



Glenelg Shire Council
Minutes of the Ordinary Council Meeting held on
Tuesday 28 February 2017 at 7.00pm at
Portland Customer Service Centre
71 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, Cr Gilbert Wilson.

Also in attendance were the Chief Executive Officer (Mr Greg Burgoyne),
Director Assets (Mr Paul Healy), Director Corporate Services (Mrs Karena Prevett),
Director Community Services (Ms Edith Farrell), Council Support Coordinator
(Mrs Kylie Walford).

OPENING PRAYER:

The Mayor opened the meeting with the Council Prayer.

ABORIGINAL ACKNOWLEDGEMENT:

The Mayor read the Aboriginal Acknowledgement.

RECEIPT OF APOLOGIES:

Nil.

CONFIRMATION OF MINUTES:Recommendation

That the minutes of the Ordinary Council Meeting held on
Tuesday 24 January 2017, and the Special Council Meeting held on
Tuesday 14 February 2017 as circulated, be confirmed.

MOTION**MOVED Cr Stephens**

**That the minutes of the Ordinary Council Meeting held on
Tuesday 24 January 2017, and the Special Council Meeting held on
Tuesday 14 February 2017 as circulated, be confirmed.**

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 Halliday declared a Conflict of Interest in Item F3. Heritage Grant Application 2/98 Percy Street, Portland.

Mayor Cr Rank declared a Conflict of Interest in Item F16. Contract 2016-17-20 Evans Road, Gorae – Safety and Associated Road Works.

QUESTION TIME:QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN IN WRITING OR PREVIOUSLY TAKEN ON NOTICE:QUESTIONS FROM THE GALLERY:**1. Cruise Ships 2018**

Mr George Dowden of Portland asked the following question:

Why are there no planned cruise ships coming to Portland for 2018, when we have had such glowing reports from cruiseliners on an excellent reception from Portlanders. Did we miss out on applications to get these cruise ships here?

Chief Executive Officer, Mr Burgoyne advised that Council has known for some time that there will be no scheduled cruise ship visitations to Portland in 2018. Vessels are scheduled many years out and are subject to a whole range of different scheduling opportunities by P&O in this case. This does not mean that Council will not look for other opportunities. Council are holding a meeting with P&O on Friday to look at potentially securing vessels from other lines as well as P&O in 2018. The Council certainly didn't miss out on anything and we do get glowing reports by visitors from the cruise ships.

QUESTIONS FROM THE GALLERY:

(continued)

2. Areas of responsibilities - Councillors

Mr George Dowden of Portland asked the following question:

Why can't we have dedicated Councillors allocated to specific areas of responsibility, for example tourism, so it is easier to deal with a person with knowledge of subject?

Mayor Cr Rank advised that Mr Dowden can go through the Mayor in the first instance. Councillors have passions and interests in a range of areas mentioned. This is the case with regards to the Advisory committees that we chair. We take those chairs up with the passion and enthusiasm that we have as Councillors. With regards to the protocol that we have from our Communications Policy, all correspondence comes through to the Mayor and the Mayor has the option of delegating those responses through Councillors who are experts in other areas. Also, any Councillor can make comments off the record as a general person and not as a Councillor. With relation to communication and transparency, sometimes information that we have can go out into the public before it actually becomes a formal communication with regards to our press releases, but we are trying to do this in a number of ways where it be via Facebook, through media releases or through radio. Council is trying a whole range of medians to get information out to the public. But if there something that Mr Dowden thinks we are missing, we are happy to have a conversation on how Council can improve our communications.

3. Shopping Retail Policy

Mr Michael Byrne of Cape Bridgewater asked the following question:

I have in my hand a Warrnambool City Council Brochure entitled 'Lets renew - We're building a 21st century city centre'.

The 15 million in capital works is a once in a generation project which is funded equally by Warrnambool City Council, the Victorian Government and the Australian Government.

The Moyne Council has successfully completed the renewal of the shopping precinct in Port Fairy, and also have received a \$600,000/\$800,000 funding approval for the renewal of the town centre of Mortlake.

These statements of fact highlight the failure of the Glenelg Shire Council to recognise the opportunity and need to pursue funding from both state and federal governments for renewal of our shop/retail precincts in the towns and communities of the Glenelg Shire.

QUESTIONS FROM THE GALLERY:

(continued)

The Glenelg Shire Council Shopping Retail Policy can only be described as a “happy days” policy; it reflects a sentiment of low priority and involvement in a carefree way.

As Mayor of the Glenelg Shire Council, do you acknowledge there needs to be a change in our Shopping Retail Town Policy, that is a Policy demanding a more proactive and positive engagement at all levels?

On behalf of the community of the Glenelg Shire, how do we get a slice of the pie, when you don't even appear to have your hand out'?

Mayor Cr Rank advised Council does not as such have a shopping policy, but what you will notice in our Growing Glenelg magazine that is due to come out in the next couple of days, we do have a focus on buying local. So at the moment our Growing Glenelg department is focused on buying local. We also have a number of strategies where we are trying to promote the shire and also attract funding for these initiatives that you talk about. In the past couple of months Council has done quite well to attract funding to upgrade and carry out some works to build our visitor economy and we have done that through the cruise ships as well.

Chief Executive Officer Mr Burgoyne stated that there is a contextual piece to the issue raised and often the lead time for funding opportunities is years and years.

It is difficult to assess a comparison in Warrnambool or Moyne and how they went about it when they applied for their main street upgrades. During this very same period Council was actively pursuing upgrades to our infrastructure on the foreshore and we are concentrating on that area. Council has been successful in achieving funding from both Federal and State Government across the Shire and we continue to look for those opportunities. The retail precinct upgrade is one of the top ten considerations that we will look for. That has to be married up with the funding opportunities that are available at the particular time. We need to target when those funds become available for those priority projects.

4. Inclusiveness of rate-payers

Mr Michael Byrne of Cape Bridgewater asked the following:

Is Council aware of the need for Council to be more inclusive with ratepayers?

Chief Executive Officer, Mr Burgoyne advised that issue of inclusiveness is something Council will always strive to get right. There are always areas for improvement. Our current Council plan process is a good example about how we are trying to engage with the community and improve that and be more inclusive across the Shire. We continually look for opportunities to be more inclusive and engaged and we are pleased with the progress to date.

QUESTIONS FROM THE GALLERY:

(continued)

In response to what is going on in Southern Grampians, I am more focused on what we can improve here as opposed to the correlation with other Shires, although am open to sharing ideas with other Shires, but hopefully you will see in the coming months and years further engagement and inclusiveness as part of the Council Plan development.

A. NOTICES OF MOTION:

Nil.

B. DEPUTATIONS:

F5. Mr P Brown P16106 Use and Development of a Dwelling and Creation of Road Zone Category 1, Henty Highway Portland

Mr Brown addressed the Council in support of his application.

C. PETITIONS:

Nil.

D. COMMITTEE REPORTS:

Nil.

E. ASSEMBLY OF COUNCILLOR RECORDS:**E1. ASSEMBLY OF COUNCILLORS RECORDS 24 JANUARY 2017 – 14 FEBRUARY 2017 (INCLUSIVE)**

Director: Karena Prevett, Director Corporate Services
Author: Rachael Fellows, Acting Senior Administration Officer Corporate Services

Separate Circulations – Non Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>ECM DocSetID</i>
1.	Councillor and CEO Meeting Record Tuesday 24 January 2017	2237516
2.	Councillor Briefing Session Meeting Record Tuesday 24 January 2017	2239378
3.	Council Plan and Municipal Public Health Wellbeing Plan Workshop 1 with Consultant Meeting Record Wednesday 1 February 2017	2242055
4.	Deputation by Murray Herron meeting Record Tuesday 14 February 2017 – Renewable Energy Plant	2246844
5.	Councillor Workshop Meeting Record Tuesday 14 February 2017	2246843

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.*

E1. ASSEMBLY OF COUNCILLORS RECORDS 24 JANUARY 2017 – 14 FEBRUARY 2017 (INCLUSIVE)

(continued)

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 Tuesday 24 January 2017 – Tuesday 14 February 2017. All Assembly of Councillors records (including records of those titled as committees) held during this period must be included.

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:

- Councillors and CEO Meeting Record held Tuesday 24 January 2017 (DocSetID: 2237516)
- Councillor Briefing Session Meeting record held on Tuesday 24 January 2017 (DocSetID: 223978)
- Council Plan and Municipal Public Health Wellbeing Plan Workshop 1 with Consultant Meeting Record held on Wednesday 1 February 2017 (DocSetID: 2242055)
- Deputation by Murray Herron Meeting Record held on Tuesday 14 February 2017 (DocSetID:2246844)
- Councillor Workshop Meeting Record held on Tuesday 14 February 2017 (DocSetID: 2246843)

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

E1. ASSEMBLY OF COUNCILLORS RECORDS 24 JANUARY 2017 – 14 FEBRUARY 2017 (INCLUSIVE)

(continued)

- Section 3(1) – Definition of “advisory committee”

a. Legislative and Legal Considerations

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

b. Consultation and/or communication processes implemented or proposed

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

c. Risk Management

Nil.

d. Resource Implications

Nil.

e. Charter of Human Rights and Responsibilities

Nil.

f. 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.

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 Tuesday 24 January 2017 – Tuesday 14 February 2017(inclusive).

Officer Recommendation

That Council receives the report on Assembly of Councillors Records (including records of those titled as committees) for the period Tuesday 24 January 2017 – Tuesday 14 February 2017 (inclusive).

**E1. ASSEMBLY OF COUNCILLORS RECORDS 24 JANUARY 2017 –
14 FEBRUARY 2017 (INCLUSIVE)**

(continued)

MOTION

MOVED Cr White

That Council receives the report on Assembly of Councillors Records (including records of those titled as committees) for the period Tuesday 24 January 2017 – Tuesday 14 February 2017 (inclusive).

SECONDED Cr Stephens

CARRIED

F. MANAGEMENT REPORTS:**F1. MONTHLY FINANCE REPORT – JANUARY 2017**

Director: Karena Prevett, Director Corporate Services
Author: Andrea Gash, Finance Manager

Separate Circulation – Non Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	Monthly Finance Report – January 2017	2246903

Executive Summary

The Finance Report up to the 31 January 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 2016/2017 Annual Budget was adopted by Council on 28 June 2016.

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

- Executive Summary (including the Glossary of Terms);
- Income (Operating) Statement;
- Balance Sheet;
- Cash Flow Statement;
- Capital Works Statement;
- Capital Project Expenditure;
- Statement of Changes in Equity;
- Statement of Human Resources; and
- Operating and Capital Grants Analysis.

F1. MONTHLY FINANCE REPORT – JANUARY 2017

(continued)

The report has been prepared on an accrual basis to ensure accurate matching of income and expenditure, both operating and capital items, for the year ending 31 January 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.

a. Council Plan Linkage and Policy Context

The monthly finance report links to the Council Plan, particularly key objective: (4) – Govern in a responsible and responsive way.

A component of this strategic objective is that Council will provide prudent and responsible stewardship for the community assets and resources within our care.

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.

F1. MONTHLY FINANCE REPORT – JANUARY 2017

(continued)

Conclusion

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.

Officer Recommendation

That the Monthly Finance Report for the period ending 31 January 2017 be received.

MOTION

MOVED Cr Stephens

That the Monthly Finance Report for the period ending 31 January 2017 be received.

SECONDED Cr Hawker

CARRIED

F2. HERITAGE GRANT APPLICATION 7 JULIA STREET, PORTLAND

Director: Karena Prevett, Director Corporate Services
Author: Matt Berry, Planning Manager

Separate Circulations – Non Confidential

No.	Separate Circulation Title, Date and Author	ECM
1.	Heritage Advisor Report, Flightpath dated 6 December 2016	2221928
2.	Heritage Loan/Grants Scheme Application dated 5 January 2017	2232928

Executive Summary

This report relates to a heritage grant application for the demolition of an existing infill building and the reconstruction of the original fence and gates at 7 Julia Street, Portland. A grant of \$3,615 is recommended for approval to the landowner.

Background

On 22 April 2014 Council adopted a revised Heritage Loans/Grant Scheme to make it easier to approve loans and grants to the public.

A previous heritage grant application for \$5,000 for the reconstruction of the verandah at 7 Julia St, Portland was approved at the 26 May 2015 Ordinary Council Meeting. Planning and building permits were issued in June 2015 for reconstruction of verandah, fence and gates and demolition of existing shop infill.

Report

On 18 November 2016 a grant application was lodged for \$6,245, and subsequently amended on 5 January 2017 for \$3,615 to demolish the infill building between Canton Palace (7 Julia St) and Portland Studios (11 Julia St Portland) – as per attachment. The bluestone building (Canton Palace) is listed under Heritage Overlay 69.

The works include demolishing the infill building, reconstructing the fence and gates and providing access to 11 Julia St. These works meet the eligibility criteria of the Heritage Loans/Grants Scheme policy.

As per the policy the grant application was referred to Council's appointed heritage advisor who supports the proposal as per the attachment, but does not support the costs for electrical work and demolition. Therefore the amount applied for was reduced from \$6,245 to \$3,615.

The application would normally be referred to the Heritage Advisory Committee but this committee has not been appointed for the 2016/2017 year. The application can be determined at an Ordinary Council Meeting for approval.

F2. HERITAGE GRANT APPLICATION 7 JULIA STREET, PORTLAND

(continued)

The Heritage Loans/Grants Scheme policy allows a maximum of 50% of the value of works up to an amount of \$5,000.00. Estimated cost of works is \$7,230. This means a grant of \$3,615 can be approved with the applicant contributing \$3,615 (plus the additional demolition/electrical costs of \$4,015). The policy does not specify the number of times an applicant may apply for a loan and/or grant or the frequency of applications.

a. Council Plan Linkage and Policy Context

Theme 1 - Engaged, healthy, connected and proud communities.

b. Legislative and Legal Considerations

There are no specific legislative or legal considerations.

c. Consultation and/or communication processes

The Heritage Advisory Committee was not consulted.

d. Risk Management

Not applicable to this paper.

e. Resource Implications

Not applicable to this paper.

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

The approval of the grant application supports sustaining heritage assets in the Shire.

h. Budget Implication

There are sufficient funds for the grant application which comes from the heritage grants/loans restoration fund.

F2. HERITAGE GRANT APPLICATION 7 JULIA STREET, PORTLAND

(continued)

Conclusion

In summary the grant application will make a positive contribution to enhancing the streetscape and re-establishing physical access with the neighbouring heritage listed building. The application meets all the eligibility requirements of the Heritage Loans/Grants Scheme policy.

Officer Recommendation

That Council approve the grant application of \$3,615 from the heritage grants/loans restoration fund for demolition of an existing infill building and the reconstruction of the original fence and gates at 7 Julia Street, Portland. A grant of \$3,615 is recommended for approval to the landowner subject to building permits.

MOTION

MOVED Cr Wilson

That Council approve the grant application of \$3,615 from the heritage grants/loans restoration fund for demolition of an existing infill building and the reconstruction of the original fence and gates at 7 Julia Street, Portland. A grant of \$3,615 is recommended for approval to the landowner subject to building permits.

SECONDED Cr White

CARRIED

Cr Halliday restated that he has a Conflict of Interest in Item F2. Heritage Grant Application 7 Julia Street, Portland and left the meeting at 7.30pm.

F3. HERITAGE GRANT APPLICATION 2/98 PERCY STREET, PORTLAND

Director: Karena Prevett, Director Corporate Services

Author: Matt Berry, Planning Manager

Separate Circulations – Non Confidential

No.	Separate Circulation Title, Date and Author	ECM
1.	Heritage Advisor Report, Flightpath dated 6 December 2016	2215553
2.	Heritage Loan/Grants Scheme Application, dated 2 December 2016	2214500

Executive Summary

This report relates to a heritage grant application for repairs to the chimney of the bluestone building at 2/98 Percy Street, Portland. A grant of \$1,343.32 is recommended for approval to the landowners.

Background

On 22 April 2014 Council adopted a revised Heritage Loans/Grant Scheme to make it easier to approve loans and grants to the public.

Report

On 2 December 2016 a grant application was lodged for \$1,343.32 to conduct repairs at 2/98 Percy St Portland – as per attachment. The bluestone building is listed under Heritage Overlay 111.

The works include repairs to chimney mortar and render. Planning permits are not required however a building permit may be depending on extent of works. These works meet the eligibility criteria in the Heritage Loans/Grants Scheme policy.

As per the policy the grant application was referred to Council's appointed heritage advisor who supports the proposal as per the written advice attached.

The application would normally be referred to the Heritage Advisory Committee but this committee has not been appointed for the 2016/2017 year. The application can be determined at an Ordinary Council Meeting for approval.

The Heritage Loans/Grants Scheme policy allows a maximum of 50% of the value of works up to an amount of \$5,000.00. The quote provided is \$2686.65 for the works. This means a grant of \$1,343.32 can be approved with the applicant contributing \$1343.33.

F3. HERITAGE GRANT APPLICATION 2/98 PERCY STREET, PORTLAND

(continued)

a. Council Plan Linkage and Policy Context

Theme 1 - Engaged, healthy, connected and proud communities.

b. Legislative and Legal Considerations

There are no specific legislative or legal considerations.

c. Consultation and/or communication processes

The Heritage Advisory Committee was not consulted.

d. Risk Management

Not applicable to this paper.

e. Resource Implications

Not applicable to this paper.

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

The approval of the grant application supports sustaining heritage assets in the Shire.

h. Budget Implication

There are sufficient funds for the grant application which comes from the heritage grants/loans restoration fund.

Conclusion

In summary the grant application will make a positive contribution to the restoration of this heritage listed building in the Shire. The application meets all the eligibility requirements of the Heritage Loans/Grants Scheme policy.

Officer Recommendation

That Council approve the grant application of \$1,343.32 from the heritage grants/loans restoration fund for repairs to the chimney at 2/98 Percy St, Portland subject to any applicable building permit.

F3. HERITAGE GRANT APPLICATION 2/98 PERCY STREET, PORTLAND

(continued)

MOTION

MOVED Cr Hawker

That Council approve the grant application of \$1,343.32 from the heritage grants/loans restoration fund for repairs to the chimney at 2/98 Percy Street, Portland subject to any applicable building permit.

SECONDED Cr Wilson

CARRIED

Cr Halliday returned to the meeting at 7.33pm.

F4. GLENELG SHIRE COUNCIL 2016 GENERAL ELECTION REPORT

Director: Karena Prevett, Director Corporate Services

Author: Scott Millard, Corporate Coordinator

Separate Circulation – Non Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	Local Government Elections 2016 – Glenelg Shire Council Election Report	2236962

Executive Summary

The purpose of this report is to submit the Victorian Electoral Commission (VEC) 2016 General Election Report to Council in accordance with legislative requirements.

Background

The Glenelg Shire Council general election was held on Saturday 22 October 2016

The election was conducted by the Victorian Electoral Commission (VEC), as the statutory election service provider to Glenelg Shire Council in accordance with clause 1 of Schedule 2 of the *Local Government Act 1989* (the Act).

Clause 14 of Schedule 3, of the Act requires that a report on the conduct of the election must be presented to Council at the earliest practicable meeting of the Council held after the report is received by the Chief Executive Officer.

Report

The VEC report received on 20 January 2017 consists of 36 pages and includes the following topics:

- Introduction;
- Election timeline;
- Voters' Roll;
- Returning Officer;
- Election Office;
- Candidates;
- Voting;
- Results;

F4. GLENELG SHIRE COUNCIL 2016 GENERAL ELECTION REPORT

(continued)

- Election Statistics;
- Complaints;
- Post-Election Activities; and
- Evaluating the VEC's Services;
- Schedule 1: Record of ballot papers;
- Schedule 2: Certification statement; and
- Appendices 1 to 9.

Key statistics contained in various sections of the report include:

- Total voters on roll – 17,327;
- Voter Turnout – 13,501 (77.92% of total enrolment);
- Formal Votes – 12,399;
- Informal Votes – 1,102 (8.16% of the total ballot papers);
- 1,834 ballot paper envelopes were received in the extended postal vote receipt period; and
- 260 ballot packs were been returned to the Returning Officer as return-to-sender mail.

a. Council Plan Linkage and Policy Context

This report links to the Glenelg Shire Council – Council Plan 2013 – 2017, Theme 4, Govern in a responsible and responsive way.

b. Legislative and Legal Considerations

This report is consistent with the legislative requirements of Clause 14 of Schedule 3, of the *Local Government Act 1989*.

c. Consultation and/or communication processes implemented or proposed

Not applicable.

F4. GLENELG SHIRE COUNCIL 2016 GENERAL ELECTION REPORT

(continued)

d. Resource Implications

Not applicable.

e. Charter of Human Rights and Responsibilities

Not applicable.

f. Sustainability and Environmental Considerations

Nil.

g. Budget Implication

At the time of writing this report the VEC had not issued an invoice for the Election Services provided.

The VEC has previously issued an estimate for the conduct of the election based on the numbers of enrolled voters and candidates from the 2012 election. The estimated quotation was \$125,377 to conduct the election and \$11,878 (excluding any infringement income to be returned to Council) to carry out the enforcement of compulsory voting. Due to the higher voter turnout and increased number of candidates standing it is expected that the amount to conduct the election will exceed the original estimate.

Budget provisions based on the original estimate are included in the 2016/17 budget.

Officer Recommendation

That Council notes the 2016 Glenelg Shire Council Election Report prepared by the Victorian Electoral Commission.

MOTION**MOVED Cr Stephens**

That Council notes the 2016 Glenelg Shire Council Election Report prepared by the Victorian Electoral Commission.

SECONDED Cr McDonald**CARRIED**

F5. P16106 USE AND DEVELOPMENT OF A DWELLING AND CREATION OF ROAD ZONE CATEGORY 1, HENTY HIGHWAY PORTLAND

Director: Karena Prevett, Corporate Services
Author: Matt Berry, Planning Manager

Separate Circulations – Non Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	P16106 Delegate Report	2233733
2.	P16106 Application Plans	2141933

Executive Summary

The purpose of this report is to brief Council on planning permit application P16106. P16106 proposes “use and development of a dwelling creation of access in Road Zone Category 1” on land known as Lot 1 TP576951, Henty Highway, Portland. The development proposed on a small Rural Conservation Zone lot approximately 4.4 hectares and adjoins the Glenelg Shire’s northern industrial sector. The application has been referred to Council for determination in line with Council’s Planning Delegation and Decision Guidelines Policy.

This report recommends that a planning permit be refused for the above application. An alternative recommendation is provided should Council wish to permit this development (with conditions).

Report

The proposal is for the use and development of a dwelling and creation of access to Road Zone Category 1. No plans or elevations of the proposed dwelling were submitted with the permit application and instead a building envelop is proposed. If a permit was granted then amended plans would be submitted of the final design.

The key issues for assessment of the application include:

- Whether the proposed use and development of subject site for a dwelling responds appropriately to the relevant provisions of the State and Local Planning Policy Frameworks.
- Whether the proposed use and development of the subject site for a dwelling is consistent with the purpose and decision guidelines of the Rural Conservation Zone (Schedule 2).
- Whether the proposed use and development of the subject site for a dwelling will result in the proper and orderly planning of the area.
- Whether the proposed access to the subject site is consistent with the decision guidelines of Clause 52.29.

F5. P16106 USE AND DEVELOPMENT OF A DWELLING AND CREATION OF ROAD ZONE CATEGORY 1, HENTY HIGHWAY PORTLAND

(continued)

The Delegate Report in Attachment 1 provides a detailed assessment of the proposal. The Planning Unit however is unable to support the proposal under the decision guidelines of Glenelg Planning Scheme and refusal is recommended.

a. Council Plan Linkage and Policy Context

The proposal does not support Theme 3 of the Council Plan to manage and sustain our natural and built assets.

b. Legislative and Legal Considerations

The *Planning and Environment Act 1987* gives a legal basis for the Glenelg Planning Scheme.

The Glenelg Planning Scheme sets out policies and provisions for use, development and protection of land. Planning schemes are legal documents prepared by the Council or the Minister and approved by the Minister.

c. Consultation and/or communication processes implemented or proposed

The permit application was advertised in accordance with section 52 of the *Planning and Environment Act 1987*. No submissions were received in response to notification.

d. Risk Management

The permit application has been assessed in accordance with the Glenelg Planning Scheme – refer to Attachment 1.

e. Resource Implications

The assessment of permit application is part of normal operations of the Planning Unit.

i. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered in the processing of this application.

j. Sustainability and Environmental Considerations

The Delegate Report in Attachment 1 details these considerations and find that the proposal does not adequately address them. If an alternative recommendation to approve is sought, then a land management condition would be applied.

F5. P16106 USE AND DEVELOPMENT OF A DWELLING AND CREATION OF ROAD ZONE CATEGORY 1, HENTY HIGHWAY PORTLAND

(continued)

k. Budget Implications

The applicant paid a fee of \$239 to the Planning Unit to assess the permit application. Costs associated with assessing the permit application are covered by the Planning Unit's operational budget.

Conclusion

The Delegate Report (Attachment 1) recommends that permit application P16106 be refused on the grounds listed.

An alternative recommendation is also provided below should Council wish to permit the dwelling.

Officer Recommendation

That Council refuses planning permit application P16106 for the use and Development of a Dwelling and creation of Road Zone Category 1 in accordance with grounds of refusal contained in the separate circulations marked attachment 1.

MOTION**MOVED Cr Wilson**

That Council approves planning permit application P16106 for the use and Development of a Dwelling and creation of Road Zone Category 1 in accordance with plans contained in the separate circulations marked attachment 2 and the Conditions contained in separate marked attachment 3.

SECONDED Cr McDonald**CARRIED**

F6. DELEGATIONS AND AUTHORISATIONS REVIEW

Director: Karena Prevett, Director Corporate Services

Author: Rachael Fellows, Acting Senior Administration Corporate Services

Separate Circulations – Non Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	S5. Instrument of Delegation to the Chief Executive Officer	2151838
2.	S6. Instrument of Delegation to Members of Staff	2151839
3.	S7. Instrument of Delegation of Sub-delegation by the CEO	2077101
4.	S11A. Instrument of Appointment and Authorisation - Imogen Holten - McPhee(<i>Planning and Environment Act 1987</i>)	2248441
5.	S11A. Instrument of Appointment and Authorisation – Jacob Clements – (<i>Planning and Environment Act 1987</i>)	2248442
6.	Instrument of Delegation from Council to Members of Staff as a Committee of Management appointed under section 14 of the <i>Crown Land (Reserves) Act 1978 (Vic)</i>	2151628
7.	Instrument of Delegation from Port Manager (Glenelg Shire Council) to Members of Staff	2077105

Executive Summary

In accordance with the principles of good governance, continuous improvement and statutory compliance, the review of the Delegations and Authorisations review has to take place within twelve months of an Election under Section 98(6) of *Local Government Act 1989*; A Council must review within the period of 12 months after a general election.

As a result of the above requirements and legislation, the following Council Instruments of Delegation have been reviewed including:

- Instrument of Delegation to the Chief Executive Officer (S5);
- Instrument of Delegation from Council to Members of staff (S6);
- Instrument of Sub-Delegation from the Chief Executive Officer to Council Staff (S7);
- Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) (S11A)
- Instrument of Delegation of CEO powers, duties and functions (S13); and
- Instrument of Delegation from CEO to Staff (Vicsmart) (S14).

F6. DELEGATIONS AND AUTHORISATIONS REVIEW

(continued)

Background

Section 98 of the *Local Government Act 1989* enables Councils to delegate to Council Committees and Staff a diverse range of powers, duties or functions to facilitate the effective and efficient management and operation of municipalities.

The Glenelg Shire Council, together with a number of other Victorian municipalities, subscribes to the Maddocks Lawyers Delegations and Authorisations update service. This review is based on the Maddocks proforma documents with appropriate alterations identified by each Director and their staff.

The objectives of delegation and authorisation reviews are to:

- Achieve good governance;
- Ensure statutory compliance by incorporating recent legislative changes;
- Facilitate responsive and efficient customer service;
- Deliver continuous improvement in service delivery and decision making; and
- Make minor wording enhancements, where necessary, to improve the quality of the documents.

Report

The changes to Delegations and Authorisations, relating to the current update includes:

Changes to the S6 Instrument of Delegation from Council to Staff

1. Minor amendments have been made in relation to provisions of the *Road Management Act 2004* relating to bus stopping points and infrastructure; and
2. the *Planning and Environment (fees) Regulations 2016* have been replaced the *Planning and Environmental Regulations (Fees) Interim Regulations 2015*.

Changes to the S7 Instrument of Sub-Delegation from Council's CEO to Staff

1. Additions to the *Aboriginal Heritage Act 2016*, which give councils the power to enter into Aboriginal cultural heritage agreements, and which were included in our last update, came into effect on 1 August 2016;

F6. DELEGATIONS AND AUTHORISATIONS REVIEW

(continued)

2. The Commission for Children and young People will be responsible for enforcement of the Child Safety Standards under amendments introduced to the *Child Wellbeing and Safety Act 2015*, which come into force on 1 September 2017. These amendments also impose duties, powers and functions upon councils as a 'relevant entity';
 2. Minor amendments have been made in relation to provisions of the *Road Management Act 2004* relating to bus stopping points and infrastructure;
 3. A new provision in the *Taxation Administration Act 1997* allows councils to receive information from a tax officer in certain circumstances;
 4. Amendments to the *Victorian Environmental Assessment Council Act 2001* impose duties and functions on councils to assist and confer with the Victorian Environmental Assessment Council in certain circumstances;
 5. The *Infringement Regulations 2016* introduced in our last update came into force on 26 June 2016;
 6. Amendments to the *Road Safety Road Rules (Electric Personal Transporters Trial) Amendment Rules 2016* impose a new function on councils of liaising with the Roads Corporation; and
 7. The *Subdivision (Fees) Regulations 2016* have replaced the *Subdivision (Fees) Interim Regulations 2015*.

New S11A Instruments of Appointment and Authorisation (*Planning and Environment Act 1987*)

1. S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Statutory Planner, Imogen Holton-McPhee; and
2. S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Strategic Planner, Jacob Clements.

Changes made to the S13 Instrument of Delegation of CEO powers, duties and functions

1. the Commission for Children and Young People will be responsible for enforcement of the Child Safety Standards under amendments introduced to the *Child Wellbeing and Safety Act 2005*, which come into force on 1 September 2017. These amendments also impose duties, powers and functions upon the CEO as the 'head of a relevant entity'.
2. Provisions imposing duties upon CEOs under the Independent *Broad-Based Anti-Corruption Commission Act 2011* have come into force;

F6. DELEGATIONS AND AUTHORISATIONS REVIEW

(continued)

Changes to the S14 Instrument of Delegation of CEO powers, duties and functions for VicSmart Applications under the *Planning and Environment Act 1987*

In relation to the S14 Instrument of Delegation, we note that the *Planning and Environment (Fees) Regulations 2016* have replaced the *Planning and Environment Regulations (Fees) Interim Regulations 2015*.

a. Council Plan linkage and policy context

The use of delegations and authorisations links to the Council Plan, particularly Theme 4 – Govern in a responsible and responsive way.

b. Legislative and Legal Considerations

Section 98 of the *Local Government Act 1989* provides that a Council may by instrument of delegation delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act. However, there are six statutory limitations.

Section 86 of the *Local Government Act 1989* provides that a Council may by instrument of delegation delegate any of its functions, duties or powers under this or any other Act to a special committee. However, there are six statutory limitations.

c. Consultation and/or Communication Processes Implemented or Proposed

All Council staff listed in the schedule contained in the various Instruments of Delegation were provided with a copy of the draft delegations and authorisations and invited to provide comment prior to finalisation.

d. Risk Management

The completion of this delegation and authorisation review for 2017 ensures that Council's delegations and authorisations comply with current legislative and organisational requirements and will enable those staff with delegations and authorisations to legally continue to undertake their duties and to deliver Council services.

e. Resource Implications

Resources for preparation and coordination of regular delegation reviews are allowed for within the Corporate Services department.

f. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities was considered in the preparation of this report and associated documents.

F6. DELEGATIONS AND AUTHORISATIONS REVIEW

(continued)

g. Sustainability and Environmental Considerations

Not Applicable.

h. Budget Implications

The cost of the Maddocks Lawyers subscription service is a direct cost and the cost of undertaking the Delegation and Authorisation review is an indirect cost, both allowed for in allocated budgets.

Conclusion

For the reasons stated in this report, it is recommended that Council approve the updates made to S5. Instrument of Delegation to Chief Executive Officer, S6. Instrument of Delegation from Council to Members of Staff, the S7. Instrument of Sub-Delegation by the Chief Executive Officer to Council Staff, S11A. Instrument of Appointment and Authorisations (*Planning and Environment Act 1987*), S13. Instrument of Delegation of CEO powers, duties and functions and the S14. Instrument of Delegation by Chief Executive Officer for VicSmart Applications under the *Planning and Environment Act 1987*, Instrument of Delegation from Port Manager (Glenelg Shire Council) to Members of Staff and Committee of Management under the *Crown Land (Reserves) Act*.

Officer Recommendation

1. Instrument of Delegation from Council to Members of Staff (S5)

- a. That Council adopt the Instrument of Delegation from Council to Members of Staff dated Tuesday 28 February 2017 (S6).
- b. That the Instrument referred to in (a) come into force immediately the common seal of Council is affixed to the Instruments.
- c. On the coming into force of the Instruments referred to in (a) the previous Instrument of Delegation from Council to designated members of Council staff (S6) be revoked.
- d. The duties and functions set out in the Instrument referred to in (a) must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

F6. DELEGATIONS AND AUTHORISATIONS REVIEW **(continued)**

2. Instrument of Delegation from Council to Members of Staff (S6)

- a. That Council adopt the Instrument of Delegation from Council to Members of Staff dated Tuesday 28 February 2017 (S6).
- b. That the Instrument referred to in (a) come into force immediately the common seal of Council is affixed to the Instruments.
- c. On the coming into force of the Instruments referred to in (a) the previous Instrument of Delegation from Council to designated members of Council staff (S6) be revoked.
- d. The duties and functions set out in the Instrument referred to in (a) must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

3. Instrument of Sub-Delegation by the Chief Executive Officer to Council Staff (S7)

That Council note that the Instrument of Sub-Delegation from the Chief Executive Officer to Council Staff (S7) has been amended and will come into force when it is signed by the Chief Executive Officer on Wednesday 1 March 2017.

4. Instruments of Appointment and Authorisation (*Planning and Environment Act 1987*)(S11A)

That Council adopt the two Instruments of Appointment and Authorisation (*Planning and Environment Act 1987*) from Council to Imogen Holton – Mcphee and Jacob Clements dated Tuesday 28 February 2017.

5. Instrument of Delegation of CEO powers, duties and functions (S13)

That Council note that the Instrument of Delegation of CEO powers, duties and functions has been amended and will come into force when signed by the Chief Executive Officer on Wednesday 1 March 2017.

6. Instrument of Delegation by Chief Executive Officer for VicSmart applications under the Planning and Environment Act 1987 (S14)

That Council note that the Instrument of Delegation by Chief Executive Officer for Vicsmart Applications has been amended and will come into force when signed by the Chief Executive Officer on Wednesday 1 March 2017.

F6. DELEGATIONS AND AUTHORISATIONS REVIEW
(continued)

7. Committee of Management under the *Crown Land (Reserves) Act*
- a. That Council adopt the Instrument of Delegation to enable Council to delegate its powers, duties and functions, as a Committee of Management under the *Crown Land (Reserves) Act 7978 (Vic)(Act)*
 - b. That the Instrument referred to in (a) come into force immediately the common seal of Council is affixed to the Instruments.
 - c. The duties and functions set out in the Instrument referred to in (a) must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
8. Instrument of Delegation from Port Manager (Glenelg Shire Council) to Members of Staff
- a. That Council adopt the Instrument of Delegation from Port Manager to Members of Staff;
 - b. That the Instrument referred to in (a) come into force immediately the common seal of Council is affixed to the Instruments; and
 - c. The duties and functions set out in the Instrument referred to in (a) must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

F6. DELEGATIONS AND AUTHORISATIONS REVIEW

(continued)

MOTION

MOVED Cr Hawker

1. Instrument of Delegation from Council to Members of Staff (S5)

- a. That Council adopt the Instrument of Delegation from Council to Members of Staff dated Tuesday 28 February 2017 (S6).
- b. That the Instrument referred to in (a) come into force immediately the common seal of Council is affixed to the Instruments.
- c. On the coming into force of the Instruments referred to in (a) the previous Instrument of Delegation from Council to designated members of Council staff (S6) be revoked.
- d. The duties and functions set out in the Instrument referred to in (a) must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

2. Instrument of Delegation from Council to Members of Staff (S6)

- a. That Council adopt the Instrument of Delegation from Council to Members of Staff dated Tuesday 28 February 2017 (S6).
- b. That the Instrument referred to in (a) come into force immediately the common seal of Council is affixed to the Instruments.
- c. On the coming into force of the Instruments referred to in (a) the previous Instrument of Delegation from Council to designated members of Council staff (S6) be revoked.
- d. The duties and functions set out in the Instrument referred to in (a) must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

3. Instrument of Sub-Delegation by the Chief Executive Officer to Council Staff (S7)

That Council note that the Instrument of Sub-Delegation from the Chief Executive Officer to Council Staff (S7) has been amended and will come into force when it is signed by the Chief Executive Officer on Wednesday 1 March 2017.

F6. DELEGATIONS AND AUTHORISATIONS REVIEW

(continued)

4. Instruments of Appointment and Authorisation (Planning and Environment Act 1987)(S11A)

That Council adopt the two Instruments of Appointment and Authorisation (*Planning and Environment Act 1987*) from Council to Imogen Holton – Mcphee and Jacob Clements dated Tuesday 28 February 2017.

5. Instrument of Delegation of CEO powers, duties and functions (S13)

That Council note that the Instrument of Delegation of CEO powers, duties and functions has been amended and will come into force when signed by the Chief Executive Officer on Wednesday 1 March 2017.

6. Instrument of Delegation by Chief Executive Officer for VicSmart applications under the Planning and Environment Act 1987 (S14)

That Council note that the Instrument of Delegation by Chief Executive Officer for Vicsmart Applications has been amended and will come into force when signed by the Chief Executive Officer on Wednesday 1 March 2017.

7. Committee of Management under the Crown Land (Reserves) Act

- a. That Council adopt the Instrument of Delegation to enable Council to delegate its powers, duties and functions, as a Committee of Management under the *Crown Land (Reserves) Act 1978 (Vic)(Act)*
- b. That the Instrument referred to in (a) come into force immediately the common seal of Council is affixed to the Instruments.
- c. The duties and functions set out in the Instrument referred to in (a) must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

8. Instrument of Delegation from Port Manager (Glenelg Shire Council) to Members of Staff

- a. That Council adopt the Instrument of Delegation from Port Manager to Members of Staff;
- b. That the Instrument referred to in (a) come into force immediately the common seal of Council is affixed to the Instruments; and

F6. DELEGATIONS AND AUTHORISATIONS REVIEW

(continued)

- c. The duties and functions set out in the Instrument referred to in (a) must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

SECONDED Cr Stephens

CARRIED

F7. HERITAGE ADVISORY COMMITTEE – REVIEW OF TERMS OF REFERENCE AND APPOINTMENT OF COMMUNITY REPRESENTATIVES

Director: Karena Prevett, Group Manager Corporate Services

Author: Karena Prevett, Group Manager Corporate Services

Separate Circulation – Non Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM DocSetID
1.	Heritage Advisory Committee Terms of Reference	2197861

Executive Summary

The purpose of this report is to enable Council to consider a review that has been undertaken on the Heritage Advisory Committee's Term's of Reference, and also to endorse the appointment of Community Members to serve on the Heritage Advisory Committee in a voluntary capacity.

Background

On 16 December 2016 Expressions of Interest (EOI) opened for the public to nominate themselves to serve on the Heritage Advisory Committee as a community representative. The EOI's closed at 4.00pm on 6 January 2017. The number of applications did not meet requirements stated in the Terms of References, therefore EOI's were reopened on 18 January 2017, and closed on Friday 3 February 2017.

Report

Upon the closing date of the second round of Expression of Interest there were no further nominations. Applications were received from;

- Gordon Stokes;
- Graeme Baugh; and
- Joy Savill.

The current Terms of Reference (ToR) requires five (5) community representatives; applications were received from three (3) nominees, which encouraged a review of the Terms of Reference. The change proposed to the Terms of Reference is;

- Membership amended from five (5) community members to between three (3) and five (5).

Quorum for Heritage Advisory Committee will remain the same, which is half of the Advisory Committee members plus one.

a. Council Plan Linkage and Policy Context

Theme 4 – Govern is a responsible and responsive way.

F7. HERITAGE ADVISORY COMMITTEE – REVIEW OF TERMS OF REFERENCE AND APPOINTMENT OF COMMUNITY REPRESENTATIVES

(continued)

b. Legislative and Legal Considerations

Local Government Act 1989 Section 86 and Section 3.

c. Consultation and/or communication processes implemented or proposed

Expression of Interest was advertised in Portland Observer on 16 December 2016 and 20 January 2017, and Casterton News on 21 December 2016 and 18 January 2017.

d. Risk Management

Nil.

e. Resource Implications

Any resource implications from the recommendations made will be serviced within existing budget parameters.

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 Implication

Any budget implications from the recommendations made will be serviced within existing budget parameters.

Conclusion

To provide flexibility in the Terms of Reference, it is recommended that the Terms of Reference of the Heritage Advisory Committee be amended.

F7. HERITAGE ADVISORY COMMITTEE – REVIEW OF TERMS OF REFERENCE AND APPOINTMENT OF COMMUNITY REPRESENTATIVES

(continued)

Officer Recommendation

1. That Council adopt the proposed amendment to the Terms of Reference for the Heritage Advisory Committee whereby membership is amended from five (5) community members to between three (3) and five (5); and
2. That Council endorse the appointment of the following community representatives on the Heritage Advisory Committee for a period of four (4) years;
 - Gordon Stokes;
 - Graeme Baugh; and
 - Joy Savill.

MOTION**MOVED Cr Wilson**

1. That Council adopt the proposed amendment to the Terms of Reference for the Heritage Advisory Committee whereby membership is amended from five (5) community members to between three (3) and five (5); and
2. That Council endorse the appointment of the following community representatives on the Heritage Advisory Committee for a period of four (4) years;
 - Gordon Stokes;
 - Graeme Baugh; and
 - Joy Savill.

SECONDED Cr Stephens**CARRIED**

F8. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER

CEO: Greg Burgoyne, Chief Executive Officer
 Author: Kim Overall, Acting 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.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>Relevant Grounds Under Section 89(2) of the Act</i>	<i>ECM DocsetID</i>
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)	2245292

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 or functions of a Councillor during the period of leave;
 - b. remains entitled to receive a Councillor allowance unless this Act otherwise provides;

F8. 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
Theme 4 – Govern in a responsible and responsive way.
 - 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.

F8. 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 January 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 Hawker

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 Halliday

CARRIED

F9. HALF YEARLY REPORT ON COUNCIL PLAN 2016/17 KEY STRATEGIC ACTIVITIES

CEO: Greg Burgoyne, Chief Executive Officer
Author: Greg Burgoyne, Chief Executive Officer

Separate Circulations – Non Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM DocSetID
1.	Council Plan 2013-17 - Year 4 Key Strategic Activities – Half Yearly Report (2016/17)	2244728

Executive Summary

Council prepared and submitted to the Minister for Local Government the Council Plan 2013-17. Council has also adopted and published the key strategic activities statement providing an annual action plan to the Council Plan. This report records half yearly progress against the key strategic activities for 2016/17 (Year 4 of the Plan).

Background

1. The Council Plan 2013-17 provides the future direction and resources to achieve Council's vision and the community's aspirations. The Plan includes a statement of intent, a list of four themes supported by strategies and performance indicators to measure progress against the themes. The strategic objectives are:

Theme 1 – An engaged, healthy, connected and proud community.

Objective 1 – A community where we belong, we can actively participate and are positive about our future.

Theme 2 – Diverse economic base.

Objective 2 – Thriving economy full of opportunities and resilience.

Theme 3 – Manage and sustain our natural and built assets.

Objective 3 – a place where our livelihoods and quality of life complement our natural and built assets.

Theme 4 – Govern in a responsible and responsive way.

Objective 4 – A community that trusts us to deliver in their long term best interest.

F9. HALF YEARLY REPORT ON COUNCIL PLAN 2016/17 KEY STRATEGIC ACTIVITIES

(continued)

Report

The Council Plan was developed through a series of ongoing workshops with Council. Further consultation and opportunities for community input were provided during the exhibition period. Consideration has also been given to commentary from Council's auditor. The Council Plan 2013-2017 was adopted by Council at the meeting held on 25 June 2013. Over the four years of the Plan 15 measures are set to assess performance. Many of the measures are broken down to assess annual achievements – others are only assessed at the end of the 4 year term of the Plan which is this year.

Up and until 2014, Council was required to prepare and publish key strategic activities within the annual budget. The key strategic activities provide an annual work plan linked to the Council Plan objectives.

As at 31 January 2017, 15 of the 76 key strategic activities with dates and targets set for attainment in the 12 months of the reporting period (1 July 2016 to 30 June 2017) were achieved. Of the four key strategic activities which were not achieved, one was achieved after the target date set in the Council Plan. The separate circulation with this report provides a half yearly progress report on these key strategic activities.

a. Council Plan Linkage and Policy Context

The Council Plan is the key four year planning document of Council. More specifically this progress report links directly to Theme 4 – Govern in a responsible and responsive way.

b. Legislative and Legal Considerations

The Victorian State Government's reporting framework, the *Local Government Amendment (Performance Reporting and Accountability) Act 2014*, no longer requires the key strategic activities to be included in Council's annual budget. However, the key strategic activities provide a meaningful, tangible way to monitor and inform of progress against the Council Plan.

c. Consultation and/or communication processes implemented or proposed

Regular reporting on progress towards the attainment of the four year Council Plan provides an easy way for Council and the community to monitor progress.

This report assists in providing Councillors with current information in relation to the progress of Council against these key strategic indicators and ultimately the Council Plan 2013-17.

F9. HALF YEARLY REPORT ON COUNCIL PLAN 2016/17 KEY STRATEGIC ACTIVITIES

(continued)

d. Risk Management

The Council Plan articulates the strategic actions of Council. There is minimal risk to achievements at this time.

e. Resource Implications

Resources continue to be aligned to the strategic actions of the Council Plan.

f. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities was considered in the preparation of the Council Plan.

g. Sustainability and Environmental Considerations

The Council Plan incorporates key sustainability and environmental considerations and they are reflected in the themes shown in the Plan.

h. Budget Implications

The implementation of the Council Plan was anticipated and is the basis for allocated budgets.

Conclusion

The half yearly review of the Council Plan reaffirms the current relevance of key directions and performance targets within the Council Plan.

Officer Recommendation

That Council notes the half yearly progress and status of the Council Plan 2013-2017 Year 4 Key Strategic Activities (2016/17) in the separate circulation with this report.

MOTION

MOVED Cr Stephens

That Council notes the half yearly progress and status of the Council Plan 2013-2017 Year 4 Key Strategic Activities (2016/17) in the separate circulation with this report.

SECONDED Cr Hawker

CARRIED

F10. LIBRARY OUTREACH TRIAL EXPANSION PROGRAM

Director: Edith Farrell, Director Community Services
Author: Yvette Parker, Library and Information Services Manager

Executive Summary

The purpose of this report is to address the Year 4 key strategic activity in the Council Plan to consider expansion opportunities for the *Library2Go* Outreach program.

Background

Glenelg Libraries relaunched a revitalised Library Outreach program in October 2015 with the introduction of the *Library2Go* vehicle providing visits to the townships of Dartmoor, Digby and Merino.

Prior to the vehicle, the Library service provided access to library resources in the townships via volunteer-manned library stations located in halls and the Dartmoor General Store.

With the introduction of the *Library2Go* vehicle, a specially fitted-out Mercedes Sprinter van, usage in the three townships has increased by 73% from 375 loans in 2013-14 to 1427 loans in 2015-16.

Report

The Library service sought community feedback in November 2016 to gauge interest in providing visits of the *Library2Go* vehicle to Narrawong and Nelson.

The two townships were identified as potential outreach stops due to their respective population numbers and their distance to static branches.

Nelson was also formerly an Outreach stop before the service was discontinued due to uncertainty around hours of operation at the Nelson Visitor Information Centre.

Narrawong and its surrounding area has a growing population of young families and the school has a student body of more than 60 students.

The November community survey results provided the following feedback:

	No. Survey respondents In favour of <i>Library2Go</i> visit	Population (Census, 2006)	% of population
Narrawong	30	176	17%
Nelson	23	226	10%

In order to deliver additional three-weekly scheduled visits to these townships, the Library Service would require additional staffing resources.

F10. LIBRARY OUTREACH TRIAL EXPANSION PROGRAM

(continued)

The expected cost of expanding the service is \$4,745. The additional cost can be funded through the Library's operational Budget.

a. Council Plan Linkage and Policy Context

Council is committed to an engaged, healthy, connected and proud community. This matter is in accordance with current strategies and plans.

Glenelg Shire Health and Wellbeing Plan 2013-2017 goals:

"Our community will feel safe, connected and be able to access and participate in community life."

Lifelong learning is a way of life in the Glenelg Shire.

b. Legislative and Legal Considerations

The Library2Go Outreach Program complies with legislative and policy requirements through Safe Work Procedures, Insurance coverage and staff training.

c. Consultation and/or communication processes implemented or proposed

Community consultation undertaken via 'Your Say Glenelg' and Registration of Interest forms located at the Nelson Kiosk and Narrawong Store for a period of 4 weeks in November and December 2016.

d. Risk Management

Risks associated with expansion of the Outreach Program relate to poor take-up by residents or conversely community backlash if the program is unsustainable. A trial will determine the level of ongoing community support.

e. Resource Implications

Expansion of the Library Outreach program will require additional staffing time and resources to offer the Outreach Program to extra sites.

Currently visits to all three townships can be provided in one day, however, adding stops to the schedule would require an additional day and alterations to the visiting schedule.

F10. LIBRARY OUTREACH TRIAL EXPANSION PROGRAM

(continued)

f. Charter of Human Rights and Responsibilities

Council is committed to the Human Rights Principles and Responsibilities of freedom, respect, equality and dignity. We will take human rights into consideration when setting policies, providing services and to give human rights proper consideration in decision-making.

g. Sustainability and Environmental Considerations

Glenelg Libraries aims to achieve sustainability through the effective use of resources. The Library2Go vehicle has been repurposed from another Council unit as a means of improving service levels to remote communities through economical use of Council funds.

h. Budget Implication

The cost of expanding the Library's Outreach Program to the townships of Narrawong and Nelson is \$4,745.00. The proposal can be funded within the Library's operational budget for the period of the trial.

Conclusion

Based on community response there is a greater level of interest for the service to visit Narrawong on a scheduled basis. These visits could coincide with school visits and may also be popular during the peak tourist period during summer.

Interest is lower in Nelson, possibly due to the proximity of the township to Mt Gambier Library; however, a trial of the expanded Outreach program would determine whether the service was supported in the longer term.

Officer Recommendation

1. Council approve a 12-month trial of Outreach visits to the townships of Nelson and Narrawong as part of the *Library2Go* schedule for 2017-18.
2. A report be provided to Council on the outcome of the trial in April 2018.

F10. LIBRARY OUTREACH TRIAL EXPANSION PROGRAM

(continued)

MOTION

MOVED Cr Hawker

- 1. Council approve a 12-month trial of Outreach visits to the townships of Nelson and Narrawong as part of the *Library2Go* schedule for 2017-18.**
- 2. A report be provided to Council on the outcome of the trial in April 2018.**

SECONDED Cr McDonald

CARRIED

F11. YARRAMAN PARK MULTIPURPOSE FACILITY

Director: Edith Farrell, Director Community Services
Author: Jodie Maybery, Community Wellbeing Manager

Executive Summary

This paper is to brief the Council on the current status of the Yarraman Park Feasibility Study and development of the multipurpose facility.

Background

The Yarraman Park Reserve Master Plan completed in 2008, identified that Yarraman Park was used by a wide range of community groups including pigeon and poultry, equestrian, karting and gymnastics, but comprised run-down facilities which were not up to contemporary standards. The Master Plan identified the potential need for a multipurpose facility, with a flexible design that is capable of adapting to different activities and changing user group requirements.

The aging temporary building which housed a shared kitchen, meeting room, toilet and storage space was condemned and demolished in 2011. The then, Department of Planning and Community Development (DPCD) recommended a Feasibility Study to be undertaken, which was carried out in 2013/14 that again recommended the development of a multipurpose facility that would incorporate a new gymnastics facility and the redevelopment of the existing gymnastics shed to include a shared hall, meeting space, kitchen, toilets, showers and storage space.

In June 2015 the concept design, provide working drawings and design specifications with the design concept were completed and the draft Concept Plan presented to Council on 6 October 2015. The Plans went to public consultation on 23 October until 23 November 2015. There were no responses received from the general public however the user groups supported the draft concept plans. The common comment from all users was the request for the installation of an automated front gate to address safety matters restricted to the reserves activities.

In the evaluation of the community consultation Council considered the ability to expand usage to increase the potential use of the proposed multipurpose facility.

In order to review the current use of Yarraman Park and explore future options and possibilities, a number of activities took place.

- Councillors and Leadership Team undertook a site inspections of Yarraman Park in November 2015;
- Leadership Team, Councillors and other relevant officers visited the Blue Lake Sports Park in Mt Gambier in February 2016; and
- Council officers undertook an independent assessment of the Yarraman Park site to ascertain capacity of the site to incorporate other uses.

F11. YARRAMAN PARK MULTIPURPOSE FACILITY

(continued)

The site assessment review indicated that while there may be area to develop more dedicated sports facilities within Yarraman Park, it would be necessary to do so within the existing equestrian areas such as the polo playing fields. Feasibility studies in the past have not identified Yarraman Park as a suitable location to expand sporting facilities, such as the multipurpose synthetic turf playing fields and indoor recreation facilities. The current usage and in particular the high equestrian usage, imposes limitations around access due to the safety issues and concerns when horses are present at the park. Yarraman Park is approximately 26 hectares; to fully develop a multipurpose sport complex would require more land than is presently available. Council does not currently have access to open space that would accommodate a state of the art contemporary multipurpose sporting reserve.

Report

Council's Recreation and Open Space Strategy (2007) is currently under review.

The review of the Recreation and Open Space Strategy will include assessment and identification of current sporting needs, areas of decline and growth and future trends. It will also consider other factors such as an aging population, the ability for some sporting clubs to maintain membership and Councils' capacity to operate and maintain multiple playing surfaces, clubrooms and pavilions to suitable standards. It will provide Council with options that may include cost savings, consideration for consolidation of sporting facilities and the development of a multipurpose sporting complex. These will require long term, progressive and innovative strategic planning.

The development of a multipurpose facility at Yarraman Park has not progressed beyond the initial concept design following the last report on 20 October 2015.

Officers have progressed the issue of gate security and are currently arranging the installation of an automatic front gate at Yarraman Park.

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

The project is in accordance with the Council Plan 2013-2017 themes 'Manage and sustain our natural and built assets' and 'Engaged, healthy, connected and proud community'.

The Glenelg Shire Health and Wellbeing Plan includes the goal 'Our community will feel safe, connected and able to access and participate in community life'.

b. **Legislative and Legal Considerations**

This report has considered the legislative and legal requirements.

F11. YARRAMAN PARK MULTIPURPOSE FACILITY

(continued)

c. Consultation and/or communication processes implemented or proposed

Substantial community consultation has been undertaken to date through the development of the Feasibility Study and Concept Plans.

More recently Council officers met with user groups (27 July 2016) to discuss consideration of the proposed development of Yarraman Park in the context of the development of the Open Space Strategy and Recreation Plan.

d. Risk Management

This was considered throughout the Yarraman Park Multipurpose Facility Feasibility Study with a number of risk issues identified relating to the use of facilities in their current state. User groups continue to use sub-standard facilities which are not compliant with legislation, particularly in relation to disability access. Building conditions continue to decline while only basic maintenance is implemented, increasing Council's risk exposure.

These matters will be taken in to consideration throughout the development of the new Open Space Strategy and Recreation Plan.

e. Resource Implications

A number of resources across Community Services, Assets and Infrastructure and Environmental Departments have been contributed towards this project. Such works have formed part of the day to day business for each officer.

f. Charter of Human Rights and Responsibilities

This report has been compiled with consideration to the requirements of the Victorian Charter of Human Rights and Responsibilities.

g. Sustainability and Environmental Considerations

These issues have been considered in the compiling of this report.

h. Budget Implication

Costs associated with the supply and installation of the gate is in the current capital works program.

Conclusion

Based on informal discussions with Councillors and following the tour of Yarraman Park and the Blue Lake Sports Park no further works were undertaken.

F11. YARRAMAN PARK MULTIPURPOSE FACILITY

(continued)

Officer Recommendation

That Council endorse no further action on the development of the multipurpose facility at Yarraman Park pending the outcomes of the Open Space Strategy.

MOTION

MOVED Cr White

That Council endorse no further action on the development of the multipurpose facility at Yarraman Park pending the outcomes of the Open Space Strategy.

SECONDED Cr McDonald

CARRIED

F12. POLICY AND PROCEDURE – IMMIGRANT AND SEAFARER WALLS

Director: Edith Farrell, Director Community Services

Author: Trevor Smith, Cultural Collection Officer

Separate Circulation – Non Confidential

No.	Separate Circulation	ECM
1.	Council Policy - Erection Of Plaques on Immigrants Wall and Seafarers Memorial Wall on The Ploughed Field Portland	2245928

Executive Summary

This paper is to brief Council on the development of a formal policy and procedure for the Immigrants Wall and the Seafarers Wall on the Ploughed Field, Portland.

Background

During the 1988 Australian Bicentennial, two bluestone walls were constructed as design features on the Ploughed Field in Portland.

In 1993 a community member suggested that one of the bluestone walls be used as a memorial to those who have lost their life at sea. A philosophy and criteria were developed for a Seafarers Memorial Wall, and at the 5 October 1993 OCM Council adopted the recommendations.

With the pending 150th anniversaries of the arrival of the assisted immigrant ships to Portland (between 2001-2007), a working group comprising Council and local history representatives was established to examine options for a 'Pioneer' wall in Portland. The formation of this group was endorsed at the 25 June 2002 OCM. The result was the Immigrants Wall on the Ploughed Field.

Report

The Seafarers Wall is administered by Council, and until the disbanding of the Maritime Heritage Advisory Committee (MHAC) in 2013, applications to erect a plaque on the Seafarers Wall were considered by Council on a formal recommendation of the MHAC. Applications are now investigated and assessed by the Cultural Collection Officer and a recommendation made to Council. The Seafarers Wall has approximately 20 plaques.

The Immigrants Wall is wholly administered by the Portland Family History Group (PFHG) at History House. As with the Seafarers Wall, applications for the Immigrants Wall are investigated and assessed before the plaque is erected.

The Immigrants Wall has approximately 140 plaques, with the total increasing by around six to ten plaques each year.

F12. POLICY AND PROCEDURE – IMMIGRANT AND SEAFARER WALLS

(continued)

The PFHG have an information pack available for prospective applicants for the Immigration Wall. In administering the Immigrants Wall, the PFHG have been instrumental in the ongoing development of a heritage/cultural asset, an attraction of great interest to locals and visitors.

A form has been developed for prospective applicants for the Seafarers Wall.

A formal policy and procedure has not been established for these memorial walls. The attached document sets out the criteria for each wall and the process for applicants wishing to apply to have a plaque attached to either of the memorial walls.

a. Council Plan Linkage and Policy Context

Theme 1 – Engaged, healthy, connected and proud community
Elevate the history, prominence and cultural significance of Glenelg Shire

b. Legislative and Legal Considerations

There are no Legislative and Legal considerations applicable to this paper.

c. Consultation and/or communication processes implemented or proposed

The development of this Policy and Procedure has been in consultation with Portland Family History Group who administer the Immigrants Wall

d. Risk Management

There are no Risk Management considerations applicable to this paper.

e. Resource Implications

Council is responsible for attaching the plaques to the memorial walls, however applicants pay a one-off permanent rental and placement fee which covers the cost of labour and materials.

f. Charter of Human Rights and Responsibilities

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

g. Sustainability and Environmental Considerations

There are no identified sustainability and environmental considerations relating to this report.

F12. POLICY AND PROCEDURE – IMMIGRANT AND SEAFARER WALLS

(continued)

h. Budget Implication

There are no budget implications. Applicants wishing to place a plaque on either of the memorial walls are responsible for the cost of production of the plaque and the cost of attaching of that plaque to the wall. Council is not responsible for any future repairs to damaged plaques or replacement of plaques.

Conclusion

A policy and procedure for the placement of plaques on the Immigrants and Seafarers Walls will guide the administration and approval processes for attachment of plaques on the memorial walls located on the Ploughed Field, in Portland.

Officer Recommendation

1. That Council adopt the Policy for erection on plaques on the Seafarers Wall and Immigrants Wall on the Ploughed Field, Portland.
2. That the Mayor write to Portland Family History Group acknowledging their ongoing administration of the Immigrant Wall.

MOTION

MOVED Cr McDonald

1. **That Council adopt the Policy for erection on plaques on the Seafarers Wall and Immigrants Wall on the Ploughed Field, Portland.**
2. **That the Mayor write to Portland Family History Group acknowledging their ongoing administration of the Immigrant Wall.**

SECONDED Cr Wilson

CARRIED

F13. KATHLEEN MILLIKAN CENTRE MEAL PROVISION

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

Executive Summary

This paper is to provide information to Councillors regarding meal provision options for the Kathleen Millikan Centre (KMC) aimed at addressing the current inequity in arrangements for meal provision across Council's integrated centres.

Background

A number of previous reports have been presented to Council dating back to April 2014 and more recently in July 2016, in addition to an independent review of the KMC Business Plan undertaken by DJK Consulting (March 2016), and recommendations within the Early Years Feasibility Study and Infrastructure Plan (EYFSIP) February 2016. The previously provided information highlighted the need to address the equity of meal provision at our integrated centres.

Report

To ascertain if the 2017 cohort of families attending KMC would be interested in the provision of meals a brief survey was conducted recently. The survey results were as follows:

- Yes - Interested in meals being provided 9
- No - Not interested in meals being provided 1

Three of the respondents qualified their response by commenting that they would be interested in meal provision if it was to be provided at "no" or "not much" additional cost.

It is estimated that meal provision, based on "in-house" delivery would cost an additional \$82,500 per year and \$42,000 for external service provision.

The following options are provided to assist Council in determining if meals should or should not be provided and, if meal provision is required the approach to be taken.

Option 1 - Fees at KMC to remain the same with no meal provision (status quo)

Advantages:

- No additional operating deficit to Council; and
- User pays, taking into consideration underutilisation and fee for service (limited/lower demand equals increased fees).

F13. KATHLEEN MILLIKAN CENTRE MEAL PROVISION

(continued)

Disadvantages:

- Potential for dissatisfied Centre customers due to no meal provision and no reduction in fees compared to others sites and fees.

Option 2 - Fees to be reduced (No meal provision)

Advantages:

- Lower costs afforded to Centre customers;
- Potential to attract additional enrolments; and
- More efficient (administration) option compared to introduction of meal provision.

Disadvantages:

- Requires subsidy by Council. Based on 50 children attending the Centre each week and a daily meal provision of \$5 (\$2.50 for a main meal and two snacks valued at \$1.25), the estimated reduced income (per 48 week period) would be \$12,000; and
- Potential for customer dissatisfaction, as no meals provided; compared to another site that provides meals for the same fee.

Option 3 – Meals Provided “In-house”

Advantages

- Meal option provided to Centre customers;
- Potential for increased employment at Casterton; and
- Potential to attract additional enrolments.

Disadvantages:

- Additional operating costs (estimated to be \$82,517)*;
- Potential for inability to successful recruit and adequately cover staff absences (unplanned and planned leave); and
- Kitchen may require modification to comply with commercial kitchen specifications

F13. KATHLEEN MILLIKAN CENTRE MEAL PROVISION

(continued)

*Estimated Annual Salary Cost	
Hours to be Worked	(includes oncost & uniform allowance)
8:30 am – 3 pm (5 days a week)	\$69,653
Casual staff coverage (based on 6 days sick leave per annum & 12 Rostered Days Off)	\$3,120
*Estimated Net Cost for Annual Meal Provision	
Long Day Care (based on February 2016 enrolment numbers) 58 meals weekly \$3.50	\$9,744
Total Estimated Cost Per Annum	\$82,517

Option 4– Meals Provided by an External Contractor

Advantages:

- Meal option provided to Centre customers;
- May be less expensive when compared to employment of Council staff; and
- Potential for partnership with local businesses i.e.: Casterton Memorial Hospital.

Disadvantages:

- Additional operating costs (administration, including contract management and associated compliance requirements, and contractor costs);
- Potential for inability to successfully engage and retain a suitable contractor/partnership arrangement; and
- Kitchen may require modification to comply with commercial kitchen specifications.

a. Council Plan Linkage and Policy Context

The review is linked to the Council Plan 2014 - 2017, particularly Key Objectives (1) and (4):

- Focus on the early years of a child's development; and
- A community that trusts us to deliver in their long term best interest.

b. Legislative and Legal Considerations

If an external contract arrangements is implemented the usual tendering requirements will be undertaken.

F13. KATHLEEN MILLIKAN CENTRE MEAL PROVISION

(continued)

c. Consultation and/or communication processes implemented or proposed

Consultation and/or communication processes will continue to be undertaken with affected staff and the Casterton community.

d. Risk Management

Risks have and will be managed through the consultation and implementation processes.

e. Resource Implications

Subject to Council's decision, if meal provision is implemented at KMC additional resources will be required to implement either the in-house or contractor arrangement.

If a reduction in fees is the preferred option, additional administration costs may be incurred.

f. Charter of Human Rights and Responsibilities

Council is committed to the Human Rights Principles and Responsibilities of freedom, respect, equality and dignity. We will take human rights into consideration when setting policies, providing services and to give human rights proper consideration in decision-making.

g. Sustainability and Environmental Considerations

Not applicable.

h. Budget Implication

Subject to Council's decision, if an in-house meal provision option is implemented an additional increase in operating costs of approximately \$82,500 per annum will be incurred.

Subject to Council's decision if external service provision is preferred the 2016/2017 budget allocation of \$42,000 per annum will be incurred.

Conclusion

Subject to Council approval, a New Initiative Bid will be submitted for the 2017/18 Council Budget to cover any increased operational costs.

F13. KATHLEEN MILLIKAN CENTRE MEAL PROVISION

(continued)

Officer Recommendation

1. That Council, approve Option 2 “Fees to be reduced (No meal provision)” at Kathleen Millikan Centre.
2. That the fee reduction is effective from the 1 March 2017 and fees to be reduced based on \$2.50 for a main meal and \$1.25 for each snack provided (maximum of two snacks per day), an overall reduction of \$5.00 per day / per child.

MOTION**MOVED Cr Stephens**

1. **That Council, approve Option 2 “Fees to be reduced for long day care (No meal provision)” at Kathleen Millikan Centre.**
2. **That the fee reduction is effective from the 1 March 2017 and fees to be reduced based on \$2.50 for a main meal and \$1.25 for each snack provided (maximum of two snacks per day), an overall reduction of \$5.00 per day / per child.**

SECONDED Cr Halliday**CARRIED**

F14. DRAFT – GLENELG SHIRE COUNCIL VOLUNTEER ACTION PLAN 2017

Director: Edith Farrell, Director Community Services
Author: Brad Charman, Community Engagement Officer

Separate Circulation – Non Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	Glenelg Shire Council – DRAFT Volunteer Action Plan 2017	2236552

Executive Summary

This paper seeks Council feedback on the draft - Glenelg Shire Council Volunteer Action Plan 2017, prior to the Plan being presented to the Volunteering and Wellbeing Advisory Committee and subsequently advertised for public consultation.

Background

Volunteering is an essential resource that brings significant economic, social, environmental and cultural impacts to individuals and organisations, which bring positive benefits to the entire community.

Volunteering also benefits the individual health and wellbeing, by helping volunteers to achieve their individual objectives, build positive skills and relationships, as well as provide them with a sense of belonging and being valued.

Glenelg Shire Council acknowledges that volunteering plays a pivotal role in empowering individuals, facilitating active community participation and building inclusive and resilient communities.

The draft Glenelg Shire Council Volunteer Action Plan 2017 provides an outline on how Council intends to promote, support, and recognise the local volunteer sector, both in its own programs and the broader community.

The 2011 ABS Census revealed that 28.7% of the Glenelg Shire population reported doing some form of voluntary work through an organisation or individual in the last twelve months. This compares to state and national figures of 17.7% and 17.8% respectively.

Despite Glenelg Shire experiencing relatively good volunteering rates, many local volunteering organisations claim that recruitment of new volunteers is getting harder. Underlying factors such as an aging population and changes to the way people approach volunteering, may be presenting challenges for many volunteer-based organisations.

An aim of this plan is to assist Council to provide local leadership in assisting community organisations to not only meet these challenges but to adapt to the new volunteer environment.

F14. DRAFT – GLENELG SHIRE COUNCIL VOLUNTEER ACTION PLAN 2017

(continued)

Report

Council is currently developing the Glenelg Shire Council Volunteer Action Plan 2017. This plan will outline how Council intends to provide local leadership in promoting, recognising and supporting volunteering, for both its own internal programs and the broader community over the next twelve months.

The one year Volunteer Action Plan 2017 will be designed to achieve outcomes in the following focus areas;

1. Maintain and enhance the role of volunteers in service delivery;
2. Strengthen the future of volunteerism and build connection with communities; and
3. Encourage and value the contribution of volunteers.

Council is currently developing the new Council Plan and Municipal Public Health and Wellbeing Plan. Throughout this period the integration of the Volunteer Action Plan and Municipal Public Health and Wellbeing Plan will take place.

The alignment of these plans will create a streamlined approach to actioning focus areas that align to both plans.

a. Council Plan Linkage and Policy Context

The draft Glenelg Shire Council Volunteer Action Plan 2017 is a supporting document to the first theme in the Glenelg Shire Council Plan 2013-2017: 'engaged, healthy, connected and proud community'.

The Glenelg Shire Council Action Plan also relates to the Glenelg Shire Health and Wellbeing Plan Goal: Our community will feel safe, connected and be able to access and participate in community life; and Strategy; to promote and encourage volunteering.

b. Legislative and Legal Considerations

There are no Legislative and Legal Considerations applicable to this paper.

c. Consultation and/or communication processes implemented or proposed

The draft Glenelg Shire Council Volunteer Action Plan 2017, that has been approved by LT, will proceed to public consultation, consultation with the Volunteering and Wellbeing Advisory Committee (VWAC) and Council. The opportunity to have input will be given to all.

The draft Action Plan and will be presented to the Council at the February 2017 Ordinary Council meeting for endorsement to go for public consultation.

F14. DRAFT – GLENELG SHIRE COUNCIL VOLUNTEER ACTION PLAN 2017

(continued)

A Volunteer Action Plan Communication Plan is being developed to outline the process to invite public consultation and comments, including a media release and postings on the Council website, Your Say Glenelg and Facebook sites.

d. Risk Management

There are no risks associated with the development of the draft Glenelg Shire Council Volunteer Action Plan 2017. Risk management is an essential part of volunteer training across all activities undertaken by volunteers.

e. Resource Implications

The Action Plan has been developed with consideration of staff and community resources.

f. Charter of Human Rights and Responsibilities

The report has considered the requirements of the Charter of Human Rights and Responsibilities. Part 2 of the Charter acknowledges the right to take part in public life.

g. Sustainability and Environmental Considerations

There are no identified sustainability and environmental considerations relating to this report.

h. Budget Implication

Actions within the draft Volunteer Action Plan 2017 can be completed within existing Council resources and budgets.

Conclusion

Glenelg Shire Council (GSC) acknowledges that volunteering plays a pivotal role in empowering individuals, facilitating active community participation and building inclusive and resilient communities in which we can all flourish.

The Glenelg Shire Council Volunteer Action Plan 2017 further outlines how Council intends to provide local leadership in promoting, recognising and supporting volunteering, for both its own internal programs and the broader community.

F14. DRAFT – GLENELG SHIRE COUNCIL VOLUNTEER ACTION PLAN 2017

(continued)

Officer Recommendation

1. That Council note the development of the Draft – Volunteer Action Plan which will be on public exhibition from 1 March – 31 March, in addition to officers seeking feedback on the draft from the Volunteering and Health and Wellbeing Advisory Committee.
2. That following public consultation the Draft – Volunteer Action Plan will be presented to Council seek endorsement.

MOTION**MOVED Cr Stephens**

1. **That Council note the development of the Draft – Volunteer Action Plan which will be on public exhibition from 1 March – 31 March, in addition to officers seeking feedback on the draft from the Volunteering and Health and Wellbeing Advisory Committee.**
2. **That following public consultation the Draft – Volunteer Action Plan will be presented to Council to seek endorsement.**

SECONDED Cr McDonald**CARRIED**

F15. COMMUNITY PRESENTATION OF NARRAWONG KANG-O-MEERTEEK SMALL TOWN TRANSFORMATION PROJECT - MARCH ORDINARY COUNCIL MEETING IN NARRAWONG

Director: Edith Farrell, Director Community Services
Author: Susie Lyons, Arts and Culture Manager

Executive Summary

This paper is to request that Council consider scheduling a short presentation by the Project Managers of the Narrawong Kang-o-Meerteek Small Town Transformation Project at the Ordinary Council Meeting on 28 March 2017 in Narrawong, under the heading Deputations.

Background

Deputations and Community Presentations do not usually occur at Ordinary Council Meetings. However given that the Ordinary Council Meeting will be in Narrawong at the Narrawong Mechanics Hall on Tuesday 28 March 2017, it seems appropriate for the community to be speaking at this forum. This was also requested and discussed at the Ordinary Council Meeting on 22 November 2016.

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

- Council Plan 2013 – 2017, Key Theme 1. Engaged, healthy, connected and proud community;
- Glenelg Shire Council, Public Art Master Plan, 2014; and
- Arts and Culture Strategy, 2016 – 2020.

b. Legislative and Legal Considerations

No legislative or legal considerations have been identified as being associated with this process.

c. Consultation and/or communication processes implemented or proposed

Any consultation need will be address on an individual basis.

d. Risk Management

Any risks will be addressed on an individual basis.

e. Resource Implications

Any resource implications will be addressed on an individual basis.

**F15. COMMUNITY PRESENTATION OF NARRAWONG KANG-O-MEERTEEK
SMALL TOWN TRANSFORMATION PROJECT AT MARCH OCM IN
NARRAWONG**

(continued)

f. Charter of Human Rights and Responsibilities

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

g. Sustainability and Environmental Considerations

There are no identified sustainability or environmental considerations relating to this report.

h. Budget Implication

Any objectives that require external grants or additional Council funding will be subject to Council approval.

Conclusion

This report is for Council to consider providing the Narrawong Kang-o-Meerteek Small Town Transformation Project Team to provide a short presentation at the Ordinary Council Meeting on Tuesday 28 March 2017 commencing at 7.00pm, under the heading Deputations.

Officer Recommendation

That Council invite Project Managers of the Narrawong Kang-o-Meerteek Small Town Transformation Project to make a presentation to the Ordinary Council Meeting at 7.00pm on Tuesday 28 March 2017.

MOTION

MOVED Cr Wilson

That Council invite Project Managers of the Narrawong Kang-o-Meerteek Small Town Transformation Project to make a presentation to the Ordinary Council Meeting at 7.00pm on Tuesday 28 March 2017.

SECONDED Cr White

CARRIED

Mayor Cr Rank restated that she has a Conflict of Interest in Item F16. Contract 2016-17-20 Evans Road, Gorae – Safety and Associated Road Works.

Therefore the Mayor advised that she will vacate the chair and called for nominations for the position of Temporary Chairperson.

MOTION

MOVED Cr Stephens

That Cr Halliday be appointed as Temporary Chairperson.

SECONDED Cr Wilson

CARRIED

Mayor Cr Rank vacated the chair and left the meeting at 7.56pm. Cr Halliday assumed the chair.

F16. CONTRACT 2016-17-20 EVANS ROAD, GORAE – SAFETY AND ASSOCIATED ROAD WORKS

Director: Paul Healy, Director Assets

Author: Malcolm Armstrong, Infrastructure Development Engineer

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	Relevant Grounds Under Section 89(2) of the Act	ECM
1.	Contract No. 2016-17-20 Evans Road, Gorae – Safety and Associated Road Works Tender Evaluation Matrix dated January 2017 Glenelg Shire Council.	Contains contractual matter - section 89 (2) (d) of the Local Government Act 1989	2240263

Executive Summary

This report outlines the evaluation process for tender 2016-17-20 Evans Road, Gorae – Safety and Associated Road Works and recommends the awarding of the contract.

Background

The 2016/2017 capital works budget has an allocation for road improvements on Evans Road, Gorae. The Evans Road work includes overlay pavement strengthening and widening, sealing a 4.4m width and safety improvements between Hodgetts Road and Berrys Road including the Hodgetts Road intersection.

F16. CONTRACT 2016-17-20 EVANS ROAD, GORAE – SAFETY AND ASSOCIATED ROAD WORKS

(continued)

The works have been designed and tendered. One tender was received and evaluated.

This project, if awarded, is anticipated to be completed between March 2017 and May 2017.

Report

The tender 2016-17-20 Evans Road, Gorae - Safety and Associated Road Works was advertised in the Portland Observer on 19 December 2016 and 21 December 2016 and in The Age on 17 December 2016.

Suitable tenderers listed on the TenderLink online system also received notification of the tender.

At the closing date for tender submissions Thursday, 19 January 2017 at 3.00 pm, a total of one (1) submission was received for evaluation.

The tender was received from:

- Porthaul Civil Pty Ltd, Portland, Victoria

The Tender Evaluation Panel considered the tender submission against advertised selection criteria that includes Price, Resources and Capacity and Economic contribution to the Glenelg Shire.

The Tender Evaluation Matrix is attached to this report.

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

This road works has a strong link to the Council Plan, particularly Theme Three, 'Manage and sustain our natural and built assets.'

b. **Legislative and Legal Considerations**

The road work proposed has some legal considerations with regard to native vegetation removal and being in a culturally sensitive area.

Vegetation removal works is limited and a permit is not required.

A contingency Cultural Heritage Management Plan will be used as part of the construction works.

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

Tenders were invited in accordance with Council's procurement policy and communication with prospective tenderers was via Councils TenderLink website to ensure a fair and transparent platform for tendering.

F16. CONTRACT 2016-17-20 EVANS ROAD, GORAE – SAFETY AND ASSOCIATED ROAD WORKS

(continued)

Notification of the successful or un-successful tender will be provided following Council's consideration to award the Contract.

d. Risk Management

Once the contractor 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 develop (but not be limited to developing), to Council's satisfaction, the following plans once appointed.

- 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

The award of the contract will not impact of the current level of Council resources. Council will be utilising internal resources to manage these works.

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

The tender evaluation matrix contains sustainability and environmental consideration and has considered the submissions impact on this area.

F16. CONTRACT 2016-17-20 EVANS ROAD, GORAE – SAFETY AND ASSOCIATED ROAD WORKS

(continued)

h. Budget Implication

Expenditure associated with the project has been incorporated into current budget forecasts. The submitted price is within the budget allocation.

Conclusion

Based on the overall assessment undertaken by the Tender Evaluation Panel, it is recommended that Council award the contract to Porthaul Civil Pty Ltd.

Officer Recommendation

1. That Council award Contract 2016-17-20 for the Evans Road, Gorae – Safety and Associated Road Works to Porthaul Civil Pty Ltd.
2. That the Chief Executive Officer be authorised to sign all documents to give effect to this Council decision.
3. That the Director Assets be authorised to negotiate all terms and conditions to be included in the contract in accordance with this report.
4. That the Director Assets be authorised to complete all financial payments and documents relating to this contract.

MOTION**MOVED Cr Wilson**

1. **That Council award Contract 2016-17-20 for the Evans Road, Gorae – Safety and Associated Road Works to Porthaul Civil Pty Ltd.**
2. **That the Chief Executive Officer be authorised to sign all documents to give effect to this Council decision.**
3. **That the Director Assets be authorised to negotiate all terms and conditions to be included in the contract in accordance with this report.**
4. **That the Director Assets be authorised to complete all financial payments and documents relating to this contract.**

SECONDED Cr McDonald**CARRIED**

Mayor Cr Rank returned to the meeting and resumed the position of Chair at 8.02pm.

F17. APPOINTMENT OF COMMUNITY MEMBERS FOR CASTERTON SALEYARDS ADVISORY COMMITTEE

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

Executive Summary

This report seeks Council endorsement to appoint community representatives to serve in a voluntary capacity on the Casterton Saleyards Advisory Committee.

Background

Expressions of Interest were requested through advertisements in the Portland Observer on Friday 16 December 2016 and Casterton News Wednesday 21 December 2016. Submissions closed on Friday 6 January 2017 at 4.00pm.

Report

The nominations received for the Casterton Saleyards Advisory Committee were:

- Kevin Stark;
- Jeffrey Hortle;
- Chad Mason, Elders Casterton;
- Greg Bright, Landmark Casterton;
- Dale Keatley, Ray White Keatley; and
- Peter Tait.

The above nominations reflect the incumbent committee with no additional nominations received.

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

This report has taken into consideration the Glenelg Shire Council Advisory Committee Policy.

b. **Legislative and Legal Considerations**

In accordance with Section 3 (1) of the *Local Government Act 1989*, Advisory Committee means any Committee established by Council, other than a special committee, that provides advice to the Council, a special committee, or a member of staff whom has been delegated a power, duty or function under Section 98 (Delegations).

F17. APPOINTMENT OF COMMUNITY MEMBERS FOR CASTERTON SALEYARDS ADVISORY COMMITTEE

(continued)

Unlike a special committee, an advisory committee does not have any delegated authority to act for, and on behalf of the Council, nor does it have any power to make decisions. Rather, an advisory committee provides advice and may make recommendations to the Council.

c. Consultation and/or communication processes

Council established and appointed Councillor membership for a number of Advisory Committees at the Ordinary Council Meeting 22 November 2016.

d. Risk Management

The Committee does not have the power to direct any Council officer to undertake any work but may make recommendations to Council to assist in decision making.

e. Resource Implications

Resources are required to provide administrative support to the Committee.

f. Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities have been considered.

g. Sustainability and Environmental Considerations

Nil.

h. Budget Implications

The Terms of Reference state that 'All Advisory Committee representatives and substitute representatives will be responsible for their own costs incurred in attending meetings of the Advisory Committee.

Councillors may claim for travel expenses incurred to attend a Council appointed Committee, in accordance with the Mayor and Councillor Entitlements Policy.'

Conclusion

All nominations received were from incumbent members of the Advisory Committee, and have demonstrated knowledge and experience in this field. It is the officer's recommendation that representatives as listed be accepted and formally notified.

F17. APPOINTMENT OF COMMUNITY MEMBERS FOR CASTERTON SALEYARDS ADVISORY COMMITTEE

(continued)

Officer Recommendation

That, in accordance with the Terms of Reference, Council approve the following community representatives to the Casterton Saleyards Advisory Committee be accepted:

- Kevin Stark;
- Jeffrey Hortle;
- Chad Mason, Elders Casterton;
- Greg Bright, Landmark Casterton;
- Dale Keatley, Ray White Keatley; and
- Peter Tait.

MOTION**MOVED Cr Stephens**

That, in accordance with the Terms of Reference, Council approve the following community representatives to the Casterton Saleyards Advisory Committee be accepted:

- **Kevin Stark;**
- **Jeffrey Hortle;**
- **Chad Mason, Elders Casterton;**
- **Greg Bright, Landmark Casterton;**
- **Dale Keatley, Ray White Keatley; and**
- **Peter Tait.**

SECONDED Cr Halliday**CARRIED**

F18. LEASE AGREEMENT WITH DA & CR KNIGHT PTY LTD

Director: Paul Healy, Director Assets
Author: Simone Scott, Contract & Lease Officer

Executive Summary

This report is to brief Council that a lease between the Glenelg Shire Council and DA & CR Knight Pty Ltd expired on 31 January 2017.

Background

The previous lease was for a term of five (5) years 1 February 2012 to 31 January 2017.

The leased land area of 135.2sqm is located at the Portland Airport, 1260 Bridgewater Lakes Road, Cashmore.

Currently DA & CR Knight Pty Ltd pay \$564.78 (including GST) per annum.

Report

Contact was made with DA & CR Knight Pty Ltd advising them that the lease will expire on 31 January 2017.

A valuation report was obtained in January 2017 to provide an indicative rent for the lease of the land.

Discussions were held regarding tenure. The outcome was an in principle agreement to execute a five (5) year lease with a rental figure of \$600.00 (includes GST) per annum, with rent to be adjusted annually in accordance with the March quarter All Groups CPI figure for Melbourne and on the commencement of any subsequent further terms the rental shall be reviewed to market.

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

This report links to the Council Plan, particularly key objective: (4) Govern in a responsible and responsive way.

b. **Legislative and Legal Considerations**

The Local Government Act 1989, Retail Leases Act

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

Consultation meetings have been held with the lessee.

d. **Risk Management**

There are no risk management issues arising from the matters contained in this report.

F18. LEASE AGREEMENT WITH DA & CR KNIGHT PTY LTD

(continued)

e. Resource Implications

Not applicable.

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 Implications

The rental fee income has been estimated for the lease of this land for the 2017/2018 financial year.

Conclusion

That as there have been no concerns with this lease arrangement it is recommended that a renewal be entered into with DA & CR Knight Pty Ltd.

Officer Recommendation

1. That a new five (5) year lease with 1 x 4 year extension option be entered into with DA & CR Knight Pty Ltd.
2. That the rental figure is \$600.00 (including GST) per annum, with rent to be adjusted annually in accordance with the March quarter All Groups CPI figure for Melbourne and on the commencement of any subsequent further terms the rental shall be reviewed to market.
3. That the Director Assets be authorised to finalise and execute the new lease documents.

F18. LEASE AGREEMENT WITH DA & CR KNIGHT PTY LTD

(continued)

MOTION

MOVED Cr Wilson

1. That a new five (5) year lease with 1 x 4 year extension option be entered into with DA & CR Knight Pty Ltd.
2. That the rental figure is \$600.00 (including GST) per annum, with rent to be adjusted annually in accordance with the March quarter All Groups CPI figure for Melbourne and on the commencement of any subsequent further terms the rental shall be reviewed to market.
3. That the Director Assets be authorised to finalise and execute the new lease documents.

SECONDED Cr Hawker

CARRIED

F19. LEASE AGREEMENT WITH EMFERT PTY LTD & BANCANALYTICS PTY LTD

Director: Paul Healy, Director Assets
Author: Simone Scott, Contract & Lease Officer

Executive Summary

This report is to brief Council on a lease between the Glenelg Shire Council and Emfert Pty Ltd & Bancanalytics Pty Ltd which will expire on 28 February 2017.

Background

The previous lease was for a term of five (5) years 1 March 2012 to 28 February 2017.

The leased land area of 180sqm is located at the Portland Airport, 1260 Bridgewater Lakes Rd Cashmore.

Emfert Pty Ltd & Bancanalytics Pty Ltd pays \$752.10 (including GST) per annum.

Report

Contact was made with Emfert Pty Ltd & Bancanalytics Pty Ltd advising them that the lease will expire on 28 February 2017.

A valuation report was obtained in January 2017 to provide an indicative rent for the lease of the land.

Discussions were held regarding tenure. The outcome was an in principle agreement to execute a five (5) year lease with a rental figure of \$800.00 (includes GST) per annum, with rent to be adjusted annually in accordance with the March quarter All Groups CPI figure for Melbourne and on the commencement of any subsequent further terms the rental shall be reviewed to market.

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

This report links to the Council Plan, particularly key objective: (4) Govern in a responsible and responsive way.

b. **Legislative and Legal Considerations**

The Local Government Act 1989, Retail Leases Act

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

Consultation meetings have been held with the lessees.

F19. LEASE AGREEMENT WITH EMFERT PTY LTD & BANCANALYTICS PTY LTD

(continued)

d. Risk Management

There are no risk management issues arising from the matters contained in this report.

e. Resource Implications

Not applicable.

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 Implications

The rental fee income has been estimated for the lease of this land for the 2017/2018 financial year.

Conclusion

That as there have been no concerns with this lease arrangement it is recommended that a renewal be entered into with Emfert Pty Ltd and Bancanalytics Pty Ltd.

Officer Recommendation

1. That a new five (5) year lease with 1 x 4 year extension option be entered into with Emfert Pty Ltd & Bancanalytics Pty Ltd.
2. That the rental figure is \$800.00 (including GST) per annum, with rent to be adjusted annually in accordance with the March quarter All Groups CPI figure for Melbourne and on the commencement of any subsequent further terms the rental shall be reviewed to market.
3. That the Director Assets be authorised to finalise and execute the new lease documents.

F19. LEASE AGREEMENT WITH EMFERT PTY LTD & BANCANALYTICS PTY LTD

(continued)

MOTION

MOVED Cr Hawker

- 1. That a new five (5) year lease with 1 x 4 year extension option be entered into with Emfert Pty Ltd & Bancanalytics Pty Ltd.**
- 2. That the rental figure is \$800.00 (including GST) per annum, with rent to be adjusted annually in accordance with the March quarter All Groups CPI figure for Melbourne and on the commencement of any subsequent further terms the rental shall be reviewed to market.**
- 3. That the Director Assets be authorised to finalise and execute the new lease documents.**

SECONDED Cr Stephens

CARRIED

F20. EXTENSION TO SWIMMING SEASON AT CASTERTON AND PORTLAND SWIMMING POOLS

Director: Paul Healy, Director Assets

Author: Paul Healy, Director Assets

Executive Summary

This report is to brief Council on the upcoming closure of the outdoor aquatic facilities and a proposal to extend the outdoor pool season at the Casterton and Portland facilities.

Background

The operations of all Glenelg Shire outdoor swimming pools fall under Contract 2014-15-63 which the Grampians Region YMCA is the contractor.

In prior years requests have been received to extend the pool season for Casterton and Portland until Easter.

Report

Council has received a request from the Centre Manager at Portland to extend the hours of Casterton and Portland until Monday 17 April 2017. Victorian School holidays are Monday 3 April until Monday 17 April 2017 which falls outside the outdoor pool contract operating season of 1 December until 31 March each year.

Some activities are planned during the school holidays.

Requests to extend the season have been received over the last few years, and it is recommended that the Director Assets be authorised to negotiate future extensions, once the dates for school holidays are confirmed. This will provide more efficient management of the aquatics contract.

a. Council Plan Linkage and Policy Context

Theme 1 Engaged, Healthy, Connected and Proud Community.

Council's Public Health and Wellbeing Plan 2013-2017 also has a goal to 'encourage the community to lead active and healthy lives'.

b. Legislative and Legal Considerations

The contract is managed in accordance with sect. 186 of the Local Government Act.

c. Consultation and/or communication processes

If Council accepts the officer's recommendation to extend the outdoor pool season a media release will be issued. The pool contractor will also advertise the pool extensions at each facility and on social media.

F20. EXTENSION TO SWIMMING SEASON AT CASTERTON AND PORTLAND SWIMMING POOLS

(continued)

d. Risk Management

There has always been significant community interest in the extension of the pool season at both Casterton and Portland and could have a negative impact on the Council image.

e. Resource Implications

The impact on council resources will include the time to provide correspondence to the contractor and issue a media release.

f. Charter of Human Rights and Responsibilities

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

g. Sustainability and Environmental Considerations

The report has considered Sustainability and Environmental considerations.

h. Budget Implication

Costs operate and manage the aquatic facilities on a daily basis for the season extension to the outdoor pool season have been provided by the YMCA.

Conclusion

Due to strong community interest in the extension of the outdoor pool season at both Portland and Casterton in previous years; Council officers are proposing that the outdoor pools at both centres be extended until Monday 17 April 2017.

Officer Recommendation

1. That Casterton and Portland outdoor pool seasons are extended until 17 April 2017.
2. That Council write to Grampians Region YMCA to formalise the offer to extend the outdoor swimming pool season at Casterton and Portland until 17 April 2017.
3. That Council issue a Media release to advise the public of the extension.
4. That the Director Assets be authorised to negotiate future extensions of the outdoor pool season.

F20. EXTENSION TO SWIMMING SEASON AT CASTERTON AND PORTLAND SWIMMING POOLS

(continued)

MOTION

MOVED Cr Stephens

1. That Casterton and Portland outdoor pool seasons are conditionally extended until 17 April 2017, subject to demand.
2. That Council write to Grampians Region YMCA to formalise the offer to conditionally extend the outdoor swimming pool season at Casterton and Portland until 17 April 2017.
3. That Council issue a Media Release to advise the public of the extension.
4. That the Director Assets be authorised to negotiate future extensions of the outdoor pool season, subject to demand.

SECONDED Cr Wilson

CARRIED

ANY OTHER PROCEDURAL MATTER:

Nil.

URGENT BUSINESS:

Nil.

RECEIPT OF ITEMS SUBMITTED FOR INFORMATION:INDEX – SEPARATE CIRCULATIONS TO REPORTS*Separate Circulation to Councillors, CEO, Directors and available to the Public*

- E1. Assembly of Councillors Records 24 January 2017 – 14 February 2017 (Inclusive)
- F1. Monthly Finance Report – January 2017
- F2. Heritage Grant Application 7 Julia Street, Portland
- F3. Heritage Grant Application 2/98 Percy Street, Portland
- F4. Glenelg Shire Council 2016 Election Report
- F5. P16106 Use and Development of a Dwelling and Creation of Road Zone Category 1, Henty Highway Portland
- F6. Delegations and Authorisations Review
- F7. Heritage Advisory Committee – Review of Terms of Reference and Appointment of Community Representatives
- F9. Half Yearly Report on Council Plan 2016/17 Key Strategic Activities
- F12. Policy and Procedure – Immigrant and Seafarer Walls
- F14. Draft – Glenelg Shire Council Volunteer Action Plan 2017

Separate Circulation to Councillors, CEO and Directors

- F8. Councillor and Chief Executive Officer Leave of Absence Register
- F16. Contract 2016-17-20 Evans Road Gorae – Safety and Associated Works

*'IN CAMERA' Separate Circulation to Councillors and Directors*Recommendation

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

MOTION

MOVED Cr Stephens

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

SECONDED Cr Wilson

CARRIED

CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC:Recommendation

That the Council Meeting be closed to members of the public pursuant to Section 89 (2) (h) of the *Local Government Act 1989*, excluding the Chief Executive Officer, Director Corporate Services, Director Community Services, Director Assets, Council Support Coordinator and Senior Administration Corporate Services to consider the following reports:

G1. Independent Audit Committee Member Appointment

CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC:**MOTION**

MOVED Cr Wilson

That the Council Meeting be closed to members of the public pursuant to Section 89 (2) (h) of the *Local Government Act 1989*, excluding the Chief Executive Officer, Director Corporate Services, Director Community Services, Director Assets, Council Support Coordinator and Senior Administration Corporate Services to consider the following reports:

G1. Independent Audit Committee Member Appointment

SECONDED Cr Stephens

CARRIED

OPENING OF COUNCIL MEETING TO MEMBERS OF THE PUBLIC:

Recommendation

That the Council Meeting be opened to members of the public.

MOTION

MOVED Cr Wilson

That the Council Meeting be opened to members of the public.

SECONDED Cr Hawker

CARRIED

CLOSURE OF COUNCIL MEETING:

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 8.13pm.

I HEREBY CERTIFY THAT PAGES 1 TO 92 ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

CR ANITA RANK
MAYOR

28 March 2017

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