

COUNCILLOR BRIEFING RECORD

DATE: 26 November 2024

START TIME: 4.27pm

ATTENDEES:

Councillors:

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

Officers:

Chief Executive Officer (Ms Helen Havercroft), Director Corporate Services (Mr David Hol), Director Community Services (Ms Jayne Miller), Director Infrastructure Services (Mr Aaron Moyne), Chief Information Officer (Ms Ann Kirkham), Chief Finance Officer (Ms Rebecca Campbell), Executive Manager Corporate Governance (Mr Brett Jackson)

Other Attendees: Mr Jim Gifford (Municipal Monitor)

APOLOGIES:

Declaration of Conflict of Interest:	<ul style="list-style-type: none">• Nil
Items Discussed:	<ul style="list-style-type: none">• Recognition of former Councillors• Casterton Saleyards• Green Triangle Freight Action Plan• Hooked on Portland scheduling• Items on the Council Agenda• Graffiti removal• Henty St Amenities

FINISH TIME: 5.09pm

COUNCILLOR BRIEFING RECORD

DATE: 3 December 2024

START TIME: 4.00pm

ATTENDEES:

Councillors:

Cr Karen Stephens (Mayor), Cr Robyn McDonald (Deputy Mayor), Cr Duane Angelino, Cr Michael Carr, Cr Michael Noske, Cr Matt Jowett.

Officers:

Chief Executive Officer (Ms Helen Havercroft), Director Corporate Services (Mr David Hol), Director Infrastructure Services (Mr Aaron Moyne), Chief Information Officer (Ms Ann Kirkham), Chief Finance Officer (Ms Rebecca Campbell), Executive Manager Corporate Governance (Mr Brett Jackson)

Other Attendees: Jane Ruge (Community Wellbeing Manager)

APOLOGIES:

Cr John Pepper, Director Community Services (Ms Jayne Miller)

Declaration of Conflict of Interest:	<ul style="list-style-type: none">• Cr Carr declared that he may have a conflict with LRCI report regarding contractors – pending discussion
Items Discussed:	<ul style="list-style-type: none">• Christmas lights• Content of briefing sessions• Flags at half mast• January 26, 2025• Portland foreshore multipurpose facility• LRCI Funding stage 3 & 4• Budget timetable

FINISH TIME: 6.55pm

05/12/2024

Mrs Helen Havercroft
Chief Executive Officer
Glenelg Shire Council
PO Box 152
Portland, Vic 3305

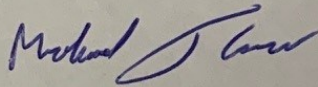
Dear Helen

Re: Council and Traditional Owners working group

In accordance with the Council's Governance rules, I give notice of my intention to move the following motion at the Council meeting to be held on 17th December 2024.

1. That Council requests a report on the steps required to progress a "Council and Traditional Owners" working group before 25th February 2025.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'Michael Carr', is written above the printed name.

CR Michael Carr

05/12/2024

Mrs Helen Havercroft
Chief Executive Officer
Glenelg Shire Council
PO Box 152
Portland, Vic 3305

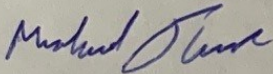
Dear Helen

Re: Working Groups

In accordance with the Council's Governance rules, I give notice of my intention to move the following motion at the Council meeting to be held on 17th December 2024.

1. That Council requests reports on establishing the following working groups on or before 25th March 2025.
 - a. Casterton Saleyards
 - b. Arts & Culture
 - c. Tourism & Economic Development
 - d. Buildings

Yours Sincerely



CR Michael Carr



COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER

For Council consideration at the Council Meeting to be held on Tuesday 17 December 2024

Councillor/CEO	Leave of Absence Request Dates
Cr Duane Angelino	Tuesday 17 December 2024

COUNCIL POLICY



TITLE:	COUNCILLOR AND STAFF INTERACTIONS POLICY
ID NUMBER:	CPO-CEO-GE-010 (DocSetID:
DEPARTMENT:	CEO
UNIT:	CEO Department
RESPONSIBLE OFFICER:	Chief Executive Officer

ADOPTED DATE AND BY WHOM:	For Council approval 17 December 2024
EXPIRY DATE:	2028
REVIEW DATE:	2028 <i>This policy will be reviewed every four years or as required by any legislative or council changes.</i>

AVAILABILITY:	Organisation wide Yes <input checked="" type="checkbox"/> Public Yes <input checked="" type="checkbox"/> Internet Yes <input type="checkbox"/>
ADVISE AVAILABILITY:	Sou Wester (Responsible Officer to prepare article) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

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1. References

Councillor Model Code of Conduct
Governance Rules (including the Election Period Policy)
Glenelg Shire Council Media Policy (DocSetID: 1454922)
Glenelg Shire Council Staff Code of Conduct (DocSetID: 1706557)
Glenelg Shire Council Confidentiality Policy
Glenelg Shire Council, Records Management Policy (DocSetID: 1933907)

Local Government Act 1989
Local Government Act 2020
Privacy and Data Protection Act 2014
Equal Opportunity Act 2010
Occupational Health and Safety Act 2004

2. Purpose

The purpose of this Policy is to provide guidance and support for the interactions between Councillors and Council staff in the performance of their duties. It complements the Model Councillor and Staff Codes of Conduct and supports compliance with the *Local Government Act 1989 and Local Government Act 2020* (the Act).

This Policy outlines how Councillors can get the information they need to perform their role in a timely manner and through the appropriate channels.

The objectives of this policy are to:

- recognise the respective roles and responsibilities of Councillors and Council members of staff, in particular the Chief Executive Officer (CEO),
- assist Councillors and members of Council staff in respecting the roles and responsibilities of others in the organisation
- maintain transparent decision making and governance arrangements
- ensure regular communications to enable informed review and discussion of Council's performance.
- support compliance within the provisions of the *Local Government Act 2020*
- recognise the responsibilities of the Council in ensuring that it meets the responsibilities of the *Occupational Health and Safety Act 2004 and the Equal Opportunity Act 2010* to protect people from risks to their health and safety including harassment, bullying, violence and discrimination.

3. Scope

This Policy applies to all Councillors and Council staff of the Glenelg Shire Council.

4. Council Policy

The Glenelg Shire Council is responsible for the adoption, application and operation of this Policy.

The functions of the CEO are defined in section 46 of the *Local Government Act 2020*, which provides that the CEO is responsible for the day-to-day operations of Council and states that the Chief Executive Officer (CEO) is responsible for: “managing interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between members of Council staff and Councillors are developed and implemented”.

This means that Councillors are not responsible for implementing Council decisions, and do not have authority to direct Council employees (other than the CEO). This section of the Act supports the facilitation of effective administration and avoids staff being subject to conflicting directions.

Clear lines of managerial authority are critical. This does not prohibit Councillors from expressing their views about administration matters or implementation, however this must be undertaken through the CEO.

Under the *Local Government Act 2020*, Councillors are not to improperly direct or interact with Council staff. Subsequently, Councillor obligations include that they:

- accept that their role is one of strategy and policy development and leadership, as opposed to management or administration
- acknowledge that they do not have a role to instruct or direct or approach staff on any matters pertaining to the performance of their duties
- acknowledge that they are not responsible for implementing Council actions
- acknowledge that under the *Local Government Act 2020* they have no capacity to individually direct Council officers to perform or not perform particular functions
- will not use their position to improperly influence members of staff in their duties or functions to gain advantage for themselves or others or to cause detriment to others
- respect the role of members of staff and treat them in a way that engenders mutual respect at all times
- acknowledge the professional obligation members of staff have to give advice based on their knowledge and experience and to write reports and recommendations in a professional, objective and unbiased way

- act with courtesy towards all Council employees and avoid intimidatory behaviour
- refrain from publicly criticising Council staff in a way that casts doubt on their professional competency or credibility.

Councillors should advise the CEO in a timely fashion of any concerns that they may have with any member of staff.

4.1 General Provisions

In their capacity as elected representatives of the municipal community, Councillors may have a need to request advice and /or information on a variety of matters.

A large amount of information required for Councillors to perform their roles will be provided through Council Meetings and Briefing Agendas, Councillor Updates, Councillor SharePoint channels and via Council's public website.

However, it is recognised that the responsibility Councillors have to represent their municipal community, and in achieving the strategic priorities of the municipal community, means they may require access to other information and resources.

The Council employs the CEO, and the CEO is responsible for the operations of the organisation. Therefore, Councillors' primary point of communication is via the office of the CEO.

The CEO is responsible for the determination of the appropriate allocation of Council resources required to best support the Mayor and Councillors to undertake their roles. This includes the nomination of Council staff to provide support to the Mayor and Councillors.

The CEO manages interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between members of Council staff and Councillors are developed and implemented.

Councillors will also have the opportunity to interact with Council staff through a range of settings including Council Meetings and Briefing Sessions. Councillors must not approach any member of Council staff directly for advice or information without the prior consent of the CEO.

Except for general and polite conversation, Councillors should not be approaching Council staff directly to raise issues or seek information. Councillors are prohibited from directing or seeking to influence the decision of a member of Council staff and contact with other Council staff will only be permitted in accordance with this Policy.

Where possible, communication with the CEO should be via email. This allows for appropriate record keeping in accordance with the relevant legislation and will assist Council to comply with its privacy obligations under the *Privacy and Data Protection Act 2014* and the *Freedom of Information Act 1982*.

Communication between Council staff and Councillors regarding Council business, or in an official Council capacity, should not be conducted using private email addresses or phone numbers.

4.2 Communication Channels

Councillors may receive advice, information and support to assist them in carrying out their official Councillor duties. If a request from a Councillor relates to matters which are of a whole of Council significance or relevance, then a reply will be sent to all Councillors.

All communication in relation to matters, including requests for information, which relate to confidential information must go through the CEO.

It is appropriate for Councillors to directly contact the Councillor Support Officer in relation to their roles and responsibilities and general enquiries relating to things such as expense claim forms and calendar invitations/management.

All communication, including requests for information, must be sent to councillor.support@glenelg.vic.gov.au, this will ensure all requests are centrally received by Council and these requests are lodged in Council's electronic records management system.

Councillors may also directly communicate with the appointed Councillor Conduct Officer for issues and questions in relation to Councillor Conduct Matters, Applications for an Internal Arbitration Process and Applications for a Councillor Conduct Panel, and issues or questions in relation to the Model Councillor Code of Conduct or this Policy. The Councillor Conduct Officer for Glenelg Shire is the Director Corporate Services

It is acknowledged that although Councillors, the CEO and the Councillor Support Officer may contact each other via email outside of business hours due to work and other commitments, the recipient is not expected to read or respond to the correspondence outside of business hours.

4.3 Responses to Councillors

If a request from a Councillor relates to matters which are of a whole of Council significance or relevance, then a reply will be sent to all Councillors through a Councillor update.

Where possible, the CEO will clearly identify information which is Confidential Information to assist Councillors in the appropriate handling of such information, however it is the Councillors responsibility to ensure they use the information in an ethical manner in accordance with the requirements of the Act.

Attachments may also be uploaded into the relevant folder on the Councillor SharePoint channel, and Councillors advised of its availability.

4.4 Councillor Requests and responses to community members

Occasionally, community members will contact Councillors with concerns relating to Council operations. Councillors should refer the member of the community to contact Council through enquiry@glenelg.vic.gov.au or attend any of the Shire's Customer Service Centres.

Councillors must not commit to a particular outcome, or a response from a particular member of Council staff.

Councillors are required to treat all information provided by staff appropriately and to adhere to any confidentiality requirements. If a Councillor is unsure whether a document or advice contains Confidential Information, they should contact the CEO for clarification prior to releasing the information.

4.5 Information may be declined

When requesting information or the use of resources, including Council staff time, Councillors should consider the size of the request and any likely cost implications in making the request.

Councillors should not make requests where the costs cannot be justified as being in the public interest. If the costs of providing information are likely to impose an unreasonable burden on Council resources, this may lead to the request being denied and the Councillor will be referred by the CEO to consider a Notice of Motion.

Councillors must also take into account the cumulative effect that multiple requests will have on the use of Council resources.

Where a Councillor's request requires the allocation of resources or expenditure of funds not allocated in the Annual Budget, this may lead to the request being denied and the Councillor will be advised by the CEO to consider submitting the request by way of a Notice of Motion.

Some Council information may not be made available to Councillors on the basis that it is not within the ambit of the functions of Council or Councillors or in accordance with Council's privacy obligations. This information includes, but is not limited to:

- issues related to staffing and / or employment matters
- confidential matters not before Council for a decision
- matters where an investigation is ongoing such as an infringement review or insurance claim
- personal information and sensitive information.

Councillors will be advised by the CEO or relevant Director when information cannot be provided and the basis on which it is not provided.

4.6 Enforcement Matters

Involvement by elected representatives in any stages of matters concerning investigation and enforcement must not occur. Council makes delegations and authorisations to various Council staff who must, without fear or favour, investigate and enforce various legislation.

Delegated and authorised officers must be able to perform investigation, determination of response, management of infringements and prosecutions in a manner that is free of improper direction or improper influence.

Consideration of appeals against the infringement notices will be reviewed in accordance with the relevant guidelines published and the internal appeals procedure. Councillors must therefore not involve themselves in matters of investigation and enforcement in a manner that may give rise to a conduct breach.

Where members of the community seek support in relation to such matters, they should be referred to the documentation already provided, including relevant staff identified and available to be contacted.

4.7 Questions and Requests for an Improper Purpose

Councillors must not ask questions or make requests for information for an improper purpose. A question or request for information is made for an improper purpose where it:

- is trivial, frivolous, vexatious, or not made in good faith
- is sent to multiple members of Council staff in multiple emails (whether worded identically or not), seeking a different answer to that already provided
- does not relate to Council business, or is not a request from a member of the public
- is perceived to have been made for one or more of the following reasons:
 - to bully, intimidate or harass another person
 - to damage another person's reputation
 - to obtain a political advantage
 - to influence a person in the exercise of their official functions or to prevent or disrupt the exercise of those functions
 - to influence the Council in the exercise of its functions or to prevent or disrupt the exercise of those functions.

4.8 Improper or Undue Influence

Councillors are prohibited under section 124 of the Act from improperly directing or influencing Council Staff.

Improper or undue influence can include:

- disrespecting the professional opinion, skills or expertise of staff through intimidatory, bullying, harassing or disrespectful behaviour
- using rank or position to seek information outside the processes outlined in this Policy
- pressuring staff to make a decision outside the formal Council decision making processes
- pressuring staff to provide information, services or assistance to one person, group or part of the community over another, outside a formal decision of Council
- pressuring staff to make a decision to take action outside normal business process timeframes
- pressuring staff to change a recommendation in a Council Report.

4.9 Interaction between Councillors and Staff at Council Facilities

Access is provided for Councillors to the Councillors room and the Mayoral office for the Mayor at the Portland Municipal Offices.

Visits to other Council facilities, other than as a member of the community, are to be prearranged with the CEO.

4.10 Personal Interaction between Councillors and Staff

While this Policy governs the interactions between Councillors and Council Staff, it does not prevent Councillors and Council Staff from communicating generally.

Council staff may communicate with Councillors as residents / ratepayers of Glenelg Shire Council.

From time to time, Councillors and staff may be present at social and community events. In such situations, both parties must refrain from discussing matters relating to Council business.

If a Councillor and a member of Council staff have a personal relationship, they must be mindful of this and ensure any conflicts of interest which arise are declared in accordance with the Act and Council's Governance Rules.

4.11 Contact Contradictory to This Policy

Where any Councillor or staff member has concerns in regard to communications between Councillors and Council staff, the matter will be referred to the CEO.

Council staff are to inform the CEO or their Director, of any communication made directly to them by a Councillor not in accordance with this Policy.

As outlined in the Standards within the Councillor Model Code of Conduct, Councillors are required to diligently and properly comply with this Policy. Accordingly, any alleged contravention of this Policy may be referred to internal arbitration as misconduct.

5. Records Management

All Council records created and managed as a result of implementing this policy will be managed in accordance with the Council's Records Management Policy.

The Records Management Policy assigns responsibilities for records management to employees, supervisors, volunteers and other specific positions.

No Council records are to be destroyed without consideration of the requirements of the Act(s) that govern the functions relevant to this policy. Prior to destruction, advice must be sought from the Information and Data Unit, with consideration to the requirements of the appropriate Retention and Disposal Authority (RDA).

6. Victorian State Legislation Copyright Acknowledgement

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COUNCIL POLICY



TITLE:	COUNCILLOR ACCEPTABLE DEVICE USE
ID NUMBER:	CPO-GF-IT-001 Doc Set ID: 3236807
DEPARTMENT:	Glenelg Futures
UNIT:	Information Technology
RESPONSIBLE OFFICER:	Information Technology Manager

ADOPTED DATE AND BY WHOM:	17 December 2024 adopted by Council
EXPIRY DATE:	16 December 2028
REVIEW DATE:	September 2028 <i>This procedure will be reviewed every four years or as required by any legislative or council changes.</i>

AVAILABILITY:	Organisation wide	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Public	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Internet	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
ADVISE AVAILABILITY:	Media Release	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Sou Wester	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

1. References

Legislation

- *Local Government Act 2020*; Section 40 - Reimbursement of expenses of Councillors and members of a delegated committee; Section 41 – Council Expenses Policy and Section 42 - Resources and facilities for the Mayor and Councillors.
- *Privacy and Data Protection Act 2014*
- *Public Records Act 1973*
- *Freedom of Information Act (Vic) 1982*
- *Model Councillor Code of Conduct 2024*

Council Policies

- Fraud and Corruption Control Policy (DocSetID: 2553622)
- Privacy Policy (DocSetID: 643084)

2. Purpose

To provide guidance in the acceptable use of Council’s supplied information technology (IT) devices to Councillors.

3. Scope

This policy applies to the elected Councillors of Glenelg Shire Council.

4. Council Policy

Council supplies a laptop and mobile phone to ensure Councillors have the tools to undertake the role. Access to these information technology (IT) devices impose certain obligations and responsibilities to ensure Council security is maintained.

Acceptable use of the Council’s IT devices should always be legal, ethical, reflect honesty, and demonstrate respect for intellectual property, commercial confidentiality, ownership of information and system security.

Limitations are required on the use of the Council’s IT devices to protect and maintain network security. All IT devices may be monitored for security and network management reasons and acceptance of this practice is a condition of use.

5. Council Standards

A Councillor who fails to comply with this policy is in breach of the Model Councillor Code of Conduct.

5.1 Acceptable Use

Councillors are responsible for the IT devices provided and must:

- 5.1.1 Use them for official Council business only.
- 5.1.2 Only access files and data that are relevant to your Councillor role.
- 5.1.3 Abide by the conditions of software license agreements.
- 5.1.4 Keep passwords confidential. Sharing or disclosure of passwords is prohibited, they must never be written down or stored in a document on your device. User passwords must be at least 15 characters long and should contain a combination of letters, capitals, numbers, and symbols.

Please note that you are held accountable for all actions carried out using your logon account - Do not share your password.

5.2 Internet and Data Use

- 5.2.1 Council's IT devices are issued for Council business purposes only.
- 5.2.2 Accessing inappropriate material is prohibited.
- 5.2.3 Councillors must seek approval from the CEO before taking any Council provided IT device outside of Australia.

5.3 Email, Chat and Messaging

- 5.3.1 Email, chat and messaging services are provided as a business tool, private usage is not permitted.
- 5.3.2 Email and chat messages must not contain inappropriate text, images or movies.

6. Council Supplied IT Devices

- 6.1 When not in use, all devices must not be left unattended and should be stored in a safe and secure area.
- 6.2 Any installed management software, such as anti-virus software, must not be removed.
- 6.3 Only Council approved software can be loaded on council devices and is installed by the IT unit. Installation of software from untrusted sources is a high security risk and is strictly prohibited.
- 6.4 Councillors are responsible for the security of corporate information on any device and must ensure information is not viewed by unauthorised people.

- 6.5 Council devices are not to be used on any Free WIFI networks. Including but not limited to Wi-Fi at fast food outlets, hotels and Internet cafes.
- 6.6 Any information which infringes copyright, or any other form of intellectual property rights, such as illegally downloaded music libraries and movies is not to be stored on a Council device.
- 6.7 In the event of loss, theft or suspected loss/theft of a device immediately notify CEO. On advice of the loss or theft of a device the contents will be remotely erased.
- 6.8 In the event of a suspected or confirmed cyber security incident, Councillors must immediately notify the CEO who will engage the IT Unit.

7. Physical Security of Devices

- 7.1 Council devices must never be left unattended in a public place, in an unlocked property, or in a motor vehicle, even if it is locked. Wherever possible, the device should be kept on the person or in a secure space.
- 7.2 Mobile devices should be carried as hand luggage when travelling by aircraft.
- 7.3 Multifactor Authentication (MFA) is set up on Council devices, you will be prompted to use this when verification is required.

8. Protection of Data on Devices

- 8.1 Council's information must not be compromised using Council devices in public spaces. Screens displaying sensitive or critical information should not be seen by unauthorised people and screens must be locked when not in use.
- 8.2 Removeable storage devices, such as hard drives and USB sticks, are not able to be connected to a Council device.

9. Support Available

- 9.1 IT support is available for approved software applications on Council-supplied IT hardware during business hours. In the event of a cyber incident, immediately contact the CEO.
- 9.2 All requests for IT support must be submitted to the Councillor Support Officer. Councillors are not permitted to contact members of the Council IT Unit directly.
- 9.3 Members of the IT Unit may remotely access the Council supplied devices for technical support, or to intervene on cyber security matters.



Department of Jobs, Skills, Industry and Regions

GPO Box 4509
Melbourne,
Victoria 3001 Australia
Telephone: +61 3 9651 9999

Ref: [BORG-2-24-39927]

Helen Havercroft
Chief Executive Officer
Glenelg Shire Council

Email: hhavercroft@glenelg.vic.gov.au

Dear Helen

Portland Foreshore Multipurpose Pavilion

Congratulations on your appointment as Chief Executive Officer. We look forward to working with you.

Regional Development Victoria's (RDV) Executive Director Regions Anthony Schinck and the RDV Barwon South West team met with Interim Chief Executive Officer Craig Niemann on 25 July 2024 to further discuss how to progress the Portland Foreshore Multipurpose Pavilion. I acknowledge the Council's recent efforts to advance the project.

In 2021 the Victorian Government supported delivery of the Portland Foreshore Multipurpose Pavilion with \$5 million through Regional Development Victoria as a COVID-19 Stimulus grant.

Upon signing the funding agreement, an amount of \$4 million was paid upfront to Glenelg Shire Council to support the rapid development of the project to stimulate the COVID-19 impacted economy of Portland. The State continues to hold the remaining \$1 million of funding. Funding paid to date has enabled the initial community consultation, site identification and investigations, design, and engineering work together with necessary approval costs.

These processes naturally take time; however, these funds were granted in 2021 based on a project that was ready to commence and that would result in immediate economic recovery in a COVID-19 environment. Significant time has lapsed without substantive progress to the benefit of the Portland community and economy.

I understand that, following the recent decision of Council, Glenelg Shire Council is not committed to the original scope of the project as originally funded. I also understand Glenelg Shire Council proposes to investigate alternative sites and to seek additional funding required to deliver the planned multipurpose pavilion.

It is understood that Council has expended \$422,000 on project costs to date (confirmed) and made several additional commitments that are yet to be confirmed. It is unlikely the project can be delivered with the remaining funds as originally scoped.

As discussed when Anthony Schinck met with Craig Niemann last week, I ask that Glenelg Shire Council consider the following options:

- Use existing funding to undertake any immediate upgrades of existing facilities at the Yacht Club and Angling Club to ensure facilities are fit for purpose for all users until a modified or new proposal is identified and funded.
- Alternatively, refund the remaining \$3.578 million paid to and held by Glenelg Shire Council until further site investigations, consultation and updating of the Portland Foreshore Master Plan are complete. Glenelg Shire Council can then present RDV with a new and fully funded proposal for the foreshore or another priority project.

RDV is committed to working with Glenelg Shire Council to find a pathway for this project to ensure benefits for the Portland community and economy.

Anthony Schinck will make contact to establish regular meetings with you to progress next steps. In the meantime, do not hesitate to contact Mr Brett Ince, RDV Regional Director Barwon South West on [REDACTED]

Yours sincerely



Rachaele May
Acting Deputy Secretary
Regional Development and Outdoor Recreation

Date: 30 /07/2024



Department of Jobs, Skills, Industry and Regions

GPO Box 4509
Melbourne, Victoria 3001 Australia
Telephone: +61 3 9651 9999

Ref: CORG-2-24-25249

Ms Helen Havercroft
Chief Executive Officer
Glenelg Shire Council
71 Cliff Street
PORTLAND VIC 3305
hhavercroft@glenelg.vic.gov.au

Dear Helen

RE: PORTLAND FORESHORE MULTIPURPOSE PAVILION PROJECT

Thank you for your letter of 13 September 2024 providing Council's response to Rachaele May's letter of 30 July 2024 regarding the Portland Foreshore Multipurpose Pavilion project.

I have reviewed the response including the Options Paper and Analysis you provided and note your comments around both Council's and the user group's strong preference to retain the funding and the shared commitment to reaching a suitable and timely outcome for the community.

The matrix you provided clearly indicated that refurbishment of both buildings is the only option which provides surety around delivery of a suitable outcome within an acceptable timeframe well within the remaining budget.

Based on your analysis RDV agrees that the only acceptable way forward in terms of this funded project is Option 4 being the refurbishment of both buildings. This will ensure an upgraded operational space for both user groups at a cost well within the remaining funding and require no additional financial commitment from Council.

If this option is not acceptable to Council, Government will need to be briefed on options to terminate the project and return the balance of funding.

RDV has made contact with both user groups, the Portland Yacht Club and the Portland Angling Club, and confirmed that refurbishment is an acceptable outcome from their perspective.

In addition, RDV has consulted with the Department of Energy, Environment and Climate Action (DEECA) to confirm that this option will not be problematic from a *Marine and Coastal Act 2019* (MACA) consent perspective. DEECA has flagged that year-round storage of personal craft at the yacht club is not allowable under the MACA, but have indicated that a license can be obtained to allow storage during the yachting season which would provide a workaround for club members with personal craft. They do not foresee any MACA challenges with refurbishment of the Portland Sport Fishing building.

On this basis, please proceed to develop a proposal to be presented to the first meeting of the new Council with the recommendation that Council agrees to either support Option 4, refurbishment of both buildings, or that Government will need to be briefed on options to terminate the project and return the balance of funding. The regional RDV team will provide support and feedback to assist you in preparation of the proposal.

Please provide a variation request (template attached) for a scope change to the Funding Agreement detailing upgrades to be undertaken and cost, once confirmed with both the Yacht Club and Angling Club. The variation request will need to be approved by RDV before any immediate works can commence.

Please contact Brett Ince, Regional Director, Regional Development Barwon South West on [REDACTED] or email brett.ince@rdv.vic.gov.au to discuss any queries you may have.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Anthony Schinck', with a stylized flourish at the end.

Anthony Schinck
Acting Deputy Secretary
Regional Development and Outdoor Recreation

Date: 26 / 09 /2024