Liability Insurance & Indemnity</p> <p>Whole clause</p> | <p>Updated provisions</p> | <p>These provisions have been updated after discussions with Council’s insurer and OHS Emergency Officer. There should not be any additional impact to the permit holder.</p> |
| <p>14. Prohibited Items</p> <p>Sub clause (h)</p> | <p>Insert “Prohibited items as defined in Section 3 (1) <i>Control of Weapons Act 1990</i>”.</p> | <p>It is appropriate to restrict the sale of prohibited weapons even if applicant has other approvals.</p> |
| <p>19. Reference to Legislation</p> | <p>New clause. “Any reference to legislation within this policy must be read as any amendments of that legislation from time to time or its successor”.</p> | <p>Provides for future changes to legislation without the need to amend the policy.</p> |

F4. REVIEW OF ITINERANT TRADING POLICY

(continued)

The proposed changes will have limited to no impact on permit holders and in most situations provides clarification on Council's requirements for itinerant trading.

a. Council Plan Linkage and Policy Context

Growing Glenelg – sustaining and growing a diverse economy and social prosperity.

Connecting Glenelg – connecting people, places and spaces.

Liveable Glenelg – embracing inclusive, health, sustainable and diverse cultures.

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative and Legal Considerations

Consideration has been given to the *Local Government Act 1989*, *Glenelg Shire Council Planning Scheme*, *Planning and Environment Act 1987*, *Building Act 1993*, *Road Safety Road Rules 2017*, *Country Fire Authority Act 1958*, *Control of Weapons Act 1990*, *Disability Act 2006*, and the draft proposed Glenelg Shire Council General Local Law 2018.

c. Consultation and/or communication processes implemented or proposed

If the revised policy is endorsed by Council, it will be subjected to a public submission process under section 119 of the *Local Government Act 1989* required for the making of the proposed General Local Law 2018, prior to adoption.

d. Risk Management

The Itinerant Trading Policy provides appropriate controls of trading on Council controlled or managed land and therefore mitigates risk by placing restrictions, conditions, insurance and indemnity requirements.

e. Resource Implications

No additional resources are envisaged in the administration and enforcement of this policy.

f. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in relation to the revised policy.

F4. REVIEW OF ITINERANT TRADING POLICY

(continued)

g. Sustainability and Environmental Considerations

Not applicable.

h. Budget Implication

The cost of administering this revised policy is included within the Local Laws budget.

Conclusion

Whilst there have been a number of amendments made to the revised policy the changes made will have limited impact on applicants and permit holders. It is proposed that the document be endorsed by Council and included in the formal submission process required prior to the making of the proposed General Local Law 2018. Therefore the intention is that the revised policy will not commence until the day the General Local Law 2018 commences.

Officer Recommendation

1. That the revised Itinerant Trading Policy be endorsed and included in the public submission process required under section 119 of the *Local Government Act 1989* for the making of the proposed General Local Law 2018.
2. That the endorsed Itinerant Trading Policy be considered for adoption at a future Council meeting along with the adoption of the General Local Law 2018.

MOTION

MOVED Cr Stephens

1. **That the revised Itinerant Trading Policy be endorsed and included in the public submission process required under section 119 of the *Local Government Act 1989* for the making of the proposed General Local Law 2018.**
2. **That the endorsed Itinerant Trading Policy be considered for adoption at a future Council meeting along with the adoption of the General Local Law 2018.**

SECONDED Cr McDonald

CARRIED

F5. DRAFT PROPOSED GENERAL LOCAL LAW 2018

Director: David Hol, Acting Director Corporate Services
Author: Scott Millard, Manager Compliance & Corporate Information

Separate Circulation – Non Confidential

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | ECM |
|-----|--|---------|
| 1. | Draft Proposed General Local Law 2018 – V2.9 | 2351896 |
| 2. | Draft List of Schedules – General Local Law 2018 – V2.6 | 2351895 |
| 3. | Draft Local Laws Community Impact Statement (LLCIS) – V3 | 2351897 |

Executive Summary

The current General Local Law 2008 is due to sunset on 20 March 2018 and must be reviewed prior to adopting a replacement Local Law.

This briefing paper provides to Council a draft Proposed Local Law 2018 (the Proposed Local Law) that has recently undergone an extensive community consultation.

Feedback was sought and a total of 10 submissions were received via Your Say and written correspondence. Public comments and attendance at the roadshows was varied at the locations attended.

It is now recommended to undertake the formal procedure for making a local law as required under s119 of the *Local Government Act 1989* (the Act).

Background

Part 5, s111, of the Act provides councils with the power to make local laws.

The current General Local Law 2008 (the current Local Law) was adopted by Council on 20 March 2008. In accordance with the sunset provisions of s122 of the Act, unless revoked sooner, a local law sunsets no later than 10 years after it came into operation.

The current Local Law is an “omnibus” local law meaning it contains numerous provisions that might otherwise be contained within separate local laws.

Report

Councils use local laws to respond to issues and community needs within a local context and to achieve key strategic policy objectives. They are also intrinsically linked to State Government legislation and policy implementation.

A review of the current Local Law has been undertaken and the Proposed Local Law has been developed using the current guidelines made by the Minister for Local Government in 2010. This has undergone extensive consultation.

F5. DRAFT PROPOSED GENERAL LOCAL LAW 2018

(continued)

A local law should be regarded as the last resort giving consideration to whether there is a possible alternative to a local law that might better suit the needs of the community. Local laws carry with them a compliance burden for business and the community and they create an enforcement burden on councils.

It has been established that the proposed Local Law is the appropriate form of regulation. The objectives of the proposed Local Law are to provide:

- a) for those matters that require a local law under the *Local Government Act 1989* and any other Act;
- b) peace, order and good government of the municipality;
- c) a safe and healthy environment so that the community within the municipality can enjoy a quality of life that meets expectations;
- d) the safe and fair use and enjoyment of public places;
- e) the protection and enhancement of the amenity and environment of the municipality;
- f) fair and reasonable use and enjoyment of private land;
- g) protection of assets vested in, controlled or owned by Council; and
- h) uniform and fair administration and exercise of Council powers and functions of this Local Law.

A Local Law Community Impact Statement (LLCIS) (separate circulation No.3) has been developed to outline to the community the objectives and to identify the major changes, impacts and problems being addressed by the Proposed Local Law.

The LLCIS also details:

- the consultation and process;
- the measures of success and review;
- a risk assessment;
- an assessment against National Competition Policy;
- an assessment against the Charter of Human Rights and Responsibilities; and
- new and amended provisions proposed.

F5. DRAFT PROPOSED GENERAL LOCAL LAW 2018

(continued)

The identified major changes proposed include:

Part 2 – Environment

- A person must not use or allow others to use a motorised recreation vehicle, which includes motor bikes, on land owned or occupied by him or her, which in the opinion of an Authorised Officer causes a nuisance to others because of, sound, smell, dust, smoke, soil erosion or any other factor that causes a nuisance;

An infringement notice cannot be issued unless two independent complaints have been received and Council has offered the parties to the complaint a mediation session;

- Without a permit, a person must not occupy or keep, other than for storage purposes, a caravan, recreational vehicle (RV) or moveable dwelling on private land for more than 30 consecutive days or a total of 30 days in a 6 month period;

Part 3 – Animals

- A person must collect any excrement left by a dog under their control on a road, Council land or public place;
- A person who is in charge or control of a dog on a road, Council land or in a public place, must have in his or her possession a bag for the purpose of removing any excrement deposited by that dog from the road, Council land or public place.
- A person in control of a dog must carry a chain, cord or leash sufficient to bring the dog under effective control promptly if the dog behaves in a manner which threatens any person or animal;
- Any person in control of a dog must be a person physically capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.
- The owner of any cat must confine the cat to the owner's property, either within the dwelling or within another escape proof building between the hours of 7.00pm and 7.00am the following day.

In addition to the matters above, the following is a summary of other main changes for each specific Part of the Proposed Local Law:

F5. DRAFT PROPOSED GENERAL LOCAL LAW 2018

(continued)

Part 2 – Environment

- cl.2.01: Provides a more detailed definition of General Amenity of Land;
- cl.2.14: Additional controls over the use and placement of kerbside waste collection bins;
- cl.2.15: A new clause requiring a permit to be issued for the use of scare guns outside daylight hours or within 300 metres of a residence;

Part 2 – Animals

- cl.3.03: A limit restricting, without a permit, the number of dogs and cats kept to a maximum of 6, and detailing permit conditions.
- cl.3.05: A new clause requiring owners to provide and maintain shelter for their dogs and cats;

Part 4 - Roads and Council Land

- cl.4.07: Controls for the Council's waste management facilities;
- cl.4.08: Requirements for owners and occupiers to prevent vegetation on private land at intersections blocking the view of traffic by pedestrians or drivers, and to prevent vegetation overhang onto the road at a height no less than 2.5 metres;
- cl.4.11: Property numbers to be displayed;
- cl.4.22: An amendment to reflect a misprint for the sale of goods from roads and public places;
- cl.4.29: A restriction on the use of fireworks;
- cl.4.30: The requirement for a permit to busk;
- cl.4.35: An amendment to the alcohol provision to correct an apparent error. The new provision allows for Authorised Officers to issue a permit rather than obtain a Council resolution to allow for the consumption of alcohol for special events and functions in non-alcohol declared areas;
- cl.4.38: Restriction on the use of remote controlled aircraft, boats and cars;
- cl.4.39: Restrictions around the use of public waste bins;

F5. DRAFT PROPOSED GENERAL LOCAL LAW 2018

(continued)

Part 5 - Protection of Council Assets and Control of Building Sites.

This Part has been significantly amended from the current Local Law to simplify the process of obtaining an Asset Protection Permit and to allow for a fee to be waived subject to meeting certain requirements.

Part 6 – Administration.

This Part has been expanded to address the administration of permits.

Part 7 – Enforcement

- cl.7.02: A new clause to provide for the listing of all offences within a schedule;
- cl.7.04: A new clause for the impoundment and disposal of vehicles, vessels and other items;
- cl.7.05: A new delegation provision and has been included to reduce the need for separate delegation by Council to every officer for every clause contained within the Local Law that may require a permit;
- cl.7.07: A new clause outlining the review of decisions to show a fair and reasonable approach.

a. Council Plan Linkage and Policy Context

The LLCIS provides a link between the proposed Local Law and the Council Plan. However generally the Proposed Local Law links to the following:

- Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.
- Liveable Glenelg – Embracing inclusive, healthy, sustainable and diverse cultures.

b. Legislative and Legal Considerations

The authority for Council to make Local Laws comes primarily from the *Local Government Act 1989*. The relevant provisions are Part 5 and Schedule 8 of the Act.

c. Consultation and/or communication processes implemented or proposed

Feedback from the community was sought on the draft proposed Local Law. A roadshow of the draft was undertaken in Portland, Casterton, Heywood, Dartmoor, Merino and Nelson.

F5. DRAFT PROPOSED GENERAL LOCAL LAW 2018

(continued)

An invitation to the community to comment on the draft proposed Local Law was placed on Council's website, Councils online community engagement hub 'Your Say Glenelg' and in a media release and advertisements published in the Casterton News and Portland Observer.

A total of fifty seven people attended the roadshows and ten submissions were received with most feedback around the control of dogs, cats and horses. Following the feedback the draft has been amended to include a cat curfew between 7.00pm and 7.00am and the requirement for people in control of a dog to have in their possession a bag to collect dog excrement in public places. If Council endorses the Proposed Local Law it will then be subjected to the formal s223 submission consultation process.

d. Risk Management

The failure to adopt the Proposed Local Law would lead to a substantial loss of control by Council that would affect among other things the amenity and public safety within the community. It would also put at risk Council assets from damage placing an unfair financial burden on the community.

The Proposed Local Law has been developed with consideration to the guidelines made by the Minister. This reduces the potential for revocation by the Minister following adoption by Council.

e. Resource Implications

Resource implications are dependent on what is adopted by Council at the conclusion of the formal process. There are minimal resource implications identified from the Proposed Local Law as currently presented.

f. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered and are outlined in the LLCIS.

g. Sustainability and Environmental Considerations

The Proposed Local Law will assist Council control and enforce specific situations that have the potential to create environmental risks to the community.

h. Budget Implication

There are no identified budget implications as a result of the Proposed Local Law.

F5. DRAFT PROPOSED GENERAL LOCAL LAW 2018

(continued)

Conclusion

It is recommended that Council resolve its intent to make a General Local Law 2018 and give public notice of its intent as required by s119 and s223 of the Act.

Officer Recommendation

That Council:

1. Give public notice of its intention to make a General Local Law 2018 (Separate Circulation No. 1 and 2) and invite written submissions.
2. Endorses the Local Law Community Impact Statement (Separate Circulation No. 3)
3. Publish public notices of its intention to make a General Local Law 2018 in the Victorian Government Gazette, local newspapers and on Council's website.
4. Exhibit the proposed General Local Law for not less than 28 days after the date of which the Public Notice was published in accordance with sections 119 and 223 of the *Local Government Act 1989* to allow for public submissions.
5. Appoint a special committee of Council to hear any submissions after the exhibition period under sections 119 and 223 of the *Local Government Act 1989* on the proposed General Local Law 2018.
6. Fix the meeting for the special committee to hear submissions, as appointed in part 5 of this resolution, at 1.00pm on Tuesday 5 December 2017 at the Glenelg Shire Council Portland Office, or if required at another day and time to be determined by the Chief Executive Officer.
7. Appoint the following Councillors to the special committee as described in part 5 of this resolution:
 - a. Cr. _____
 - b. Cr. _____
 - c. Cr. _____
8. Receive a report from the special committee outlining any submissions received on the proposed General Local Law 2018 and present a recommendation for Council's consideration.

F5. DRAFT PROPOSED GENERAL LOCAL LAW 2018

(continued)

MOTION

MOVED Cr Halliday

That Council:

- 1. Give public notice of its intention to make a General Local Law 2018 (Separate Circulation No. 1 and 2) and invite written submissions.**
- 2. Endorses the Local Law Community Impact Statement (Separate Circulation No. 3)**
- 3. Publish public notices of its intention to make a General Local Law 2018 in the Victorian Government Gazette, local newspapers and on Council's website.**
- 4. Exhibit the proposed General Local Law for not less than 28 days after the date of which the Public Notice was published in accordance with sections 119 and 223 of the *Local Government Act 1989* to allow for public submissions.**
- 5. Appoint a special committee of Council to hear any submissions after the exhibition period under sections 119 and 223 of the *Local Government Act 1989* on the proposed General Local Law 2018.**
- 6. Fix the meeting for the special committee to hear submissions, as appointed in part 5 of this resolution, at 1.00pm on Tuesday 5 December 2017 at the Glenelg Shire Council Portland Office, or if required at another day and time to be determined by the Chief Executive Officer.**
- 7. Appoint the following Councillors to the special committee as described in part 5 of this resolution:**
 - a. Cr. Rank**
 - b. Cr. Hawker**
 - c. Cr. McDonald**
- 8. Receive a report from the special committee outlining any submissions received on the proposed General Local Law 2018 and present a recommendation for Council's consideration.**

SECONDED Cr Stephens

CARRIED

F6. DRAFT DOMESTIC ANIMAL MANAGEMENT PLAN 2017 – 2021

Director: David Hol, Acting Director Corporate Services
 Author: Jacqueline Muskee, Local Laws Team Leader

Separate Circulation – Non Confidential

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | ECM |
|-----|--|---------|
| 1. | Draft Domestic Animal Management Plan 2017 - 2021 | 2290579 |

Executive Summary

Council is required under Section 68A of the *Domestic Animals Act 1994* (the Act) to have a Domestic Animal Management Plan (DAMP) in place. The DAMP is required to be produced in consultation with the Secretary of the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) at four yearly intervals. The current DAMP was adopted by Council in 2013 and it is proposed that the revised draft DAMP will succeed it, following due process.

Background

The DAMP outlines the services, programs and policies the Council has established to address the administration of the Act and the management of domestic animals in our community for the next four years concluding in 2021.

The DAMP is required to be reviewed annually and amendments made where appropriate. A copy of the amended DAMP is sent to the Secretary of the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).

Report

Section 68A of the *Domestic Animals Act 1994* mandates the requirement for Council to prepare a Domestic Animal Management Plan.

A complete review of the current 2013 DAMP has been undertaken and the draft 2017 – 2021 DAMP has been developed using the guidelines and format based on a template provided by DEDJTR.

The draft DAMP addresses the following criteria:

- Training of authorised officers; and
- Services and strategies that the Council intends to pursue in relation to animal ownership, enforcement, control of animals at large and processes for declaration of menacing and dangerous dogs.

The scope of the document includes information in relation to issues such as barking dogs, authorised officer training requirements, domestic animal registration and general animal management within the Shire.

F6. DRAFT DOMESTIC ANIMAL MANAGEMENT PLAN 2017 – 2021

(continued)

Overpopulation, high euthanasia, identification (microchipping) and registration is a focus area for the next four year period with various ideas on how to tackle these issues detailed throughout the DAMP.

The purpose of these elements is to ensure that the document is relevant for both internal and external reference.

a. Council Plan Linkage and Policy Context

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

Liveable Glenelg – Embracing inclusive, healthy, sustainable and diverse cultures.

b. Legislative and Legal Considerations

Section 68A of the *Domestic Animals Act 1994* mandates the requirement for a Domestic Animal Management Plan.

c. Consultation and/or communication processes implemented or proposed

The DAMP concluded its 28 day public consultation phase on Friday 25 August 2017. At the conclusion of this process no changes were required however, during the Draft General Local Law 2018/28 road shows it was suggested that a cat curfew be introduced. This recommendation has been inserted into the Draft DAMP as a possible introduction of a cat curfew between the hours of 7am and 7pm. The cat curfew has also been inserted into the Draft General Local Law 2018 which will be subject to a formal Section 223 submission process required under the *Local Government Act 1989*

d. Risk Management

If a Domestic Animal Management Plan is not forwarded to the Secretary of DEDJTR by the required date Council would be non-compliant with the legislative requirements.

e. Resource Implications

Resource implications would be dependent on what is adopted by Council at the conclusion of the formal process. No other resource implications are foreseen as the DAMP formalises normal work practices of the Local Laws Unit.

f. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report.

F6. DRAFT DOMESTIC ANIMAL MANAGEMENT PLAN 2017 – 2021

(continued)

g. Sustainability and Environmental Considerations

The promotion and enforcement of responsible pet ownership would have a beneficial effect via the reduction of dog faeces which is an issue that has substantial health and environmental risk factors.

h. Budget Implication

It is expected that any expenditure required to undertake the Domestic Animal Management Plan will be within the normal operational budget.

Conclusion

That Council formally adopt the Domestic Animal Management Plan.

Officer Recommendation

That Council formally adopt the Domestic Animal Management Plan.

MOTION

MOVED Cr Halliday

That Council formally adopt the Domestic Animal Management Plan.

SECONDED Cr McDonald

CARRIED

F7. MINUTES AND RECOMMENDATIONS OF THE AUDIT COMMITTEE MEETING HELD ON 4 SEPTEMBER 2017

CEO: Greg Burgoyne, Chief Executive Officer
Author: Scott Millard, Manager Compliance & Corporate Information

Separate Circulation – Confidential

The separate circulation listed in the table below has been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | Relevant Grounds Under Section 89(2) of the Act | ECM DocsetID |
|-----|--|---|--------------|
| 1. | Minutes of the Audit Committee Meeting held on Thursday 4 September 2017 | The document contains information that would prejudice the Council or any person - section 89(2)(h) of the Act. | 2340593 |

Executive Summary

The purpose of this report is to enable the Council to receive the Minutes of the Audit Committee Meeting held on 4 September 2017 and to submit the recommendations from the Committee for Council's consideration.

Background

The role of the Audit Committee is to monitor and advise Council on the corporate governance, financial management, and risk management of the Glenelg Shire.

The Audit Committee Charter requires that the Committee's Minutes be presented to Council to ensure that an effective communication mechanism between the Committee and Council occurs and to ensure that the Council is fully informed on the Committee's activities.

F7. MINUTES AND RECOMMENDATIONS OF THE AUDIT COMMITTEE MEETING HELD ON 4 SEPTEMBER 2017

(continued)

Report

The Audit Committee Meeting held on Thursday 4 September 2017 considered the following items:

| Item No. | Item Description |
|----------|--|
| 1. | Draft Glenelg Shire Council Annual Financial Report for the Year Ending 30 June 2017 |
| 2. | Local Government Performance Report – 2016/2017 (Unaudited) |
| 3. | Internal Audit - Review of Council's Organisational Staff Recruitment and Retention |
| 4. | Risk Management Report May 2017- August 2017 |
| 5. | Business Continuity Plan Update |
| 6. | 2017-2018 Budget and Strategic Resource Plan 2017/2018-2020/2021 Adoption |
| 7A. | Debtors Outstanding as at 30 July 2017 |
| 7B. | Rates Debtors Outstanding as at 30 June 2017 |
| 8. | Investment Performance to 30 June 2017 |
| 9. | Status of Internal Audit Plan July 2016 to June 2017 |
| 10. | Audit Register Review |
| 11. | Status of Council Plan as at 30 June 2017 |
| 12. | Audit Committee Self-Assessment Results 2016/17 |
| 13. | Audit Committee Chairperson's Annual Report for 2016/2017 |
| 14. | Results of the Community Satisfaction Survey 2016/2017 |
| 15. | Internal Audit – Review of Council's Home and Community Care Service Compliance with the Community Care Common Standards |

The following recommendations were considered at the 26 September 2017 Ordinary Council Meeting:

Item 1 Draft Glenelg Shire Council Annual Financial Report for the Year Ending 30 June 2017

That the audit committee recommend to Council that the Draft Annual Financial Report for the year ended 30 June 2017 be approved 'in principle'.

Moved: Member Saunders

Seconded: Member Tobin
CARRIED

F7. MINUTES AND RECOMMENDATIONS OF THE AUDIT COMMITTEE MEETING HELD ON 4 SEPTEMBER 2017

(continued)

Item 2 Local Government Performance Report – 2016/2017 (Unaudited)

That the Audit Committee recommend to Council that the Performance Statement, Performance Report - Report of Operations and Governance and Management Checklist for the year ended 30 June 2017 be approved 'in principle'.

Moved: Mayor Cr Rank

Seconded: Member Saunders

CARRIED

a. Council Plan Linkage and Policy Context

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative and Legal Considerations

Under section 139 of the *Local Government Act 1989* (the “Act”) Council is required to establish an audit committee and operate this committee under specific guidelines. The Audit Committee’s role also links to and supports a range of Glenelg Shire policies, procedures and guidelines including the Fraud Prevention Policy; Investment Policy; Procurement Policy; Councillor Code of Conduct and Staff Code of Conduct.

c. Consultation and/or communication processes implemented or proposed

The minutes from each meeting are provided to Audit Committee members for review.

d. Risk Management

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

e. Resource Implications

Nil.

f. Charter of Human Rights and Responsibilities

This report has considered the requirements of the Victorian Charter of Human Rights and Responsibilities.

g. Sustainability and Environmental Considerations

Not applicable.

F7. MINUTES AND RECOMMENDATIONS OF THE AUDIT COMMITTEE MEETING HELD ON 4 SEPTEMBER 2017

(continued)

h. Budget Implication

The 2017/18 Council budget contains a budget to support the Audit Committee and to undertake an internal audit program during the financial year. Management and staff time to support the Committee and internal audit projects is an indirect cost.

Conclusion

It is recommended that Council receive the Audit Committee Minutes for the Meeting held on Thursday 4 September 2017.

Officer Recommendation

That Council receive the Minutes of the Audit Committee Meeting held on Thursday 4 September 2017.

MOTION

MOVED Cr Stephens

That Council receive the Minutes of the Audit Committee Meeting held on Thursday 4 September 2017.

SECONDED Cr McDonald

CARRIED

F8. ADOPTION OF THE GLENELG SHIRE COUNCIL ANNUAL REPORT 2016/17

Director: David Hol, Acting Director Corporate Services

Author: Cherie Arnott, Administration Officer Corporate Services

Separate Circulations – Non Confidential

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | ECM DocSetID |
|-----|--|--------------|
| 1. | FINAL Glenelg Shire Council Annual Report 2016/17 | 2355185 |
| 2. | FINAL Glenelg Shire Council Financial Report 2016/17 | 2355186 |

Executive Summary

The purpose of this report is to seek the adoption of the final printed version of the Glenelg Shire Council Annual Report for 2016/17 including the financial and performance statements.

Background

1. Council has a statutory requirement to produce an Annual Report each financial year.
2. The *Local Government Act 1989* ('the Act') outlines the key information that must be included and the process that must be adhered to in the development, authorisation and publication of the Annual Report.
3. The 2016/17 Annual Report is a key corporate document of Council. It contains the achievements delivered under the Council Plan during the financial year - 1 July 2016 to the 30 June 2017. In addition, the Annual Report includes the Council's Financial Statements and Performance Statement for 2016/17.

Report

In accordance with the Act, the Annual Report for the 2016/17 financial year has been prepared and authorised by Council at its meeting held on 26 September 2017 for submission to the Minister for Local Government and placed on public exhibition.

a. Council Plan Linkage and Policy Context

Growing Glenelg – Sustain and grow a diverse economy and social prosperity.

F8. ADOPTION OF THE GLENELG SHIRE COUNCIL ANNUAL REPORT 2016/17

(continued)

b. Legislative and Legal Considerations

As required by Section 134 of the Act, Council must meet and discuss the Annual Report and associated Financial Statements after the Annual Report is submitted to the Minister following a public notice period.

c. Consultation and/or communication processes implemented or proposed

In accordance with Sections 134 of the Act, public notice of Council's intention to formally consider and adopt the 2016/17 Annual Report and associated Financial Statements at the October Ordinary Council Meeting appeared in the Portland Observer on Friday 6 October 2017 and the Casterton News on Wednesday 4 October 2017.

As required by Section 131, 132 and 133 of the Act, Council also gave public notice in the above mentioned newspaper editions that the audited Financial Statements and the audited Performance Statement were also available for public inspection.

The Annual Report will be distributed to a variety of public and private sector organisations and individuals who have requested that their names be placed on the mailing list. The mailing list is reviewed each year.

The Annual Report is available on the Council's Internet site at www.glenelg.vic.gov.au. A copy of the Annual Report can also be obtained via Glenelg Shire Customer Service Centre's. A media release will also be issued following the Council meeting.

d. Risk Management

Nil.

e. Resource Implications

Nil.

f. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered when preparing this year's Annual Report document.

g. Sustainability and Environmental Considerations

Nil.

F8. ADOPTION OF THE GLENELG SHIRE COUNCIL ANNUAL REPORT 2016/17

(continued)

h. Budget Implication

The direct cost of layout and printing of the annual report has been included in the 2016/17 Council Budget.

Indirect costs include staff time across the organisation and significant staff time in the Corporate Governance Unit.

Officer Recommendation

1. That the draft Glenelg Shire Council Annual Report for 2016/17, including the audited Financial Statements and Performance Statement, be adopted.
2. That Council send the Glenelg Shire Council Annual Report for 2016/17 to the printers to be commercially printed.
3. That Council forward a final printed version of this report to the Minister for Local Government.

MOTION

MOVED Cr Stephens

1. **That the draft Glenelg Shire Council Annual Report for 2016/17, including the audited Financial Statements and Performance Statement, be adopted.**
2. **That Council send the Glenelg Shire Council Annual Report for 2016/17 to the printers to be commercially printed.**
3. **That Council forward a final printed version of this report to the Minister for Local Government.**

SECONDED Cr White

CARRIED

F9. GLENELG PLANNING SCHEME AMENDMENT C94: CORRECTIONS

Director: David Hol, Acting Director Corporate Services
Author: Imogen Holton-McPhee, Statutory Planner

Separate Circulations – Non Confidential

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | ECM |
|-----|--|---------|
| 1. | Attachment 1 – Amendment C94 documents | 2345986 |
| 2. | Attachment 2 – Submissions | 2345987 |

Executive Summary

The purpose of this paper is to brief Council on the outcome of the public exhibition undertaken for proposed Amendment C94.

This report recommends that Council:

- Adopt Amendment C94; and
- Resolve to submit Amendment C94 to the Minister for Planning for final approval.

Background

Amendment C94 proposes to correct anomalies and errors within the Glenelg Planning Scheme on land at various locations throughout the Glenelg Shire.

On 27 June 2017 Council resolved to request authorization from the Minister for Planning to prepare and exhibit Glenelg Planning Scheme C61.

Prior to exhibition DELWP requested that Council assign a new C number for the corrections amendment, due to an administrative issue surrounding the original request from VicRoads of C61. Council subsequently assigned 'C94'.

Public exhibition commenced on 10 August 2017, and closed on 11 September 2017.

Report

A request to the Minister for Planning was made to consider an exemption from full exhibition under Section 20(2) of the *Planning and Environment Act 1987*, requesting to be exempt from public notice in newspapers. This request was not granted, and subsequently the amendment was placed on full notice.

The proposed corrections amendment was put out on public notice by placing advertisements in the Portland Observer and the Government Gazette, and by sending written notice to prescribed ministers, and to landowners and occupiers of affected land.

Council received two responses to the amendment, both in support of the proposed changes (Attachment 2). No objections were received.

F9. GLENELG PLANNING SCHEME AMENDMENT C94: CORRECTIONS

(continued)

a. Council Plan Linkage and Policy Context

- Livable Glenelg – Create a range of opportunities for the community to participate in council decision making.
- Leading Glenelg – Good governance principles applied to guide strategic decision-making.

b. Legislative and Legal Considerations

The Amendment helps to implement the following objectives under Section 4 of the *Planning and Environment Act 1987*:

- 4(1)(a) “*to provide for the fair, orderly, economic and sustainable use, and development of land*”;
- 4(1)(b) “*to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity*”;
- 4(1)(g) “*to balance the present and future interests of all Victorians*”.

c. Consultation and/or communication processes implemented or proposed

Individual notification was given to prescribed Ministers, landowners and occupiers of affected land. Notice of the Amendment appeared in the State Government Gazette, and in the Portland Observer.

VicRoads have provided support for the proposed changes.

d. Risk Management

The amendment is proposed to mitigate the risk of existing errors found in the planning scheme.

e. Resource Implications

The amendment will provide a more accurate planning scheme and reduce officer time spent on interpreting planning controls that are unclear or inaccurate.

f. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered. The public exhibition process allows people to exercise their human rights under freedom of expression and to take part in public life.

F9. GLENELG PLANNING SCHEME AMENDMENT C94: CORRECTIONS

(continued)

g. Sustainability and Environmental Considerations

The amendment will result in a more effective and efficient planning scheme.

h. Budget Implication

All statutory fees to undertake the Planning Scheme Amendment are covered by the operational budget.

Conclusion

Consistent with the responses received following public exhibition it is recommended that Council adopt Amendment C94 and resolve to submit the amendment documentation to the Minister for Planning for Approval.

Officer Recommendation

1. That Council adopts Amendment C94 (Attachment 1) into the Glenelg Planning Scheme pursuant to Section 29 of the *Planning and Environment Act 1987*.
2. That Council submits Amendment C94, as adopted, to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*.

MOTION

MOVED Cr Wilson

1. That Council adopts Amendment C94 (Attachment 1) into the Glenelg Planning Scheme pursuant to Section 29 of the *Planning and Environment Act 1987*.
2. That Council submits Amendment C94, as adopted, to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*.

SECONDED Cr Stephens

CARRIED

F10. HERITAGE ADVISORY COMMITTEE APPOINTMENT OF COMMUNITY REPRESENTATIVE

Director: David Hol, Acting Director Corporate Services
Author: Matt Berry, Planning Manager

Executive Summary

The purpose of this report is to enable Council whether to consider appointment of an additional community member to the Heritage Advisory Committee.

Background

Previously on 28 February 2017 Council appointed three members to the Heritage Advisory Committee after an expression of interest process. A further member was appointed on 26 September 2017.

The Terms of Reference of this committee allow membership to consist of between three and five community members.

As there is one remaining vacancy, a new expression of interest can be considered.

Report

An expression of interest has been received by Adam Black to join the committee. The form submitted lists relevant experience including managing a heritage consultancy firm and conservation management of National Parks and Aboriginal cultural heritage.

a. **Council Plan Linkage and Policy Context**

Liveable Glenelg – Embracing inclusive, healthy, sustainable and diverse cultures for living

b. **Legislative and Legal Considerations**

There are no legislative or legal considerations.

c. **Consultation and/or communication processes**

None applicable to this report. Since the original Expression of Interest process current Advisory Committee members have been encouraged to seek others to nominate.

d. **Risk Management**

It is imperative all Committee members demonstrate values that would benefit Council as part of their role.

F10. HERITAGE ADVISORY COMMITTEE APPOINTMENT OF COMMUNITY REPRESENTATIVE

(continued)

e. Resource Implications

Nil.

f. Charter of Human Rights and Responsibilities

This report has considered the requirements of the Victorian Charter of Human Rights and Responsibilities.

g. Sustainability and Environmental Considerations

Nil.

h. Budget Implications

There are no budget implications.

Officer Recommendation

That Council appoint Mr Adam Black to the Heritage Advisory Committee.

MOTION

MOVED Cr Wilson

That Council appoint Mr Adam Black to the Heritage Advisory Committee.

SECONDED Cr Halliday

CARRIED

F11. ADOPTION OF THE GLENELG MUNICIPAL EMERGENCY MANAGEMENT PLAN 2017-2020

Director: David Hol, Acting Director Corporate Services

Author: Lynne McMahon, Emergency Risk and OHS Manager

Separate Circulation – Non Confidential

| No. | <i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i> | <i>ECM DocSetID</i> |
|-----|---|---------------------|
| 1. | Final Master Glenelg Municipal Emergency Management Plan 2017-2020 | 2341795 |

Executive Summary

This report is provided to seek Council endorsement of the Glenelg Municipal Emergency Management Plan 2017-2020 (MEMPlan).

Background

The MEMPlan was Audit by the Victorian State Emergency Services in March 2016. During 2016 and 2017 there have been various amendments and updates to the MEMPlan. These changes are administrative only and have not changed the intent of the Plan.

Report

The MEMPlan was audited by the Victorian State Emergency Services in March 2016. The recommendations from the Audit have been updated to the MEMPlan.

The Glenelg Municipal Emergency Management Planning Committee reviewed the MEMPlan mid-2017.

The following audit recommendations and amendments have been updated:

- Sub-plans included: Glenelg Shire Council Business Continuity Plan; Neighbourhood Safer Places Plan, Local Port of Portland Bay and other relevant state plans;
- Updates include: Disclaimer added; history of emergencies; emergency alert warnings; firefighting plant and equipment; ABS information; classes of emergencies; response arrangements;
- All Emergency Services and Media contact details have been removed due to privacy; and
- Agencies roles and responsibilities involved in recovery have been removed and replace with the wording '*refer to Emergency Management Victoria Manual*'.

F11. ADOPTION OF THE GLENELG MUNICIPAL EMERGENCY MANAGEMENT PLAN 2017-2020

(continued)

a. Council Plan Linkage and Policy Context

Creative Glenelg – Creative, inspired, forward thinking and action orientated.

b. Legislative and Legal Considerations

Emergency Management Act 1986, Emergency Management Act 2013 and Emergency Management Manual Victoria.

c. Consultation and/or communication processes implemented or proposed

Members of the Municipal Emergency Management Planning Committee, representatives from Victorian State Emergency Services, Victoria Police, Department Health and Human Services, Red Cross Department Environment Land Water and Planning, Country Fire Authority were consulted during this review process.

d. Risk Management

This protocol addresses insurance and operational issues which will effectively reduce risk to Council.

e. Resource Implications

Not applicable.

f. Charter of Human Rights and Responsibilities

The preparation of this report has considered the requirements of the Victorian Charter of Human Rights and Responsibilities.

g. Sustainability and Environmental Considerations

Not applicable.

h. Budget Implication

There are no identified budget implications.

Conclusion

The MEMPlan is to be presented to the October Workshop and Ordinary Council Meeting for consideration and adoption by Council.

F11. ADOPTION OF THE GLENELG MUNICIPAL EMERGENCY MANAGEMENT PLAN 2017-2020

(continued)

Officer Recommendation

That Council:

1. Adopts the Glenelg Municipal Emergency Management Plan 2017-2020.
2. That the Chief Executive Officer be authorised to execute all documents relating to this document.
3. The Glenelg Municipal Emergency Management Plan is forwarded to agencies listed in the distribution list and to the State Library of Victoria.

MOTION**MOVED Cr Stephens**

1. **Adopts the Glenelg Municipal Emergency Management Plan 2017-2020.**
2. **That the Chief Executive Officer be authorised to execute all documents relating to this document.**
3. **The Glenelg Municipal Emergency Management Plan is forwarded to agencies listed in the distribution list and to the State Library of Victoria.**

SECONDED Cr Hawker**CARRIED**

MOTION**MOVED Cr Wilson**

That Item F12. Chief Executive Officer Performance Review 2016/2017 be moved to the end of the Agenda.

SECONDED Cr Stephens**CARRIED**

Chief Executive Officer, Mr Burgoyne re-declared a Conflict of Interest in item F12. Chief Executive Officer Performance Review 2016/2017 and left the meeting at 7:44pm. Director Assets Mr Paul Healy assumed the Chief Executive Officer's chair.

F12. CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2016/2017

Director: David Hol, Acting Director Corporate Services

Author: David Hol, Acting Director Corporate Services

Separate Circulation – Confidential

The separate circulation listed in the table below has been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | Relevant Grounds Under Section 89(2) of the Act | ECM DocsetID |
|-----|--|--|--------------|
| 1. | Glenelg Shire Council CEO Review (To be distributed prior to the Ordinary Council Meeting) | Any other matter which the council or special committee considers would prejudice the council or any person - section 89 (2) (h) | TBC |

Executive Summary

The purpose of this report is to enable to Council to consider the report on the Chief Executive Officer Performance Review 2016/2017.

Background

In accordance with Section 97A of the *Local Government Act 1989* the performance of the Chief Executive Officer must be reviewed each year.

Report

The members of Council's CEO Review Committee, Mayor Cr Anita Rank, Cr Robert Halliday, Cr Alastair McDonald, Cr Karen Stephens and Cr Geoff White completed the 2016/2017 Chief Executive Officer's Performance Review with the assistance of consultant Greg Tomkins on Tuesday 17 October 2017.

F12. CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2016/2017

(continued)

A confidential report from the consultant, including a recommendation, is provided for Councillor's consideration.

a. Council Plan Linkage and Policy Context

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative and Legal Considerations

Section 97A of the *Local Government Act 1989*.

c. Consultation and/or communication processes implemented or proposed

The consultant communicated with the Councillors that comprise the CEO Review Committee, Leadership Team members and a selection of staff members from Glenelg Shire Council.

d. Risk Management

Not applicable.

e. Resource Implications

Nil.

f. Charter of Human Rights and Responsibilities

This report has considered the requirements of the Victorian Charter of Human Rights and Responsibilities.

g. Sustainability and Environmental Considerations

Not applicable.

h. Budget Implication

Costs associated with the review are covered within budget parameters.

Conclusion

It is recommended that Council approve the Chief Executive Officer Performance Review 2016/2017.

Officer Recommendation

That Council note the Glenelg Shire Council Chief Executive Officer Review prepared by Gregory B Tomkins for the 2016/2017 year.

F12. CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2016/2017

(continued)

MOTION

MOVED Cr McDonald

That Council endorse the Glenelg Shire Council Chief Executive Officer Review and Recommendations as prepared by Gregory B Tomkins for the 2016/2017 year.

SECONDED Cr Halliday

CARRIED

Chief Executive Officer, Mr Burgoyne returned to the meeting at 7:45pm and assumed the Chief Executive Officer's chair.

F13. CONTRACT 2017-18-08 PROVISION OF BUILDING SERVICES TO GLENELG SHIRE COUNCIL

Director: David Hol, Acting Director Corporate Services
Author: Matt Berry, Planning Manager

Separate Circulation – Confidential

The separate circulation listed in the table below have been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):

| No. | Separate Circulation | Relevant Grounds Under Section 89(2) of the Act | ECM |
|-----|---|--|---------|
| 1. | Glenelg Shire Council Tender Evaluation Summary, Provision of Building Services to Glenelg Shire Council, Contract No. 2017-18-08 dated 11 October 2017 | Contains contractual matter - section 89 (2) (d) | 2864771 |

Executive Summary

This report outlines the tender evaluation process for Contract 2017-18-08 for the provision of building services and recommends the awarding of the contract.

Background

Council requires the service of a Municipal Building Surveyor. The current contract in place providing this service expires in early December 2017. A new contract is required to ensure continuation of these services beyond this date.

Report

Public tenders were called via Tenderlink on Thursday 14 September 2017 and closed at 3:00pm on Thursday 5 October 2017.

One tender submission was received via Tenderlink from Don Sherwell Building Surveyor Services Pty Ltd.

The Tender Evaluation Panel comprised of Council's Acting Director Corporate Services, Planning Manager and Contract & Lease Officer.

F13. CONTRACT 2017-18-08 PROVISION OF BUILDING SERVICES TO GLENELG SHIRE COUNCIL

(continued)

The tender submission has been assessed against the tender specifications and the key selection criteria (as listed below).

| TENDER EVALUATION CRITERIA | % Weighting |
|--|-------------|
| 1. Value for Money | 40% |
| 2. Good customer and community relations skills | 15% |
| 3. Qualifications and experience | 10% |
| 4. **Economic Contribution to the Glenelg Shire Council Region | 25%** |
| 5. **The level of commitment demonstrated to maximise environmental sustainability** | 10%** |

Based on the tender evaluation process, it has been recommended by the Tender Evaluation Panel that Don Sherwell Building Surveyor Services Pty Ltd be awarded the Contract.

a. Council Plan Linkage and Policy Context

Growing Glenelg – sustaining and growing a diverse economy and social prosperity.

b. Legislative and Legal Considerations

The tender was undertaken in accordance with procurement requirements of the *Local Government Act 1989*.

Based upon the value of the Contract, Council endorsement is required.

c. Consultation and/or communication processes implemented or proposed

Tenders were invited in accordance with Council's Procurement Policy and communications with prospective tenderers were 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 resolution of this Contract.

d. Risk Management

Once the successful tenderer has been engaged for this Contract, the Contract Supervisor will review risks involved in the role.

The appointed contractor will be bound by Council's Guidelines, Policy and Procedures for dealing with risk management and occupational health and safety. In addition the contractor will be required to supply a Quality Management Plan to Council's satisfaction.

F13. CONTRACT 2017-18-08 PROVISION OF BUILDING SERVICES TO GLENELG SHIRE COUNCIL

(continued)

e. Resource Implications

The provision of a Municipal Building Surveyor is a critical resource required by Council to implement and enforce Building Regulations.

f. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered.

g. Sustainability and Environmental Considerations

Sustainability and environmental matters have been considered.

h. Budget Implication

The budget for this tender is covered by the Building Unit operational budget.

Conclusion

Based upon the overall assessment undertaken by the tender evaluation panel, it is recommended that Council award Contract 2017-18-08 for the Provision of Building Services to Don Sherwell Building Surveyor Services Pty Ltd. This is to be in accordance with Option A of the tender for 16 hours per week, with provision for extra hours on an as needed basis per schedule of tender rates submitted.

Officer Recommendation

1. That Council award Contract 2017-18-08 for the Provision of Building Services to the Glenelg Shire Council to Don Sherwell Building Surveyor Services Pty Ltd.
2. That the Chief Executive Officer be authorised to execute all documents relating to this Contract.
3. That the Director Corporate Services be authorised to complete all financial payments relating to this Contract.
4. That the Director of Corporate Services be authorised to negotiate and execute further extensions of the contact in accordance with the contract documentation.

F13. CONTRACT 2017-18-08 PROVISION OF BUILDING SERVICES TO GLENELG SHIRE COUNCIL

(continued)

MOTION

MOVED Cr White

1. That Council award Contract 2017-18-08 for the Provision of Building Services to the Glenelg Shire Council to Don Sherwell Building Surveyor Services Pty Ltd.
2. That the Chief Executive Officer be authorised to execute all documents relating to this Contract.
3. That the Director Corporate Services be authorised to complete all financial payments relating to this Contract.
4. That the Director of Corporate Services be authorised to negotiate and execute further extensions of the contact in accordance with the contract documentation.

SECONDED Cr Wilson

CARRIED

F14. CONTRACT 2017-18-05 PORTLAND LIBRARY REDEVELOPMENT

Director: Paul Healy, Director Assets
Author: David Hol, Project Planning and Facilities Manager

Separate Circulation – Confidential

The separate circulation listed in the table below have been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | Relevant Grounds Under Section 89(2) of the Act | ECM |
|-----|--|--|---------|
| 2. | Glenelg Shire Council Tender Evaluation Matrix, Redevelopment of the Portland Library | Contractual matter - section 89 (2) (d) of the Local Government Act 1989 | 2354699 |

Executive Summary

This report outlines the tender evaluation process for Contract 2017-18-05 for the Redevelopment of the Portland Library and recommends the awarding of the contract.

Background

A grant application was submitted to the Department of Environment, Land, Water and Planning for the redevelopment of the public facilities within the Portland Library under the Living Libraries stream. The grant was successful with Council receiving \$300k from the department and together with the \$100k contribution from Council, the total funding amounted to \$400k.

The project also includes additional refurbishment of the toilet and staffing amenities of the library which are outside the funded project. These amenities are no longer compliant and it is appropriate and economic to combine these with the project. These works are estimated to cost \$150k.

Additionally the works to replace the library roof have also been brought forward to coincide with this project. It would be inappropriate to undertake the internal refurbishment if the works to the roof were not completed. These works are to rectify the issues associated with a flat roof design with internal box gutters which appear to be the cause of ongoing water damage to the facility. The design of the roof structure is currently being finalised and as such tenderers were requested to allow a provisional sum of \$350k for this aspect.

This tender is for the Redevelopment of the Portland Library, inclusive of the amenities facilities and replacement of the roof.

F14. CONTRACT 2017-18-05 PORTLAND LIBRARY REDEVELOPMENT

(continued)

Report

Public tenders were called via Tenderlink on Thursday 7 September 2017 and closed at 15:00 on Tuesday 10 October 2017.

Two (2) tenders were received via Tenderlink.

Tender submissions were received from:

- Fairbrother Pty Ltd, Warrnambool VIC; and
- Mossop Group Pty Ltd, Hindmarsh SA.

The Tender Evaluation Panel comprised of Council's Acting Director Corporate Services, Manager Library & Information Services, Construction & Maintenance Officer, Project Management Officer, and Contract & Lease Officer.

All tender submissions have been assessed against the tender specifications and the key selection criteria (as listed below).

| TENDER EVALUATION CRITERIA | % Weighting |
|---|-------------|
| 6. Price | 35% |
| 7. Experience, Capabilities & Methodology | 25% |
| 8. OH&S | 5% |
| 9. **Economic Contribution to the Glenelg Shire Council Region | 25%** |
| 10. **The level of commitment demonstrated to maximise environmental sustainability** | 10%** |

Based upon the tender evaluation process, it has been recommended by the Tender Evaluation Panel that Mossop Group Pty Ltd be awarded the Contract.

a. **Council Plan Linkage and Policy Context**

This contract is in line with the Council Plan themes of:

Growing Glenelg – sustaining and growing a diverse economy and social prosperity.

Connecting Glenelg – connecting people, places and spaces.

b. **Legislative and Legal Considerations**

The tender was undertaken in accordance with procurement requirement of the *Local Government Act 1989*.

Based upon the value of the Contract, Council approval is required. To be presented to Council for their endorsement.

F14. CONTRACT 2017-18-05 PORTLAND LIBRARY REDEVELOPMENT

(continued)

c. Consultation and/or communication processes implemented or proposed

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

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

d. Risk Management

Once the successful tenderer has been engaged for this Contract, the Contract Supervisor will review the risk assessment for the works.

In addition to the above, any appointed Contractor will be bound by Council's Guidelines, Policies and Procedures for dealing with risk management and occupational health and safety.

The appointed contractor will be required to supply the following plans (where appropriate) to Council's satisfaction:

- Health and Safety Plan;
- Quality Plan;
- Risk Management Plan;
- Incident Management Plan;
- Job Safety Analysis;
- Safe Work Method Statements; and
- Construction Environmental Management Plan (CEMP).

e. Resource Implications

A Project Control Team has been established with current resources across the associated departments. External expertise will be engaged as required.

f. Charter of Human Rights and Responsibilities

The requirements of the Victorian Charter of Human Rights and Responsibilities have been considered.

F14. CONTRACT 2017-18-05 PORTLAND LIBRARY REDEVELOPMENT
(continued)g. Sustainability and Environmental Considerations

As noted within the report, when selecting the preferred tenderer, a mandatory 10% weighting on environmental sustainability was considered.

h. Budget Implication

The original budget for this project under the funding arrangements was \$400k. As indicated in the report Council will also be undertaking the refurbishment of the facilities (\$150k) and the replacement of the roof (\$350k) in conjunction with these works to make benefit of the economics of having all works undertaken at the same time.

The total budget for the project incorporating these elements is therefore \$900k

Conclusion

Based upon the overall assessment undertaken by the tender evaluation panel, it is recommended that Council award the Contract 2017-18-05 for the Redevelopment of the Portland Library to Mossop Group Pty Ltd

Officer Recommendation

1. That Council award Contract 2017-18-05 for the Redevelopment of the Portland Library to Mossop Group Pty Ltd subject to post tender negotiations.
2. That the Director Assets be authorised to negotiate post tender discussions with the contractor.
3. That the Chief Executive Officer be authorised to execute all documents relating to this Contract.
4. That the Director Assets be authorised to complete all financial payments relating to this Contract.

F14. CONTRACT 2017-18-05 PORTLAND LIBRARY REDEVELOPMENT
(continued)**MOTION**

MOVED Cr Wilson

- 1. That Council award Contract 2017-18-05 for the Redevelopment of the Portland Library to Mossop Group Pty Ltd subject to post tender negotiations.**
- 2. That the Director Assets be authorised to negotiate post tender discussions with the contractor.**
- 3. That the Chief Executive Officer be authorised to execute all documents relating to this Contract.**
- 4. That the Director Assets be authorised to complete all financial payments relating to this Contract.**

SECONDED Cr Stephens

CARRIED

F15. DRAFT GLENELG SHIRE HEALTH AND WELLBEING PLAN 2017-21 ADOPTION

Director: Edith Farrell, Director Community Services
 Author: Liz Regent, Strategic Planner

Separate Circulations – Non Confidential

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | ECM |
|-----|--|---------|
| 1. | Summary of Consultation submissions- Draft Glenelg Shire Health and Wellbeing Plan 2017-21 | 2354355 |
| 2. | Draft Glenelg Shire Health and Wellbeing Plan 2017-21 | 2354356 |

Separate Circulation – Confidential

The separate circulation/s listed in the table below have been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | Relevant Grounds Under Section 89(2) of the Act | ECM |
|-----|--|---|---------|
| 1. | Great South Coast Health and Wellbeing Profile | Any other matter which the council or special committee considers would prejudice the council or any person - section 89 (2) (h) of the Local Government Act 1989 | 2354373 |

Executive Summary

This report addresses feedback received during the recent consultation period and recommends that Council resolve to adopt the Draft Glenelg Shire Health and Wellbeing Plan 2017-2021. Once adopted, this report recommends the plan be provided to the Secretary of the Department of Health in accordance with section 26 of the *Public Health and Wellbeing Act 1989*.

The Draft Health and Wellbeing Plan must be prepared every four years following a council election and must be submitted to the Secretary for the Department of Health within 12 months of the council election.

Background

Preparation of the Glenelg Shire Health and Wellbeing Plan 2017-21 commenced in January 2017. The first round of consultation for this project was undertaken as joint consultation for both the Health and Wellbeing Plan and the Council Plan. The feedback received during this period informed the direction and strategies for both plans and allowed for the preparation of complimentary documents.

F15. DRAFT GLENELG SHIRE HEALTH AND WELLBEING PLAN 2017-21 ADOPTION

(continued)

The Glenelg Shire Health and Wellbeing Plan 2017-21 provides Council's direction for health and wellbeing issues over the next four years. It is a medium term strategic document that must address the matters identified under section 26 of the *Public Health and Wellbeing Act 2008*.

The community consultation period commenced on 28 August 2017 and ended on 22 September 2017. The draft Glenelg Shire Health and Wellbeing Plan 2017-21 document has been the focus of this consultation.

This report recommends that Council consider the feedback received during consultation, and adopt a final Glenelg Shire Health and Wellbeing Plan 2017-2021 to submit to the Secretary for the Department of Health.

Report

In January 2017 Council engaged Liminal by Design to facilitate community engagement for the new Council Plan and Health and Wellbeing Plan. This engagement involved workshops with Councilors, community workshops (6), community events (2), listening posts(4), staff workshops, stakeholder meetings and online forum discussions (Your Say Glenelg) during February and March.

Feedback received during consultation was then the subject of further workshops with Councilors and Health Partners to develop the draft Glenelg Shire Health and Wellbeing plan.

In September 2017 further consultation was undertaken offering the community the opportunity to provide feedback on the content of the draft Glenelg Shire Health and Wellbeing Plan 2017-21. Nine (9) information sessions were held across the shire. Twenty (20) people attended these session and sixteen (16) people provided feedback.

A full summary of the feedback received during consultation in September, officer response and proposed changes to the Draft Glenelg Shire Council Plan 2017-21 are included in attachment 1. These submissions raised issues that can be grouped as follows:

- GP services in Heywood and small towns within the shire need to be increased- Heywood will soon be without a GP;
- Wellbeing is strongly linked to Mental health – community representatives identified high suicide rates in some small towns that need to be addressed;
- Support for improvements to tracks and trails within the shire identified to promote active communities- tracks and trails strategy commitment in council plan noted; and
- Importance of Bush Nursing facilities in Dartmoor and Merino that provide additional support to the community.

F15. DRAFT GLENELG SHIRE HEALTH AND WELLBEING PLAN 2017-21
ADOPTION

(continued)

Also of note is that the following organisations provided additional feedback regarding their involvement in delivery of some of the strategies in the plan. This will be addressed in the action plan for the Health and Wellbeing Plan.

- Brophy- Portland 's Headspace satellite service will soon be operational and will focus on mental health and connecting young people to services and support networks;
- Vision 2020 Australia- Vision Initiative program to increase eye testing rates, improve access for people who are blind or vision impaired, provide training opportunities for HACC and Council Staff

The action plan to support the Glenelg Shire Health and Wellbeing Plan will identify the yearly actions to be undertaken by Council and their partners to deliver the plan.

A Health and Wellbeing Plan must, under section 26 of the *Public Health and Wellbeing Act 2008*:

- Include an examination of data about health status and health determinants;
- Identify goals and strategies based on available evidence for creating a local community in which people can achieve maximum health and wellbeing;
- Specify measures to prevent family violence and respond to the needs of victims of family violence in the local community;
- Provide for the involvement of people in the local community in the development, implementation and evaluation;
- Specify how the Council will work in partnership with the Department and other agencies undertaking public health initiatives, projects and programs to accomplish the goals and strategies identified in the public health and wellbeing plan;
- Be consistent with the Council Plan and the Municipal Strategic Statement; and
- Must have regard to the State Public Health and Wellbeing Plan.

The Draft Glenelg Shire Health and Wellbeing Plan 2017-21 has been prepared in accordance with the above requirements. Changes made in response to feedback have been incorporated into the revised draft Glenelg Shire Health and Wellbeing Plan 2017-21 (attachment 2).

F15. DRAFT GLENELG SHIRE HEALTH AND WELLBEING PLAN 2017-21 ADOPTION

(continued)

Four key strategies have been identified as the priorities for this plan and are introduced to the attached revised document. These are as follows and reflect feedback from the community and health partners as well as evidence indicating that these matters require attention in our shire:

- To support initiatives that improve mental health of residents;
- To support for a range of initiatives that promote healthy living. This will include promoting healthy eating, decrease in alcohol consumption, increased water consumption, increased physical activity and decrease of sugary drink consumption. These initiatives will promote reduced incidents of obesity, diabetes and oral health issues that currently occupy our health services in the shire;
- To improve access to health services for our community, especially GP services; and
- To support, recognise and empower our Aboriginal communities.

a. Council Plan Linkage and Policy Context-

The following Strategic Objectives of the Glenelg Shire Council Plan 2017-21 are relevant to this project:

- *Strategic Objective: Improve health outcomes for all ages.*

The following Strategies from the Council Plan are relevant to this project:

- *Strategy: Advocate for improved health and allied services.*

The Glenelg Shire Council Plan 2017-21 includes a specific measure relating to the completion of the Health and Wellbeing Plan to further the above-mentioned strategies and strategic objectives. This report provides the Glenelg Shire Health and Wellbeing Plan 2017-21 for adoption and hence complies with the above provisions of the council plan.

b. Legislative and Legal Considerations

The Glenelg Shire Health and Wellbeing Plan 2017-21 must be prepared in accordance the provisions of section 26 of the *Public Health and Wellbeing Act 2008* and sent to the Secretary for the Department of Health within 12 months of a Council election. As described above, the plan must be evidence based and provide strategies and goals for addressing health and wellbeing of the community. It has been prepared in consultation with the community, health partners, relevant government departments and considered the Victorian Public Health and Wellbeing Plan, Council Plan and Municipal Strategic Statement. Once adopted, the adopted plan will be sent to the Secretary in accordance with section 26 of the *Public Health and Wellbeing Act 2008*.

**F15. DRAFT GLENELG SHIRE HEALTH AND WELLBEING PLAN 2017-21
ADOPTION**

(continued)

c. Consultation and/or communication processes implemented or proposed

Council undertook extensive informal consultation with the community in early 2017, workshops with Councilors, workshops with internal stakeholders and health partners throughout the year. This feedback has informed the preparation of the Draft Glenelg Shire Health and Wellbeing Plan 2017-21. Further consultation was undertaken in September 2017 at which time the community and stakeholders were provided an opportunity to comment on the draft plan. Their feedback has been discussed above and changes have been made to the draft plan in response to this feedback.

d. Risk Management

The extensive consultation process, particularly with relevant government departments, minimizes risk and provides for a transparent process when preparing the Glenelg Shire Health and Wellbeing Plan 2017-21.

e. Resource Implications

Consideration has been given to available resources when preparing the Draft Health and Wellbeing Pan 2017-21.

f. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered. The consultation throughout this project has and will continue to enable participation by residents in public affairs and local democracy.

g. Sustainability and Environmental Considerations

The Glenelg Shire Health and Wellbeing Plan 2017-21 addresses Council's direction regarding sustainability and environmental performance improvements over the next 4 years as they relate to community health and wellbeing.

h. Budget Implication

The Glenelg Shire Health and Wellbeing Plan 2017-21 has been prepared within budget.

Conclusion

The draft plan has been prepared following consideration of our current commitments, an understanding of the needs of the community and role of health partners, public feedback received during consultation as well as consultation with the Secretary and relevant government departments. The plan identifies strategies and goals based on examination of data about health status and health determinants as well as feedback from the community.

F15. DRAFT GLENELG SHIRE HEALTH AND WELLBEING PLAN 2017-21 ADOPTION

(continued)

The Draft Health and Wellbeing Plan 2017-21 complies with the provisions of *Public Health and Wellbeing Act 2008* and is therefore ready for adoption and submission to the Secretary in accordance with section 26 of the *Public Health and Wellbeing Act 2008*.

Officer Recommendations

1. That Council adopt the Draft Glenelg Shire Health and Wellbeing Plan 2017-2021 (Attachment 2).
2. That Council submit the adopted Glenelg Shire Health and Wellbeing Plan 2017-2021 to the Secretary for the Department of Health.
3. Council staff, thank the community members and organisations who made a formal submission and update the online platform to acknowledge and thank community members for their involvement in the Health and Wellbeing Plan development process.
4. Council staff develops a communication plan to ensure ongoing engagement on progress of the plan and report progress to Council annually.
5. Council staff develops an action plan for the first year of the plan in consultation with health partners to present to Council at a subsequent Council meeting.

MOTION**MOVED Cr Stephens**

1. That Council adopt the Draft Glenelg Shire Health and Wellbeing Plan 2017-2021 (Attachment 2).
2. That Council submit the adopted Glenelg Shire Health and Wellbeing Plan 2017-2021 to the Secretary for the Department of Health.
3. Council staff, thank the community members and organisations who made a formal submission and update the online platform to acknowledge and thank community members for their involvement in the Health and Wellbeing Plan development process.
4. Council staff develops a communication plan to ensure ongoing engagement on progress of the plan and report progress to Council annually.
5. Council staff develops an action plan for the first year of the plan in consultation with health partners to present to Council at a subsequent Council meeting.

SECONDED Cr Hawker**CARRIED**

F16. GLENELG EARLY YEARS FEASIBILITY STUDY & INFRASTRUCTURE ACTION PLAN 2016-17 – STAGE 1 UPDATE

Director: Edith Farrell, Director Community Services
Author: Janine Johnstone, Children's Services Manager

Separate Circulation – Non Confidential

| No. | Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable) | ECM |
|-----|--|---------|
| 1. | Glenelg Early Years Feasibility Study & Infrastructure Plan 2016-18 Stage 1 Progress Update | 2337979 |

Executive Summary

This paper is to provide Council a progress update regarding the Glenelg Early Years Feasibility Study and Infrastructure Plan (EYFSIP) Action Plan 2016-2017 – Stage 1. Now titled “Glenelg Early Years Feasibility Study and Infrastructure Plan (EYFSIP) Action Plan 2016-2018 – Stage 1”.

Background

Glenelg Shire Council engaged K2 Planning Pty Ltd to develop the EYFSIP in June 2015.

The Plan was to:

- Reflect upon the needs and interests of potential early years services providers and partnerships;
- Identify and implement best practice trends and examples in the delivery of early years services;
- Determine infrastructure priorities; and
- Plan for facilities that promoted increased community participation, social inclusion and enhanced well-being.

The Plan aimed to assist the strategic planning of the early year's services and help Council understand the short, medium and long term infrastructure implications that are associated with supporting these services.

The final version of the EYFSIP was presented to the 23 February 2016 Ordinary Council Meeting.

The EYFSIP – Action Plan 2016-17 (Stage 1) was presented to the 13 December 2016 Ordinary Council Meeting.

F16. GLENELG EARLY YEARS FEASIBILITY STUDY & INFRASTRUCTURE ACTION PLAN 2016-17 – STAGE 1 UPDATE

(continued)

Report

As reported to Council in December 2016, Local Government has an overall responsibility to ensure that local service systems work well for their community and to advocate for children and families to receive appropriate services, especially where additional needs are evident.

There are a number of challenges for Council with a significant higher proportion of children living within the municipality identified as vulnerable on one or more of the Australian Early Development Census (AEDC) domains, compared to Victoria and Australia overall. These domains are communication skills and general knowledge.

There is also evidence showing higher levels of vulnerability for physical health and well-being and social competence compared to Victoria.

The forecast population indicates there will be a minor increase of the overall population of children living within the Shire, to the year 2036. Most of the population growth is anticipated to occur in Portland, Heywood and Nelson.

Council owned facilities are well maintained however some are currently underutilised, therefore the need to investigate mixed service user models in response to the community needs and best practice examples is evident.

To encourage these integrated models and future growth pockets Council may need to consider further infrastructure development and possible infrastructure redesign and will need to plan, advocate and seek external capital funding.

The Glenelg Early Years Feasibility Study and Infrastructure Plan (EYFSIP) Action Plan 2016-2017 (Stage 1) was developed for the priority areas identified in the Glenelg Shire Health and Wellbeing Plan 2013-2017.

The Glenelg Early Years Feasibility Study & Infrastructure Plan – Action Plan 2016-18 (Stage 1) – Progress Update, circulated separately, provides a summary of the progress to date.

a. **Council Plan Linkage and Policy Context**

This report is linked to the Council Plan 2017-21 - Liveable Glenelg – embracing inclusive, health, sustainable and diverse cultures.

The development of the EYFSIP was a Year 4 Key Strategic Activity for the 2013-2017 Council Plan, which was due for completion by 31 December 2016.

b. **Legislative and Legal Considerations**

This report has considered the legal and legislative responsibilities.

**F16. GLENELG EARLY YEARS FEASIBILITY STUDY & INFRASTRUCTURE
ACTION PLAN 2016-17 – STAGE 1 UPDATE**

(continued)

c. Consultation and/or communication processes implemented or proposed

Consultation and communication will be undertaken in accordance with the Action Plan activities.

d. Risk Management

There are a range of challenges / risks in relation to the planning, development and provisions of early years' services across the Shire; low population, declining numbers of children in some areas, isolated communities, limited public transport and a level of uncertainty about future service provisions through the private sector.

Despite these challenges there is significant evidence of the need for Council to remain an active player in the planning and development of the early years' services in order to support the overall health and well-being of our community.

e. Resource Implications

There are a number of recommendations highlighted in this report; it is envisaged there will be resource implications as the recommendations will be in addition to the normal day to day business to be undertaken within the Children's Services Unit.

f. Charter of Human Rights and Responsibilities

The proposed actions are compatible with the Charter of Human Rights and Responsibilities and do not breach any rights contained in the charter.

g. Sustainability and Environmental Considerations

Sustainability and environmental factors have been considered in this report.

h. Budget Implication

Additional costs will be incurred for the engagement of architects and consultants to deliver this Plan.

It is envisaged that there will be cost implications for Council to meet some of the recommendations that have been listed in this report.

These costs will need to be referred to Council's annual Budget process as well as through seeking external grant funding.

F16. GLENELG EARLY YEARS FEASIBILITY STUDY & INFRASTRUCTURE ACTION PLAN 2016-17 – STAGE 1 UPDATE

(continued)

Conclusion

The Early Years Feasibility Study & Infrastructure Plan 2016-18 (Stage 1) Update provides a summary of the achievements to date.

Officer Recommendation

1. That Council receive the Glenelg Early Years Feasibility Study and Infrastructure Plan, Action Plan 2016-18 (Stage 1) report for information.
2. That Council officers continue to implement the identified actions subject to adequate resourcing and funding being attained.
3. That Officers provide a further Glenelg Early Years Feasibility Study and Infrastructure Plan, Action Plan 2016-18 (Stage 1) Update by 30 June 2018.
4. That Officers develop a Stage 2 Glenelg Early Years Feasibility Study and Infrastructure Plan Action Plan by 30 June 2018.

**F16. GLENELG EARLY YEARS FEASIBILITY STUDY & INFRASTRUCTURE
ACTION PLAN 2016-17 – STAGE 1 UPDATE**

(continued)

MOTION

MOVED Cr Stephens

That item F16. Glenelg Early Years Feasibility Study & Infrastructure Action Plan 2016-17 – Stage 1 Update be laid on the table.

SECONDED Cr Wilson

CARRIED

ANY OTHER PROCEDURAL MATTER:URGENT BUSINESS:RECEIPT OF ITEMS SUBMITTED FOR INFORMATION:INDEX – SEPARATE CIRCULATIONS TO REPORTS*Separate Circulation to Councillors, CEO, Director and available to the Public*

- E1. (1) Meeting Record of Community Grants Advisory Committee held on Tuesday 29 August 2017
- E1. (2) Meeting Record of Community Grants Advisory Committee held on Tuesday 19 September 2017
- E1. (3) Meeting Record Heritage Advisory Committee held on Monday 25 September 2017
- E1. (4) Assembly of Councillors - Community Engagement Framework Training Tuesday 26 September 2017
- E1. (5) Assembly of Councillors - Councillors and CEO Meeting held on Tuesday 26 September 2017
- E1. (6) Assembly of Councillors – Councillor Briefing session held on Tuesday 26 September 2017
- E1. (7) Meeting Record of the Casterton Saleyards Advisory Committee held on Thursday 28 September 2017
- E1. (8) Meeting Record of the Tourism Advisory Committee held on Friday 6 October 2017
- E1. (9) Meeting Record of the Local Port of Portland Bay Advisory Committee held on Monday 2 October 2017
- E1. (10) Assembly of Councillors – Councillors Workshop held on Tuesday 10 October 2017
- F1. (1) Monthly Financial Report – September 2017
- F3. (1) Draft Footpath Trading Policy CPO-CORPS-LL-001 Version No. 2018.01
- F4. (1) Draft Itinerant Trading Policy CPO-CORPS-LL-002 Version No. 2018.01
- F5. (1) Draft Proposed General Local Law 2018 – V2.9
- F5. (2) Draft List of Schedules – General Local Law 2018 – V2.6
- F5. (3) Draft Local Laws Community Impact Statement (LLCIS) – V3

- F6. (1) Draft Domestic Animal Management Plan 2017 - 2021
- F9. (1) Attachment 1 – Amendment C94 documents
- F9. (2) Attachment 2 – C94 Submissions
- F11. (1) Final Master Glenelg Municipal Emergency Management Plan 2017-2020
- F16. (1) Glenelg Early Years Feasibility Study & Infrastructure Plan 2016-18 Stage 1 Progress Update

Separate Circulation to Councillors, CEO and Directors

- E1. (1) Assembly of Councillors – CEO Review Committee Tuesday 26 September 2017
- F2. (1) Councillor and Chief Executive Officer Leave of Absence Register
- F7. (1) Minutes of the Audit Committee Meeting held on Thursday 4 September 2017
- F13. (1) Glenelg Shire Council Tender Evaluation Summary, Provision of Building
- F13. (2) Services to Glenelg Shire Council, Contract No. 2017-18-08 dated 11 October 2017

Recommendation

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

MOTION

MOVED Cr Stephens

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

SECONDED Cr Wilson

CARRIED

CLOSURE OF COUNCIL MEETING

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 7.47pm.

I HEREBY CERTIFY THAT PAGES 1 TO 82 INCLUDING PAGES ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

CR ANITA RANK
MAYOR

28 NOVEMBER 2017

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