



Agenda

Ordinary Meeting of Council

Wednesday 15 February 2012 at 7:00pm

Queenscliff Town Hall
50 Learmonth Street, Queenscliff

Distribution

Councillors

Cr. Bob Merriman (Mayor)

Cr. Helene Butler

Cr. Lloyd Davies

Cr. David Mitchell

Cr. John Burgess

Officers

Lenny Jenner - Chief Executive Officer

Ev Wuchatsch - General Manager Governance & Community

Phil Josipovic - General Manager Planning & Infrastructure

Information contained in this Agenda is for the CONFIDENTIAL and PRIVILEGED use of Councillors until 5:00pm on the Friday before the meeting.

THIS MATERIAL DOES NOT NECESSARILY REFLECT THE VIEWS OF COUNCIL



1.	OPENING OF MEETING	5
2.	PRESENT & APOLOGIES	5
3.	PECUNIARY INTEREST & CONFLICT OF INTEREST DISCLOSURES	5
4.	PUBLIC QUESTION TIME	5
5.	CONFIRMATION OF COUNCIL MEETING MINUTES.....	5
5.1.	Ordinary Meeting of Council – 21 December 2011	5
6.	RECORD OF ASSEMBLY OF COUNCILLORS	6
7.	MOTION ON NOTICE	6
7.1.	Motion On Notice Status Update	6
8.	CORRESPONDENCE	7
8.1.	Petitions and Joint Letters	7
8.2.	Inwards Correspondence	7
9.	MAYOR'S REPORT	9
9.1.	Functions Attended	9
10.	COUNCILLOR PORTFOLIO REPORTS	10
11.	GOVERNANCE, FINANCE & EXTERNAL RELATIONS	11
11.1	Quarterly Finance Report including the Mid Year Budget Review for the period to 31 December 2011	11
11.2	Council Plan - Quarterly Progress Report against Business Plan Priorities for the period 1 October - 31 December 2011.....	19
11.3	MOU between G21 Geelong Region Alliance and the Borough of Queenscliffe Council.....	22
12.	SUSTAINABILITY & LOCAL ENVIRONMENT	27
13.	BUSINESS & TOURISM	27
14.	COMMUNITY DEVELOPMENT	27
15.	PLANNING, HERITAGE & COMMUNITY ASSETS	28
15.1.	Planning Permit Activity Report.....	28
15.2	153 Point Lonsdale Road, Point Lonsdale	35
16.	AUTHORISATION OF SIGNING & SEALING OF DOCUMENTS	47
16.1	Queenscliff and District Neighbourhood House Inc. - Lease	47
17.	QUESTIONS WITHOUT NOTICE	48
17.1.	Questions Without Notice Status Update	48
17.2.	Questions Without Notice	48
18.	LIST OF COUNCIL MEETINGS	48
19.	CONFIDENTIAL ITEMS.....	49



19.1	Confirmation of Confidential Council Meeting Minutes – 21 December 2011	49
19.2.	Confidential Motion On Notice Status Update	49
19.3	Audit Committee Membership	49
20.	RATIFICATION OF CONFIDENTIAL ITEMS	49
21.	CLOSE OF MEETING	49
	ADJUNCT TO 6 - RECORD OF ASSEMBLY OF COUNCILLORS	50
6.1.	Vegetation Advisory Group Meeting– Monday 19 December 2011.....	50
6.2.	Councillor Assembly – Monday 19 December 2011	51
6.3.	Councillor Assembly – Wednesday 21 December 2011	52
6.4.	Councillor Assembly – Monday 23 January 2012	53
6.5.	Councillor Assembly – Wednesday 1 February 2012	54
6.6.	Planning Review Meeting – Wednesday 1 February 2012.....	55
6.7.	Borough’s 150th Celebrations Community Organising Committee – Thursday 2 February 2012	56
6.8.	Councillor Workshop – Monday 6 February 2012	57
	ADJUNCT TO 7.1 – MOTION ON NOTICE STATUS UPDATE	58
	ADJUNCT TO 17.1 – QUESTIONS WITHOUT NOTICE STATUS UPDATE.....	58



Appendices

Appendix	Title	Agenda Item	Distribution
Appendix 1	Borough of Queenscliffe Quarterly Finance Report – 31 December 2011	11.1 Quarterly Finance Report including the Mid Year Budget Review for the period to 31 December 2011	Under separate cover
Appendix 2	Council Plan 2010-2013 Progress Report. For the quarter ended 31 December 2011	11.2 Council Plan - Quarterly Progress Report against Business Plan Priorities for the period 1 October – 31 December 2011	Under separate cover
Appendix 3	Memorandum of Understanding	11.3 MOU between G21 Geelong Region Alliance and the Borough of Queenscliffe Council	Under separate cover



1. OPENING OF MEETING

2. PRESENT & APOLOGIES

3. PECUNIARY INTEREST & CONFLICT OF INTEREST DISCLOSURES

Councillors:

Officers:

4. PUBLIC QUESTION TIME

5. CONFIRMATION OF COUNCIL MEETING MINUTES

5.1. Ordinary Meeting of Council – 21 December 2011

A copy of the Minutes of the Ordinary Meeting of Council held on Wednesday 21 December 2011 was distributed to Councillors under separate cover.

Recommendation:

That the Minutes of the Ordinary Meeting of Council of the Borough of Queenscliffe held on 21 December 2011, as distributed, be confirmed as an accurate record.



6. RECORD OF ASSEMBLY OF COUNCILLORS

Record in accordance with section 80A(1) of the Local Government Act 1989 (see **Adjunct to Item 6**).

Recommendation:

That the Record of Assembly of Councillors, as presented in Adjunct to Item 6, be noted.

7. MOTION ON NOTICE

7.1. Motion On Notice Status Update

Recommendation:

That the Motion On Notice Status Update, as presented in Adjunct to Item 7.1, be noted.



8. CORRESPONDENCE

8.1. Petitions and Joint Letters

Nil

8.2. Inwards Correspondence

Date	Correspondence
19 December 2011	Correspondence received from ride2school regarding the Ride 2School Program in the Borough of Queenscliffe
19 December 2011	(1) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
19 December 2011	(2) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
19 December 2011	(3) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
21 December 2011	(4) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
21 December 2011	(5) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
21 December 2011	(6) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
21 December 2011	(7) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
21 December 2011	(8) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
21 December 2011	(9) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel



Date	Correspondence
21 December 2011	(10) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
21 December 2011	(11) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
21 December 2011	(13) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
21 December 2011	(14) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
22 December 2011	(15) Correspondence received from Queenscliff resident regarding 21 December 2011 Council Meeting Agenda Item 8.2 – Motion No: 2011/556 – Application to a Councillor Conduct Panel
11 January 2012	Correspondence received from resident regarding the Artist Walk in Queenscliff and dogs on the beaches in Point Lonsdale
13 January 2012	Correspondence received from the Point Lonsdale Boardriders Club Inc. regarding 'Project Clubhouse 2014'
30 January 2012	Correspondence received from Queenscliffe Community Association Inc regarding the building at the rear of the Department of Primary Industries in The Narrows.
31 January 2012	Correspondence received from Australian Local Government Association regarding 2012 National Assembly of Local Government – Call for Motions
1 February 2012	Correspondence received from Borough resident regarding former Queenscliff High School site
8 February 2012	Correspondence received from Borough resident – a thank you and a request

Recommendation:

That the Correspondence be noted.



9. MAYOR'S REPORT

9.1. Functions Attended

Date	Function Attended
19 December 2011	Mayor, Crs Butler & Mitchell and GMP&I attended the Vegetation Advisory Group Meeting
13 January 2012	Mayor attended the Annual Meeting of the Point Lonsdale Civic Association
15 January 2012	Mayor judged at the Queenscliff Neighbourhood House Sand Sculpture Contest
26 January 2012	Mayor officiated at the Borough of Queenscliffe Australia Day Celebrations attended by Crs Butler & Burgess
27 January 2012	Mayor attended the G21 Board Meeting
2 February 2012	Mayor & Cr Butler & CEO attended the Borough of Queenscliffe's 150th Celebrations community organising committee
3 February 2012	Mayor attended the official opening of the Drysdale Library Refurbishment Cr Butler & the CEO attended the official opening of the Waurin Ponds Library
8 February 2012	Mayor attended the G21 Audit Committee Meeting

Recommendation:

That the Mayor's Report be received.



10. COUNCILLOR PORTFOLIO REPORTS

Nil.



11. GOVERNANCE, FINANCE & EXTERNAL RELATIONS

11.1 Quarterly Finance Report including the Mid Year Budget Review for the period to 31 December 2011

File: QG085-01-08

Report Author: Senior Accountant & GM, Governance & Community

Purpose

This report provides information on Council's operating and capital performance for the six months to 31 December 2011 against the budget adopted by Council in June 2011.

The report considers the mid year trends for all program areas and capital works projects, against the original budget and includes any known major changes to budget estimates (for example grant funding amounts that have since been confirmed and projects carried forward from 2010/11 for completion in 2011/12).

The quarterly report is essentially a "management" report based around Program areas and generated to ensure accountability for Program leaders and for management to monitor actual results in each area. An income statement is provided in the same format as the Budgeted Standard Income Statement showing the underlying result. (this format will be used in the Annual Financial Statements at year end).

As with each quarterly report throughout the year, the main focus is on forecasting the full year result compared to the result originally budgeted. This comparison to Budget is reported to Council as a legislative requirement under S138 of the Act. Year-to-date budget and actual figures are provided for information but the variance explanations are based on a review of the budgeted figures, that is, the difference between the Budget and the revised forecast.

Background

At its 15 June 2011 meeting Council adopted the budget for the 2011/2012 financial year. The budget was based on projected completion of projects and capital works at 30 June 2011 and information available at that time.

Any funding provided for projects/works incomplete as at 30 June 2011 have been carried forward to the 2011/12 financial year. The Capital Works report shows the 2011/12 Budgeted Capital Works as well as those carried forward from 2010/11.

Further review of the forecast will be conducted as part of the quarterly financial report for March 2012, results of which will be reported at the April 2012 Council meeting.



Key Issues

The year-end forecast comprehensive result included in the Standard Income Statement indicates an improvement in surplus by \$1,021,000 to the adopted budget for 2011/12, predominantly the result of receiving \$1,000,000 capital funding under the Country Roads & Bridges Program (which was not in the original budget for 2011/12).

The underlying position for the 2011/12 financial year has been revised from a surplus of \$341,000 to a deficit of \$275,000, due mainly to the large amount of funds carried forward from 2010/11 (unspent grants received late in the year, plus incomplete capital and other projects at year end). Also included in the 2011/12 forecast is the inclusion of a number of items determined by Council utilising the accumulated surplus from previous years. The Financial report (Appendix 1) attached provides details and comments regarding variances to budget.

As with previous quarterly reports, the Income statement's Comprehensive result is converted to a cash result in order to ascertain what unrestricted surplus funds is available from the annual rates budget. The accumulated position from surpluses generated in the two previous years was \$258,000 (as at 30 June 2011 – as reported in previous quarterly reports).

The December 2011 mid year budget review indicates an accumulated cash surplus of \$213,000 will be available at 30 June 2012. This represents unencumbered monies which are real savings that have been accumulated from the Rates Budgets. Verification of this accumulated cash surplus is provided from a calculation based on Balance Sheet figures in the attached report.

Discussion

The financial report notes any major variations between the Budget and the revised forecast year-end position at 30 June 2012. A number of statements are presented including:

- Standard Income Statement (including the underlying operating result)
- Working Capital Summary - conversion of Operating result to Cash/Rates result and a Statement of Income and Expenditure per the Rates Budget
- Program summaries
- Reserves summary
- Debtors analysis
- Debt position
- Cash and investments
- Creditor payments
- Capital report
- Line item report
- Program report



Also included is commentary and a range of statistics in program areas for general information regarding specific items of interest. Reporting against KPI's both financial and non-financial is part of the accountability framework for Program Leaders and Management as part of both individual and departmental operational planning.

A summary of the Budget and Forecast results follow:

Operating Result and Underlying Operating Surplus for 2011/12

	Adopted Budget	YTD Actual	Revised Forecast
Revenue	\$8.685m	\$5.315m	\$10.439m
less Expenditure	<u>\$7.690m</u>	<u>\$3.717m</u>	<u>\$ 8.428m</u>
Operating Result	\$0.995m	\$1.598m	\$ 2.011m
less Other non-operating items	<u>\$0.005m</u>	<u>\$0.003m</u>	<u>\$ 0.000m</u>
Comprehensive Result	\$0.990m	\$1.595m	\$ 2.011m
less Capital income and Asset sales	\$0.654m	\$1.140m	\$ 2.286m
add back Other non-operating items	<u>\$0.005m</u>	<u>\$0.003m</u>	<u>\$ 0.000m</u>
Underlying Operating Surplus/(Deficit)	<u>\$0.341m</u>	<u>\$0.458m</u>	<u>(\$0.275m)</u>

The table above shows an underlying deficit of \$275,000 is forecast for the 2011/12 financial year against a budgeted surplus of \$341,000, a decline of \$616,000 in the budgeted underlying surplus. This relates predominantly to carry forward items from 2010/11 which will be completed during 2011/12, as well as an increase of \$61,000 in depreciation expense relating to the recent infrastructure revaluation completed at 30 June 2011. Also impacting on the bottom line is Council's decision to include a number of items in the 2011/12 year utilising the accumulated surplus from previous years.

This inclusion resulted in additional expenditure of \$269,000 in 2011/12, of which \$258,000 is funded from prior year cash surpluses and the balance of \$11,000 funded from within the current year forecast. Projects added comprises the following:

- \$70,000 Monahan Centre Kitchen Fit-out (some expenditure in 2011/12, completion forecast for 2012/13)
- \$50,000 Dog Beach Car Park Upgrade (project to commence in 2011/12, majority of works to be carried out in 2012/13)
- \$45,000 Queenscliff Recreation Reserve Electrical Point of Supply
- \$27,000 Underground Powerlines in Point Lonsdale Road (part for design in 2011/12, balance set aside for implementation in future years)
- \$17,000 Queenscliff Recreation Reserve Oval Fence Replacement
- \$10,000 Point Lonsdale Foreshore Landscape Plan
- \$50,000 Significant Tree Register (funds set aside at this stage until project is scoped)



An increase in revenue is forecast for operating and capital grants, capital contributions and interest received. Revision of some expenditure items has also occurred. More detailed comments are provided in the report.

In order to ascertain an underlying operating result, as has been calculated in Council's Long Term Financial Planning and Financial Key Performance Indicators, any Capital funding needs to be deducted. Whilst this does not comply with current accounting standards and therefore cannot be disclosed in this manner in the audited statements for the Annual Financial Report, it is deemed a valuable method of determining a purely operational result. This is done on the basis that Capital Expenditure is not contained in the Income Statement whilst the Capital funding, in terms of grants and contributions (matching principle), is included.

It should be noted however, that the underlying result will not indicate the movement of funds from one year to the next for incomplete works at year end and thus trends need to be based on averages over a period. For this reason a Statement of Income and Expenditure is produced to show the Rates budget in terms of sources of funds and related expenditure including Capital items of expenditure (non cash items such as depreciation, are not included).

Detailed report by program area

A full report of actual income and expenditure against each program area is shown in the attached report (refer **Appendix 1**).

As with previous quarterly reports there are a number of non-financial indicators included in this report. There is continued focus on the provision of meaningful, measurable performance indicators in each program area.

Capital report

The budget, YTD actual and year-end forecast results for Capital funding and expenditure is also shown in the attached report. Project income and expenditure has been collated and the transfers to and from reserves is provided to show a clear picture of capital transactions.

2010/11 incomplete projects are shown in the report with funding reserved at the end of 2010/11 and carried forward into the 2011/12 financial year.

Reserves summary

The Carried Forward Reserve is used to show movements as project funding is transferred from one year to the next. Reserves have also been established to set aside funds for future years, specifically in relation to asset replacement (future building renewal requirements) and also to hold the balance of grant funding received for which expenditure is programmed to occur over future periods (e.g: Local Government Infrastructure Program funding).



Statutory Requirements

Under Section 138 of the Local Government Act 1989, at least quarterly, a report comparing expenses and revenue to budget must be presented to the Council.

Council Plan

The financial report is in line with the key strategy in the Council Plan to *'provide accountable governance and long term sustainable financial management'*.

Financial

The report attached provides the opportunity for constant review of Council's financial position to ensure compliance with budgets.

Social

No specific items to report.

Environmental

No specific items to report.

Risk Management

The quarterly report is part of Council's risk management framework to ensure financial reporting includes reporting against the adopted annual budget.

Officer Direct or Indirect Interest

Under Section 80C (1) (2) of the Local Government Act 1989, Council staff and persons engaged under a contract to provide advice or a report to a meeting of the Council or a special committee, and who have a direct or indirect interest in a matter to which the advice or report relates, must disclose the type of interest when providing the advice or report and before the advice or report is consider by the Council or the committee.

Officers involved in developing the report have no direct or indirect interests.



Results as at 31 December 2011

Results for the year to 31 December 2011 are presented as an attachment to this report (**Appendix 1**).

The main points from the December quarter and mid year budget review are:

- \$269,000 additional project work to be undertaken in 2011/12, of which \$258,000 is funded from prior year cash surpluses
- \$250,000 Local Government Infrastructure Program funding to be received in 2011/12, of which \$70,000 will be spent in 2011/12 and the balance of \$180,000 will be transferred to Reserve at year-end for spending in future years
- \$25,000 Coastal Risk Mitigation Matching Funds contingency not required in 2011/12

As was reported in the September quarterly report and still relevant at the end of December, other variances from original budget include:

- \$1,000,000 Country Roads & Bridges funding received in 2011/12
- \$92,000 Victoria Grants Commission funding above level budgeted
- \$45,000 additional interest income earned on high cash balances
- \$28,000 reduction in waste collection budget
- \$15,000 savings in interest on unfunded superannuation liability (liability paid in full 1/7/11)
- \$15,000 savings in photocopying charges resulting from new photocopier lease
- (\$35,000) advertising and recruitment costs above budget
- (\$15,000) lease income below budget due to delays in negotiation on six leases

Options for Allocation of the Accumulated Cash Surplus

The December 2011 mid year budget review indicates an unencumbered accumulated cash surplus of \$213,000.

The cash surplus of \$258,000 accumulated over the last two financial years (2009/10 and 2010/11) has now been fully allocated by Council for additional projects to be undertaken during the 2011/12 year.

The remaining cash surplus of \$213,000 reflects those variances reported for both the September and December quarters of the current 2011/12 financial year, predominantly a reflection of additional Victoria Grants Commission funding, interest income earned on high cash balances and a transfer of the Crown Land Reserve balance into operating surplus.



The Strategic Financial Plan adopted by Council in May 2010 recommended:

That any surpluses at year end from operational savings not be carried into the following year as funds available in that years Budget, but rather they be transferred to the Asset Replacement Reserve for future Capital Expenditure requirements.

In dealing with the projected surplus, Council has the following options to consider:

Option 1: Take no immediate action and at 30 June 2012 transfer any accumulated surplus into the Asset Replacement Reserve.

This option is in line with the policy position adopted by Council in its Strategic Financial Plan.

Option 2: Do not proceed with the loan borrowings in the 2011/12 budget year.

The Rates budget for 2011/12 included \$150,000 in loan borrowings to extinguish the Unfunded Superannuation Liability (USL). Cash flow in 2011/12 has been such that delaying the draw down of the budgeted borrowings has not yet been necessary despite the USL being repaid in July 2011. Given the current mid-year indications that there will be a cash surplus of \$213,000, not taking up the loan borrowings is an option for Council. This would save Council \$63,000 in interest payments over the 10 year loan. The accumulated surplus would reduce by \$150,000 to \$63,000 which could be transferred to the Asset Replacement Reserve.

Option 3: Set aside surplus to fund future superannuation liabilities.

Council's superannuation fund has advised that a further "call" on Councils will be notified before year end with an amount payable on 1 July 2012. The total amount has not been estimated and therefore the Borough's portion is unknown at this stage. The \$213,000 surplus could be set aside in a contingency fund towards this expense. Further borrowings could be undertaken to again extinguish the liability but will obviously result in interest expense in future budgets. This option is connected to Option 2 in that Council could either borrow the \$150,000 and set aside part of the surplus for the next superannuation call, or not borrow in 2011/12 but borrow in 2012/13 for the next superannuation call.

Option 4: Retain surplus funds for priority projects identified by Council

At the 6 February 2012 Council 2012/13 Budget Workshop, Council identified a number of potential projects that currently have no allocated funds. Council may choose to nominate funding allocations to these projects. Council should give due consideration to the other options, including allocating funds to its own asset renewal as opposed to any assets on land not owned or managed by Council.

In terms of the asset renewal strategy for Council owned/existing assets, precedence is often given to creating or investing in new assets that are owned by the State. Redirection of funds away



from the required asset renewal program is not considered prudent and thus new funds need to be sought.

This option would contradict the recommendation in the adopted Strategic Financial Plan and impact on the future financial situation of the Borough, affect the asset management strategy and limit the flexibility Council has when funding opportunities are presented.

Conclusion

The mid year budget review at 31 December 2011 indicates a \$213,000 cash surplus is expected for the 2011/12 financial year-end. This is based on the assumption that budgeted loan borrowings of \$150,000 will be carried out prior to 30 June 2012. The forecast cash surplus makes no provision for future superannuation liabilities, nor for the setting aside of additional monies towards future asset renewal requirements as previously reported to Council.

Prudent financial management, consistent with Council's Strategic Financial Plan, would be to transfer any cash surplus at year-end to the asset replacement reserve in order to meet future asset renewal requirements.

Officers do not recommend that commitments be made to additional project expenditure at this stage, particularly given the uncertainty with respect to the amount of the 'call' on unfunded superannuation that is expected prior to year-end, and the fact that interest savings could be achieved by not proceeding with budgeted loan borrowings.

Recommendation:

- 1. That Council receives the Quarterly Finance Report including the Mid Year Budget Review for the six month period to 31 December 2011.**
- 2. That Council adopts Option 1 above and at year end transfers any cash surplus to the Asset Replacement Reserve.**
- 3. If Option 1 is not supported, that Council allocate any surplus funds in 2011/12 towards Option 2 (do not proceed with loan borrowings of \$150,000 as intended in the 2011/12 adopted budget) or Option 3 (set aside any cash surplus to fund future superannuation liabilities).**



11.2 Council Plan - Quarterly Progress Report against Business Plan Priorities for the period 1 October - 31 December 2011

File: QG054-01-01

Report Author: Chief Executive Officer

Introduction

The purpose of this report is to provide Council with a quarterly progress report (**Appendix 2**) on actions taken in relation to the 2011/12 Business Plan priorities for period from 1 July 2011 to 30 September 2011.

Background

The Council Plan 2010 - 2013 was framed around five Strategic Directions and related portfolios:

- Governance, Finance & External Relations
- Sustainability & Local; Environment
- Business & Tourism
- Community Development
- Planning, Heritage & Community Assets

Business Plan priorities were identified for each Strategic Direction for the 2011/12 financial year.

Statutory Requirements

In accordance with section 125 of the Local Government Act 1989 Council adopted its Council Plan 2010 - 2013 at its June 2011 Ordinary Meeting. This report provides Council with progress achieved against the Council Plan.

Financial

There are no financial implications associated with this report. The report includes details of a number of grant applications to other levels of Government.

Social Implications

The progress report highlights that Council has progressed a number of priority actions that have contributed to the health and wellbeing of the local community.



Environmental Implications

The progress report highlights that Council has progressed a number of priority actions that have contributed to the environmental sustainability of the Borough.

Risk Management

No specific issues to report. The report details some system improvements that address organisational risks.

Communication

The Council Plan reflects a strong commitment to open and transparent communication with the public. This progress report provides details regarding actions taken between 1 October and 31 December 2011 in relation to the Business Plan priorities for the 2011/12 financial year.

In 2009 Council established Portfolio Reference Groups comprising community representation under the leadership of individual portfolio Councillors. The Portfolio Reference Groups made an important contribution to the shape and final content of the Council Plan 2010 - 2013. Council made a commitment to providing each portfolio reference group member with a copy of the quarterly Progress Reports and this practice will be implemented. A copy of the Progress Report will also be placed on the Council website.

Concluding Comments

The Council Plan Quarterly Progress Report describes the range and level of activity undertaken by the Borough of Queenscliffe during the second quarter of the 2011/12 financial year. The report continues to reinforce the importance of good working relationships and project partnerships between community, Council and other levels of Government. The Council activities over the 3 month period that deserve particular attention include:

- Completion of the Princess & Citizens Park project that included improvements to Thwaites Walk, installation of new BBQs and park furniture, upgrading of the Tobin Drive carpark and the carpark adjacent to Fort Queenscliff, replacement of the perimeter fence and plantings through the park;
 - Completion of the much anticipated 'Arts Trail' featuring ten works of celebrated artists that captured the essence of Queenscliff;
 - Completion of the much anticipated Point Lonsdale Surf Life Saving Beach Access ramp;
 - Significant level of planting of vegetation in Council and Crown land reserves as well as street plantings in Queenscliff and Point Lonsdale;
 - Supporting the Queenscliff Music Festival over a weekend that experienced a severe storm event;
-



- Consistent with the Council's Asset Management Plan, completion of the upgrade of the Bezzant Playground in Hunter Court, Point Lonsdale and replacement of the beach access at Stevens Street, Queenscliff following the damage caused by severe storms early in the financial year;
- Completion of a number of important road and drainage renewal projects including:
 - Resurfacing of the west side of Point Lonsdale Road from Admans to Loch Street;
 - Resurfacing of the access road to the Queenscliff Recreation Reserve;
 - Upgrade of the electrical supply to the water pump in Queenspoint Crescent; Point Lonsdale;
- The commencement of road and pedestrian safety improvements on Point Lonsdale Road, Point Lonsdale
- Appointment of Williams Boag architects to work with key stakeholders to design improvements to the functionality and operation of the Queenscliff Historical Museum, Library and Visitor Information Centre.
- Receipt of grant funds from the ALCOA foundation to increase public recycling over the period 2011/12 to 2013/14;

Recommendation:

That Council note the 2011/12 Council Plan Progress Report against Business Plan priority actions for the period 1 October - 31 December 2011.



11.3 MOU between G21 Geelong Region Alliance and the Borough of Queenscliffe Council

File: QG055-12-01

Responsible Officer: Chief Executive Officer

Introduction

This report seeks Council's approval to enter into a four year Memorandum of Understanding between the Borough of Queenscliffe Council (as one of the five member Local Government Authorities) with the G21 Geelong Region Alliance (G21). A copy of the draft Memorandum of Understanding is provided at **Appendix 3**.

Background

G21 was established as a legal entity in 2003, driven by the five G21 municipalities (Borough of Queenscliffe, City of Greater Geelong, Colac Otway Shire, Golden Plains Shire and Surfcoast Shire), with the support of State Government, major regional service organisations and the business sector.

G21 is the designated "Regional Strategic Planning Committee" for the Barwon region with a formal advisory role to the State and Federal Governments.

The vision of G21 is 'the region is Australia's most desirable destination for living, visiting, working and investing; it is renowned for its vibrant cohesive community, exceptional physical environment and vigorous economy'.

The goal of G21 is to develop a coherent plan to allow the region to 'speak with one voice', thereby increasing the region's leverage with State and Federal Governments. It is also the intention of G21 to provide a platform for inter-organisational collaboration and coordination of activities within the region.

G21 is governed by a Constitution revised in 2008 and agreed by participating Councils. Its Board consists of a representative of each participating Council, as well as representation from the five Chief Executive Officers of Local Government Authorities in the region and elected independent Board Directors. Any bona fide organisation in the region is entitled to apply for membership. While all Board members have a single vote on board matters, in practice, Board decisions are based on consensus.

The G21 Board meets monthly and comprises:

- The five Council nominated Directors
 - The five Council CEOs as Directors
 - Five elected Directors
-



For 2012 the G21 Board Directors are:

- City of Greater Geelong – Cr John Mitchell and Steve Griffin
- Surfcoast Shire – Cr Brian McKitterick and Mark Davies
- Golden Plains Shire – Cr Geraldine Frantz and Rod Nicholls
- Colac Otway Shire – Cr Stephen Hart and Rob Small
- Borough of Queenscliffe – Cr Bob Merriman and Lenny Jenner
- Elected Directors – Ed Coppe (Chair), Michael Malouf, Cr Jan Farrell, Bernadette Uzelac and Jason Trethowan

Regional Planning

G21 works only on issues that are regional in significance. It will not become involved in issues that fall within the authority of a single Council unless requested and agreed by the Board.

G21 operates mainly through its Pillar structure, providing a framework for regional planning around key issues in the region. The Pillar structure is the following strategic priorities:

- Arts and Culture
- Economic Development
- Education and Training
- Environment
- Health and Wellbeing
- Planning and Services
- Sport and Recreation
- Transport

The Pillars have broad representation from across the region including elected members, professionals working in the sector (both public and private sector, often at a very senior level) and representatives of community organisations and business. This membership means that the Pillars are well informed, an excellent mechanism for identifying and prioritising issues, and frequently have the ability to deliver on these priorities from within their own resources through cooperative action. Approximately 300 people across the region donate their professional time to G21 Pillars and working groups

Borough of Queenscliffe participation in G21

The Borough of Queenscliffe has been an active member since G21's inception and currently is represented in G21 in the following ways:

G21 Board	Cr Bob Merriman, Mayor, & Lenny Jenner, CEO (Directors)
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Sport & Recreation Pillar	Phil Josipovic, Member
Health & Wellbeing Pillar	Lenny Jenner, Chair
Planning and Services Pillar	Phil Josipovic, Member
Environment Pillar	Cr Lloyd Davies, Member
Transport Pillar	Lenny Jenner, Public Transport Reference Group, Chair
Arts & Culture Pillar	Leanne Stein, Member
Education and Training	No representation

Priority Projects

The 2012 G21 Priority Projects are:

- Geelong Future Cities Project
- Avalon Airport
- Addressing Disadvantage
- Armstrong Creek Urban Growth Area
- Portarlington Safe Harbour
- Geelong Ring Road Connections
- Geelong Convention and Exhibition Centre
- Apollo Bay Harbour Precinct
- Regional Research and Information Centre
- Geelong Centre for Infectious Diseases
- Geelong Ring Road Employment Precinct
- Geelong Cruise Ship Destination Project
- Improving Transport Links to Melbourne

Funding Arrangements

Base funding for the day to day operations of G21 is provided by the participating municipalities on a per capita basis. The funding arrangements form part of a 'rolling' MOU between G21 and participating Councils that projects forward four years to provide a degree of certainty to all parties to the agreement. The MOU provides for participating Councils to withdraw from G21 with 12 months notice.

The financial contribution to G21 from the Borough of Queenscliffe in 2011/12 is \$6,000. Based on the per capita formula (with the Borough's representing 1.14% of the region's total population) the contribution over the four year period of the next MOU is as follows:

2012/13 = \$6,000 2013/14 = \$6,500 2014/15 = \$7,000 2015/16 = \$7,000



This base funding allows G21 to leverage against available local funds to drive regional initiatives. In 2011/12, the total Council funding was \$502,000 from a total budget of \$997,000.

Council Plan

Council is a member of the G21 Alliance and the 'renewal' of the MOU is consistent with the many areas of the Council Plan. The strategy *'to foster partnerships with community organisations, business, our municipal neighbours and all levels of government'* is consistent with the philosophy and planning processes enshrined in the G21 – Geelong Region Plan. The G21 partnership provides an important vehicle for progressing a range of Business Plan priorities across the Council's five Strategic Directions..

Financial

The MOU commits Council to a per capita based financial contribution (equating to 1.14% of total Council funding) over the next four years. As indicated, the MOU provides for participating Councils to withdraw from G21 with 12 months notice. The future financial contribution should be considered as part of Council's budget preparation over the period of the MOU.

Social

The involvement in G21 has enabled Council to progress a number of social outcomes (eg. the Municipal Health & Wellbeing plan and the social and demographic profile of the Borough) that have direct benefits to the Borough community. The regional planning framework also provides an opportunity for Council to influence and shape planning and project priorities.

Environmental

The involvement in G21 has enabled Council to progress a number of environmental outcomes (particularly improvements in the standard of public transport provision) that have direct benefits to the Borough community. The regional planning framework also provides an opportunity for Council to influence and shape planning and project priorities.

Risk Management

The G21 Region Alliance has generated a high level of collaboration and partnership between participating municipalities and member organisations. The G21 approach has also captured the attention of both State and Federal Governments who have demonstrated their commitment to working with the G21 Board and Pillar structures to negotiate regional project priorities. Continuing attention to organisational governance arrangements is central to the ongoing success of the G21 Region Alliance.



Conclusion

It is most appropriate to formalise the next four year Memorandum of Understanding between the Borough of Queenscliffe Council and the G21 Region Alliance over the period 2012/13 to 2015/16. This MOU includes a per capita based financial commitment and provides for participating Councils to withdraw from G21 with 12 months notice.

Recommendation:

That Council authorises the CEO to endorse the Memorandum of Understanding between the G21 Geelong Region Alliance and the Borough of Queenscliffe Council for the period 1 July 2012 to 30 June 2016.



12. SUSTAINABILITY & LOCAL ENVIRONMENT

Nil reports.

13. BUSINESS & TOURISM

Nil reports.

14. COMMUNITY DEVELOPMENT

Nil reports.



15. PLANNING, HERITAGE & COMMUNITY ASSETS

15.1. Planning Permit Activity Report

15.1 (a) Summary Report

App. No	Date Received	Address	Proposal	Status
**2010/058	18/06/2010	1 Beach Street Queenscliff	Demolition of buildings within a Heritage Overlay ("Fisherman's Wharf")	Waiting on advice from applicant
**2011/057	27/05/2011 (Amended 28/11/2011 & 15/12/2011)	20-26 Hesse Street Queenscliff	Buildings and works for the construction of a two storey building within a Heritage Overlay, comprising eight (8) shops and eight (8) dwellings, reduction of the standard car parking requirement of Clause 52.06, waiver of loading bay requirement of Clause 52.07, alteration to and creation of access to a road in a road zone category 1, and variation to the side setback and site coverage requirements of the Design and Development Overlay – Schedule 1.	VCAT Appeal lodged by objector VCAT hearing yet to be scheduled
**2011/059	03/06/2011 (Amended 16/11/2011)	48 Mercer Street Queenscliff	Alterations and extensions (two storey) to an existing dwelling in a Heritage Overlay and variation to the side setback requirements of Design and Development Overlay – Schedule 1	Under consideration
**2011/077	15/07/2011	69 Flinders Street Queenscliff	The development of two dwellings (two storey up to 7.0 metres), fencing and gates, variation to the setback and wall height on boundary requirements of Design and Development Overlay – Schedule 3, subdivision of the land into two lots and removal of native vegetation	Referral to CFA
**2011/080	22/07/2011 (Amended 23/08/2011)	187 Point Lonsdale Road Point Lonsdale	The development of a dwelling (two storey up to 8.5 metres), outbuilding and fencing	Under consideration
2011/084	4/08/2011	99-101 Point Lonsdale Road Point Lonsdale	Alterations and extensions to an existing building (including a third storey)	Under consideration



App. No	Date Received	Address	Proposal	Status
2011/099	21/09/2011	20 Symonds Street Queenscliff	The construction of a fence in a Heritage Overlay	Under consideration
2011/102	27/09/2011	21 Stevens Street Queenscliff	Demolition of a dwelling and development of a new dwelling (two storey) and outbuilding in a Heritage Overlay, variation to the setback requirements of Design and Development Overlay – Schedule 1	Public notification Referral to Heritage Advisor
**2011/103	30/09/2011	9 Stevens Street Queenscliff	Demolition of a dwelling and development of a new dwelling (two storey up to 7.7 metres) in a Heritage Overlay and alterations to an existing outbuilding	Public notification Referral to Heritage Advisor
**2011/104	30/09/2011	35 Hobson Street Queenscliff	The development of a second dwelling (two storey), demolition of outbuildings and removal of vegetation in a Heritage Overlay, alterations to an existing dwelling and subdivision of the land into two (2) lots	Under consideration
**2011/106	18/10/2011	153 Point Lonsdale Road Point Lonsdale	The development of two dwellings (two storey up to 7.1 metres) and fence and subdivision of the land into two lots	Refer to Agenda
**2011/107	20/10/2011	14 Jordan Road Point Lonsdale	Alterations and extensions to an existing two storey dwelling	Public notification
2011/108	26/10/2011	9 Pardalote Close Queenscliff	Alterations and extensions to an existing two storey dwelling	Under consideration
**2011/109	31/10/2011	29 Cheshunt Street Point Lonsdale	The development of a dwelling (two storey up to 8.1 metres) and variation to the site coverage requirements of Design and Development Overlay – Schedule 4	Under consideration
2011/115	01/12/2011 (Amended 24/01/2012)	18-20 Alexander Crescent Point Lonsdale	The development of a dwelling, variation to the front and side setback requirements of Design and Development Overlay - Schedule 4 and removal of native vegetation on site and within the road reserve	Under consideration
2011/118	13/12/2011	33 Stokes Street Queenscliff	Demolition of outbuilding, partial demolition of existing dwelling, alterations and extensions to an existing dwelling in a Heritage Overlay and variation to the side setback requirements of Design and Development Overlay – Schedule 1	Public notification Referral to Heritage Advisor
2011/119	16/12/2011	29 Mercer Street Queenscliff	Part demolition, alterations and extensions to an existing dwelling in a Heritage Overlay, demolition of an outbuilding, and variation to the side setback requirements of Design and Development Overlay – Schedule 1	Public notification Referral to Heritage Advisor



App. No	Date Received	Address	Proposal	Status
2011/120	21/12/2011	3 Edgewater Close Queenscliff	The development of two dwellings (a single storey dwelling and a two storey dwelling up to 8.0 metres) and front fence, variation to the setback requirements of Design and Development Overlay – Schedule 3 and subdivision of the land into two lots	Further information requested 18 January 2012 Referrals to Engineering Department & CCMA
2011/121	21/12/2011	142 Fellows Road Point Lonsdale	The development of an outbuilding (garage) and variation to the setback requirements of Design and Development Overlay – Schedule 4	Public notification
2011/122	22/12/2011	117 Point Lonsdale Road Point Lonsdale	Alterations and extensions to an existing two storey dwelling	Public notification
2011/123	23/12/2011	111 Hesse Street Queenscliff	Part demolition, alterations and extensions to an existing dwelling in a Heritage Overlay	Public notification Referral to Heritage Advisor
2012/001	04/01/2012	49 King Street Queenscliff	The development of an outbuilding (garage) and carport	Public notification
2012/002	03/01/2012	40 Wharf Street Queenscliff	Alterations and extensions to an existing dwelling in a Heritage Overlay and development of an outbuilding.	Public notification Referrals to Heritage Advisor, CCMA
2012/003	04/01/2012	44 Gellibrand Street Queenscliff	Alterations and extensions to an existing dwelling on a site individually listed in the Heritage Overlay	Initial assessment being undertaken
2012/004	10/01/2012	64 King Street Queenscliff	Alterations and extensions (two storey) to an existing dwelling and variation to side setback requirements of Design and Development Overlay – Schedule 1	Further information requested 24 January 2012



15.1(b) Summary Report: Applications Finalised Since Last Report

App. No	Date Received	Address	Proposal	Status
2011/055	26/05/2011	6 Ocean Road Point Lonsdale	The development of a dwelling (two storey up to 8.5 metres), variation to site coverage, front setback and wall height requirements of Design and Development Overlay – Schedule 4 and removal of native vegetation	Permit issued
2011/076	15/07/2011	37 Beach Street Queenscliff	Part demolition, alterations and extensions to an existing dwelling in a Heritage Overlay and the development of an outbuilding to be used for accommodation	Permit issued
2011/085	9/08/2011	9 Loch Street Point Lonsdale	The development of a dwelling (two storey up to 8.5 metres) and front fence and removal of vegetation on site and within the road reserve	Permit issued
2011/086	15/08/2011	5/4 Wharf Street East Queenscliff	Permission under Clause 52.27 of the Queenscliffe Planning Scheme to use the land to sell alcohol under a “Restaurant and Café Licence”.	Permit issued
2011/087	16/08/2011 (Amended 25/11/2011)	37 Stevens Street Queenscliff	Part demolition, alterations and extensions to an existing dwelling in a Heritage Overlay	Permit issued
2011/093	29/08/2011	7 Baillieu Street Point Lonsdale	The development of a dwelling and front fence	Permit issued
2011/097	14/09/2011	34 Wharf Street Queenscliff	Alterations and extensions to an existing dwelling in a Heritage Overlay and variation to the site coverage requirements of Design and Development Overlay – Schedule 6	Permit issued
2011/098	19/09/2011	22 Jennifer Crescent Point Lonsdale	Alterations and extensions to an existing dwelling and variation to the setback requirements of Design and Development Overlay - Schedule 4	Permit issued
2011/105	7/10/2011 (Amended 1/11/2011)	49 Point Lonsdale Road Point Lonsdale	Alterations to an existing dwelling in a Heritage Overlay	Permit issued
2011/110	7/11/2011	13 Qu’Appelle Street Point Lonsdale	The development of a dwelling (two storey) and variation to the side setback requirements of the Design and Development Overlay – Schedule 4	Permit issued



App. No	Date Received	Address	Proposal	Status
2011/113	21/11/2011	51 King Street Queenscliff	The development of business identification signage	Application lapsed
2011/114	25/11/2011	118 Hesse Street Queenscliff	The development of advertising signage in a Heritage Overlay	Permit issued
2011/116	06/12/2011	17-19 Winterley Road Point Lonsdale	Alterations and extensions to an existing two storey dwelling	Permit issued
2011/117	07/12/2011	8 Bay Street Queenscliff	The construction of a front fence in a Heritage Overlay	Permit issued



15.1(c) Summary Report: New Applications Received Since Last Report

App. No	Date Received	Address	Proposal	Status
2012/005	16/01/2012	63-65 Point Lonsdale Road Point Lonsdale	Alterations and extensions to an existing building and a reduction of the standard car parking requirement of Clause 52.06	Public notification
2012/006	16/01/2012	12 Bay Street Queenscliff	Demolition of an existing dwelling and construction of a dwelling in a Heritage Overlay	Initial assessment being undertaken
2012/007	23/01/2012	26 Flinders Street Queenscliff	Creation of access to a road in a Road Zone, Category 1	Initial assessment being undertaken
2012/008	24/01/2012	34 Stevens Street Queenscliff	Construction of an outbuilding in a heritage overlay	Initial assessment being undertaken
2012/009	25/01/2012	24 Beach Street Queenscliff	Alterations and extensions to an existing dwelling in a heritage overlay	Initial assessment being undertaken
2012/010	02/02/2012	8 Edgewater Close Queenscliff	Alteration and extensions (two storey) to an existing dwelling	Initial assessment being undertaken
2012/011	06/02/2012	57 Winterley Road Point Lonsdale	Construction of a dwelling (two storey)	Initial assessment being undertaken
2012/012	07/02/2012	2 Hobson Street Queenscliff	Use of the site as a medical centre (osteopathic clinic) with a waiver of the car parking requirement of Clause 52.06	Initial assessment being undertaken
2012/013	08/02/2012	16 Beach Street Queenscliff	Construction of a fence in a heritage overlay	Initial assessment being undertaken

LEGEND

****** Objections received.

Bold text **Officer delegation removed**



Recommendation:

That the report be received.



15.2 153 Point Lonsdale Road, Point Lonsdale

File: QP920-15300

Report Author: Senior Planner

Purpose

The purpose of this report is to advise Council of the planning implications of the proposed development at No. 153 Point Lonsdale Road, Point Lonsdale, summarised as:

- The proposal is for the construction of two (2) double storey dwellings on the site, the construction of a high fence along a portion of the Nicholas Court frontage, and the subdivision of the land into two (2) lots.
- The subject site is to be subdivided in an east-west direction, perpendicular to Point Lonsdale Road, with Lot 1 370.5m² in area and Lot 2 421.2m².
- The dwellings to be constructed are double storey, detached, contemporary in design, and have been positioned on the site to minimise the overall height of the proposal and the impact on existing viewlines from surrounding properties.
- Vehicular access to the dwellings is via a 4.0 metre driveway in the north-west corner of the site, with an area of common property.
- The proposal is consistent with the requirements of ResCode, as well as complying with the requirements of the Design and Development Overlay – Schedule 3, and Vegetation Protection Overlay – Schedule 1.
- One (1) objection has been lodged by a nearby resident at No. 6 Nicholas Court, raising a concern regarding the impact of the proposal on their existing views.
- It is considered the proposal is appropriate within the surrounding residential area, and has been designed so as to minimise the impact on the views of surrounding properties and the neighbourhood character of this section of Point Lonsdale Road.
- Accordingly, it is recommended that Council resolves to issue a Notice of Decision to Grant a Permit for the development of two dwellings (two storey), construction of a fence and subdivision of the land into two (2) lots with common property.

Background

This new application has been lodged following the advertising of a previous subdivision application for this site, seeking to divide the property in half in a north-south direction rather than east-west as currently proposed. The previous application was withdrawn following objections being raised by surrounding property owners.

The previous application is no longer valid following its withdrawal, and this proposal has been considered exclusive of this history for the site.



Key Issues

- Compliance with provisions of Queenscliffe Planning Scheme.
- Urban character.
- Concerns of objector.

Discussion

Subject site and surrounds

The subject site is located on the south-west corner of Point Lonsdale Road and Nicholas Court.

The site has a frontage of 21.07 metres to Point Lonsdale Road, and 38.47 metres to Nicholas Court, measuring a total of 848m² in size. The site slopes up into Nicholas Court, with a height difference of approximately 1.6 metres between the north-east and north-west corners of the site. Public views are enjoyed over the subject site from dwellings within Nicholas Court, towards Port Phillip Bay.

The surrounding area comprises residential development of varying size and scale, with this section of Point Lonsdale Road being a Road Zone – Category 1, and the Port Phillip Bay foreshore located on the opposite side of the road, to the east of the subject site.

Locality Plan



Source: www.land.vic.gov.au - 06.02.2012



Proposal

The application proposes the construction of two contemporary style double storey dwellings, a section of high fence along Nicholas Court, and the east-west subdivision of the land into two (2) lots with common property. Vehicular access to the site is to be via Nicholas Court, in the north-west corner of the site.

The two dwellings are to be detached, double storey in height with a maximum height of 7.0 metres. The dwellings have a minimum setback of 6.0 metres to Point Lonsdale Road, 2.21 metres from Nicholas Court, 1.3 metres from the southern boundary, and 6.0 metres from the west boundary.

Dwelling 1 is to be constructed of painted horizontal set weatherboards, vertical set timber cladding with a natural finish, and render over foam board, and is to have a flat roof. The dwelling is to comprise a double garage and living areas at ground floor, and bedrooms at first floor. There is a north facing deck at ground floor level between the dwelling and the site's Nicholas Court frontage, as well as towards the Point Lonsdale Road frontage of the site. The footprint of the first floor has been designed with an angled section to minimise impact of existing views across the site from dwellings within Nicholas Court.

Dwelling 2 is to be constructed of painted matrix cladding panels, painted horizontal set weatherboards, with a hipped colorbond roof. The dwelling is to comprise a double garage, bedrooms and a rumpus room at ground floor, with the master bedroom with walk in robe and en suite, a guest room with en suite, separate water closet, and open plan kitchen/living/dining area at first floor. There is a courtyard area at ground floor approximately 40m² in size.

The proposed subdivision will result in lot 1 having an area of 370m², lot 2 having an area of 421m², and a common property area of approximately 41.7m².

Planning Scheme controls

The site is located in a Residential 1 Zone, and is subject to a Design and Development Overlay - Schedule 3 (DDO3), and Vegetation Protection Overlay – Schedule 1 (VPO1).

Permit triggers

The proposed development requires a planning permit under the following provisions of the Queenscliffe Planning Scheme:

- Clause 32.01-2 – subdivision in a Residential 1 Zone;
- Clause 32.01-4 – construction of two dwellings on a lot in a Residential 1 Zone;
- Clause 43.02-2 – buildings and works in a Design and Development Overlay; and
- Clause 52.29 – subdivide land adjacent to a road in a Road Zone, Category 1.

Referrals

There were no statutory referrals required for this application.



Council Plan

Planning applications are assessed with due consideration to the strategic direction identified in the 2010-2013 Council Plan. It is considered the proposed development and subdivision are consistent with the following key strategic objectives of the Council Plan:

- *"Protect, conserve and add value to the unique natural, built and heritage values of the Borough of Queenscliffe, drawing on an understanding of the limitations of the natural environment and the municipality's historical background."*

Financial

There are no financial implications for Council. This is the development of privately owned land and any costs will be borne by the landowner.

Social

The development will result in an additional dwelling being included within this established residential precinct, within close proximity of the commercial precinct of Point Lonsdale. The dwellings have been designed to minimise the impact on the existing views currently enjoyed across the site from surrounding properties, and it is therefore considered that the proposal should not result in any unreasonable loss of amenity to any properties owners/occupiers within the surrounding area.

Environmental

There are no environmental implications associated with the development.

Risk Management

All matters set out under the Planning and Environment Act 1987 have been considered in the assessment of the application. A detailed assessment of the proposal is outlined later within this report.

Officer Direct or Indirect Interest

Under Section 80C (1) (2) of the Local Government Act 1989, Council staff and persons engaged under a contract to provide advice or a report to a meeting of the Council or a special committee, and who have a direct or indirect interest in a matter to which the advice or report relates, must disclose the type of interest when providing the advice or report and before the advice or report is consider by the Council or the committee.



There is no conflict of interest or pecuniary interest to be declared in relation to this application for planning permit.

Assessment

The following is an assessment of the proposal against the relevant provisions of the Queenscliffe Planning Scheme.

State Planning Policy Framework (SPPF)

The proposed development and subdivision has been assessed against the relevant provisions of the State Planning Policy Framework (SPPF), and it is considered that the proposal is consistent and appropriate with the appropriate strategic objectives.

Local Planning Policy Framework (LPPF)

It is considered that the proposed development is consistent with the relevant provisions of the LPPF, specifically Clause 22.04-3 in regard to neighbourhood character within the foreshore areas.

Zoning

The subject site is located within the Residential 1 Zone.

Pursuant to Clause 32.01-2 of the Queenscliffe Planning Scheme, a planning permit is required to subdivide land.

It is considered that the proposed subdivision is consistent with the decision guidelines of Clause 32.01-2 of the Scheme.

Pursuant to Clause 32.01-4 of the Queenscliffe Planning Scheme, a planning permit is required to construct two or more dwellings on a lot.

An assessment of the proposed two dwellings against the requirements of Clause 55 (ResCode) is included later within this report.

Overlays

Design and Development Overlay - Schedule 3 (DDO3)

The site is subject to Design and Development Overlay 3 which has particular requirements in relation to building height, setbacks, site coverage and landscaping. Below is a table outlining an assessment of the proposal against the provisions of the DDO3.



	Requirement	Proposed	Compliance
<i>Building Height</i>	No building can exceed two storeys and 8.5 metres in height above natural ground level.	The proposed building has a maximum height of 7.0 metres.	Complies.
<i>Building Setbacks</i>	The minimum front setback should be at least 6.0 metres, or may match that of adjacent buildings or be between the setbacks of those buildings (where they are setback different distances), whichever is the lesser.	The building has a front setback of 6.0 metres.	Complies.
	Side setback minimum of 1.2 metres for single storey and 1.92 metres for double storey.	The proposal has a setback of 2.21 metres to the north (Nicholas Court) boundary, 7.0 metres from the west boundary, and 1.3 metres to the south boundary.	Complies.
	Buildings should not be built on side and rear boundaries unless this is a dominant feature of buildings in the street.	There is no built form proposed for the site's side or rear boundaries.	Complies.
<i>Site Coverage</i>	Maximum 55%	36.7%	Complies.
<i>Adjacent to a heritage overlay</i>	Any building or works adjoining a building, site or object listed in a heritage overlay will require plans and a report to be submitted showing how the buildings or works are sympathetic to the character and amenity of the adjoining building etc.	The subject site does not adjoin a property in a heritage overlay.	Complies.

As demonstrated above, the proposal is fully compliant with the requirements of the Design and Development Overlay – Schedule 3.

Particular Provisions

Clause 55 – Two or more dwellings on a lot and residential buildings

The proposal has been assessed against the requirements of Clause 55, with the following areas of non-compliance being identified:

- Standard B29 – Solar access to open space
- Standard B30 – Storage



It is considered that the non-compliance of dwelling 2 with regard to the provision of solar access to the newly created private open space area is not fatal to the application, considering the amount of solar access to the open space area to the front of the dwelling, as well as the deck areas at first floor level. It is considered that a variation to the standard requirement of Standard B29 is reasonable in this instance, and warrants support.

The lack of storage areas shown on the plans can be addressed via the inclusion of conditions on any permit issued.

Clause 56 – Residential Subdivision

It is considered that the proposed subdivision is consistent with the requirements of Clause 56, and warrants support.

General Provisions

Clause 65 – Decision Guidelines

The proposal has been assessed and is considered to be consistent with the relevant decision guidelines contained within Clause 65 of the Scheme.

Accordingly, it is considered appropriate that the proposal be supported in this instance.

Public notification

In accordance with Section 52 of the Planning and Environment Act 1987, the application was required to be advertised by sending a set of the proposed plans by registered post to adjoining and surrounding property owners, maintaining a notice on site for a minimum of fourteen (14) days, erecting a public notice in the municipal offices for fourteen (14) days, and including a public notice in the local Echo newspaper. Given the history of the site and the previous application for the site that attracted objections from surrounding property owners, it was considered appropriate that all parties who objected to the previous application be served with a copy of the proposed drawings.

One (1) objection was received in relation to the proposal, from the owner of No. 6 Nicholas Court approximately 33 metres from the subject site. The objection raises concerns regarding the impact of the proposal on the views from their property across the subject site towards the south-east.

It is noted that the design of the latest application has been tailored to address the concerns of the neighbour in regard to loss of views, particularly the angled wall of the first floor of dwelling 1.

The objector has included photographs in their submission. Image 1 demonstrates the existing water views enjoyed from the first floor of No. 6 Nicholas Court, image 2 shows the impact of the proposal, and image 3 shows a compromise suggested by the objector.



Image 1 – existing ocean views from objector's property

As demonstrated above, the objector currently enjoys limited ocean views across the subject site. The photo above also shows the sight pole erected on the site by the applicant, indicating where the built form proposed under this permit application will extend to at first floor level. This is more clearly shown in the photograph shown in Image 2.

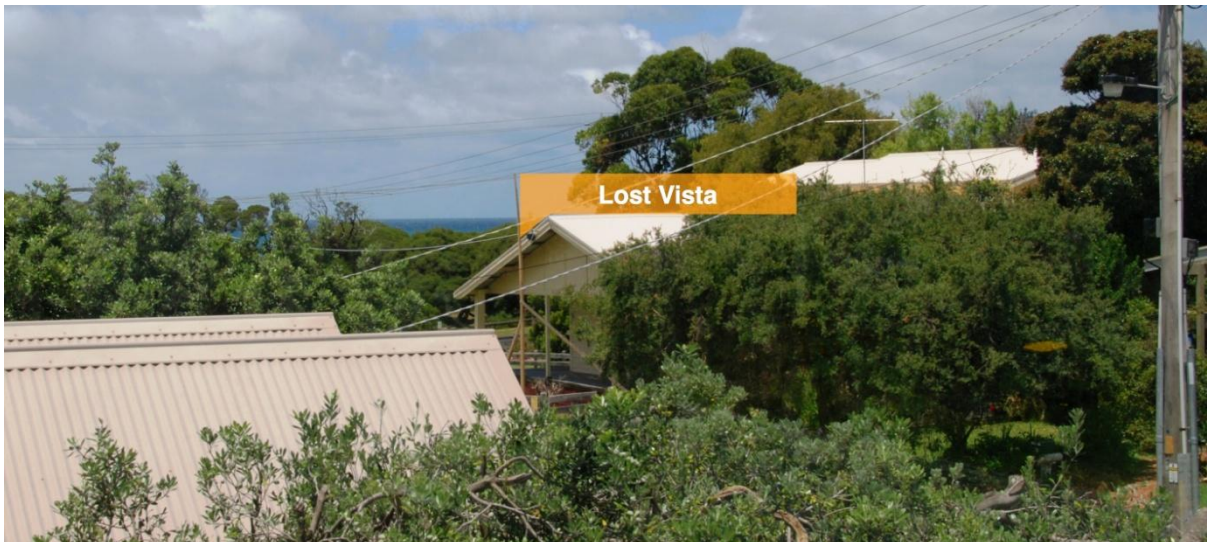


Image 2 – impact of proposed development on existing view from No. 6 Nicholas Court

As demonstrated in the image above, the proposed development will obscure a small section of existing water views currently enjoyed from the objector's property. Image 3 below, provided by the objector, identifies a potential compromise to address their concerns.



Image 3 – suggested compromise from objector

In assessing the above photographs and whether the development results in an unreasonable impact on the view over the subject site currently enjoyed by the objector, it is important to consider what efforts have been made by the applicant in regard to this matter.

It is noted that the previous planning permit application, which sought to subdivide the land in a north-south direction, and build a new dwelling between the existing dwelling and the site's Point Lonsdale Road frontage, would have almost completely blocked the entire ocean view enjoyed from the objector's property. The applicant met with the concerned parties specifically to resolve this matter, and designed the current proposal in a way to minimise the impact on views, particularly the angled first floor footprint of dwelling 1.

It is considered that the applicant has shown a considerable amount of leniency in the design of dwelling 1 to allow a significant portion of the objector's existing water views to be retained. The ability for views to be enjoyed from dwelling 1 has been compromised significantly in order to retain as much of the neighbours view, demonstrating a distinct effort by the applicant to achieve a reasonable sharing of views.

Accordingly, it is considered that the scope of objector's existing view that is to be blocked by the development should not result in an unreasonable loss of amenity, and that the proposed development should be supported.

Conclusion

It is considered that the proposal is appropriate and warrants support for the following reasons:

- The development is generally consistent with the requirements of the Queenscliffe Planning Scheme;
- The proposed built form has given due regard to the surrounding urban character of this precinct of Point Lonsdale; and



- The development has been designed to minimise impacts on existing view corridors from surrounding properties.

For the reasons outlined above, it is considered that the proposed development is appropriate for the site and should be supported.

Recommendation:

That Council, having caused notice of Planning Application No. 2011/106 to be given under Section 52 of the Planning and Environment Act 1987 and the Queenscliffe Planning Scheme, and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 resolves that the application be approved and that a Notice of Decision to Grant a Permit be issued for the construction of two dwelling (double storey), construction of a front fence, and subdivision of the land into two (2) lots with common property, at No. 153 Point Lonsdale Road, Point Lonsdale, subject to the following conditions:

Development Conditions

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application, but modified to show:
 - a) The provision of an enclosure for bin and recycling facilities for each dwelling;**
 - b) The provision of 6m³ of externally accessible secure storage space provided for both the existing and proposed dwellings;**
 - c) The provision of a full colour, finishes and building materials schedule is to be submitted to and approved by the responsible authority. The schedule must include illustrated examples (demonstrated on an A4 or A3 sheet) of the materials to be used for the development, for all external elevations****
- 2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.**
- 3. Prior to a Certificate of Occupancy being issued for the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with, unless with the further prior written consent of the Responsible Authority.**
- 4. The site must be drained to the satisfaction of the responsible authority.**
- 5. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**
- 6. In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:**



- a) The development is not started within two (2) years from the date of permit issue.
- b) The development is not completed within four (4) years from the date of permit issue.

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Subdivision Conditions

- 7. Before the subdivision starts, a Plan of Subdivision to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be prepared by a suitably qualified land surveyor, and must show all bearings, distances, levels, street names, lot numbers, lot sizes, reserves, easements and entitlements to common property, in accordance with the lot boundaries shown on the endorsed plans for the development.
- 8. Each lot shown on the endorsed plans must be drained to the satisfaction of the responsible authority.
- 9. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- 10. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- 11. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
- 12. The time limit for the commencement of the subdivision hereby approved is two years from the date of issue of this permit and it must be completed within five years of the date of the subdivision plan.

Note (1): Prior to the commencement of the development you are required to obtain the necessary Building Permit.

Note (2): The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and



Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

Note (3): The proposed Nicholas Court crossover requires a road opening permit from Council's Engineering Department.



16. AUTHORISATION OF SIGNING & SEALING OF DOCUMENTS

16.1 Queenscliff and District Neighbourhood House Inc. - Lease

File: QG047-01-01

Report Author: Foreshore & Caravan Parks Coordinator

The Queenscliff and District Neighbourhood House Inc. have signed and sealed a proposed lease over the site occupied at Tobin Drive, Queenscliff.

This lease agreement is consistent with Council's resolution of 17 November 2010, *'That Council approves the Queenscliffe & District Neighbourhood House as the long term tenant of the former Port of Melbourne Authority building in Tobin Drive, Queenscliff and that officers progress establishment of a 10 to 21 year, preferably 21 years, Crown land lease with the Department of Sustainability and Environment subject to discussion with Queenscliff Neighbourhood House'*.

The lease has been prepared in accordance with Section 17D of the Crown Land (Reserves) Act 1978, and is a lease structured to reflect the community based nature of the organisation. Key features of the lease are as follows:

TENANT:	Queenscliff and District Neighbourhood House Inc.
TERM:	10 Years
PERMITTED USE:	Operation of the Neighbourhood House
RENT:	\$114 per annum plus GST

The lease has one special condition that relates to the fact that the building and site in Tobin Drive is designated as a Municipal Emergency Co-ordination Centre (MECC) and is to be made available should emergency personnel need to attend and operate the MECC.

Council needs to affix the Common Seal of the Borough of Queenscliffe and execute the lease, in accordance with its Local Law No.1, 2010.

Recommendation:

That Council notes the "Use of the Seal" and executes the lease documents (3 copies) to formalise the lease arrangement with Queenscliff and District Neighbourhood House Inc.



17. QUESTIONS WITHOUT NOTICE

17.1. Questions Without Notice Status Update

Recommendation:

That the Questions Without Notice Status Update, as presented in Adjunct to Item 17.1, be noted.

17.2. Questions Without Notice

18. LIST OF COUNCIL MEETINGS

All Council Meetings are held at the Council Offices, 50 Learmonth Street, Queenscliff unless otherwise indicated.

PLANNING REVIEW MEETING

Wednesday 7 March 2012 at 7:00pm (if required)

COUNCIL MEETING

Wednesday 21 March 2012 at 7:00pm



19. CONFIDENTIAL ITEMS

Time: _____pm

Recommendation:

That in accordance with Section 89 (2i) of the Local Government Act 1989:

- **Confirmation of Confidential Council Meeting Minutes – 21 December 2011**

That in accordance with Section 89 (2e) of the Local Government Act 1989:

- **Confidential Motion on Notice Status Update**

That in accordance with Section 89 (2a) of the Local Government Act 1989:

- **Audit Committee Membership**

be considered at the conclusion of all other business at which time the meeting be closed to members of the public.

That Council suspend standing orders and commence 'in camera' meeting.

19.1 Confirmation of Confidential Council Meeting Minutes – 21 December 2011

19.2. Confidential Motion On Notice Status Update

19.3 Audit Committee Membership

Time: _____pm

Recommendation:

That Council cease 'in camera' meeting and resume standing orders.

20. RATIFICATION OF CONFIDENTIAL ITEMS

Recommendation:

That the decisions made in camera be ratified by Council.

21. CLOSE OF MEETING



ADJUNCT TO 6 - RECORD OF ASSEMBLY OF COUNCILLORS

Record in accordance with section 80A(1) of the Local Government Act 1989.

6.1. Vegetation Advisory Group Meeting– Monday 19 December 2011

Assembly Commenced: 4:08pm

Assembly Closed: 5:15pm

Assembly Location: Queenscliff Town Hall

Attendees:

Cr. Bob Merriman	Stuart Hansen, Projects & Contracts Engineer
Cr Helene Butler	Tony Cooke
Cr David Mitchell	Deb Brearley
Phil Josipovic, General Manager Planning & Infrastructure	Joan Lindross
	Susan Salter
Garry Purton, Foreshore & Caravan Parks Coordinator	Lester Hunt

Apologies:

Lenny Jenner, CEO
Shane Poulter, Technical Officer Infrastructure
Dean Zanoni

Conflict of Interest Disclosures:

Councillors: Nil
Officers: Nil

Agenda Items:

1. Hesse Street Trees
2. Point Lonsdale Playground arborist report



6.2. Councillor Assembly – Monday 19 December 2011

Assembly Commenced: 6:15pm

Assembly Closed: 8:00pm

Assembly Location: Queenscliff Town Hall

Attendees:

Cr. Bob Merriman

Cr. Helene Butler

Cr. Lloyd Davies

Cr. David Mitchell

Cr. John Burgess

Mr. Lenny Jenner, CEO

Ms. Ev Wuchatsch, General Manager Governance & Community

Mr. Phil Josipovic - General Manager Planning & Infrastructure

Ms. Jacqueline Wilson, Sustainability Officer (6:15pm to 6:58pm)

Apologies:

Nil

Conflict of Interest Disclosures:

Councillors: Nil

Officers: Nil

Agenda Items:

1. Carbon Neutral Strategy Presentation
by Creative Environment Enterprises (Euan Williamson & Liam O'Keefe)
2. G21 Regional Growth Plan Briefing
by Tim Hellsten, Project Manager G21 Regional Growth Plan
3. Melbourne DownUnder
4. Project Status Report
5. Councillor Communiqué
6. Dates of 2012 Council Meetings – request from Cr Merriman to change timing of April & May 2012 Meetings
Dinner at Queenscliff Inn



6.3. Councillor Assembly – Wednesday 21 December 2011

Assembly Commenced: 6:36pm

Assembly Closed: 6:55pm

Assembly Location: Queenscliff Town Hall

Attendees:

Cr. Bob Merriman

Cr. Helene Butler

Cr. Lloyd Davies

Cr. David Mitchell

Cr. John Burgess

Mr. Lenny Jenner, CEO

Ms. Ev Wuchatsch, General Manager Governance & Community

Mr. Phil Josipovic, General Manager Planning & Infrastructure

Mr. Mitch Hodgson, Senior Planner

Apologies:

Nil

Conflict of Interest Disclosures:

Councillors: Cr. Butler declared a Conflict of Interest in relation to Item 2 – Queenscliff Harbour Car Parking in that her current employer may be involved in business with Queenscliff Harbour Pty Ltd owner & left the Assembly between 6:45pm and 6:53pm.

Cr Davies declared a Conflict of Interest in relation to Item 2 – Queenscliff Harbour Car Parking in that his current employer is undertaking projects for Queenscliff Harbour Pty Ltd & left the Assembly between 6:45pm and 6:53pm.

Officers: Nil

Agenda Items:

1. 20-26 Hesse Street, Queenscliff
2. Queenscliff Harbour CarParking
3. Dates of 2012 Council Meetings – request from Cr Merriman to change timing of April & May 2012 Meetings.
April scheduled for Wednesday 18 April 2012 – requesting 11 April 2012
May scheduled for Wednesday 16 May 2012 – requesting 23 May 2012



6.4. Councillor Assembly – Monday 23 January 2012

Assembly Commenced: 9:00am

Assembly Closed: 2.10PM

Assembly Location: Queenscliff Town Hall

Attendees:

Cr. Bob Merriman

Cr. Helene Butler

Cr. Lloyd Davies

Cr. David Mitchell

Cr. John Burgess

Ms. Ev Wuchatsch, Acting CEO

Mr. Phil Josipovic, General Manager Planning & Infrastructure

Ms. Allison Chaloner, Senior Accountant

Garry Purton, Coordinator, Foreshore and Caravan Parks (10:30am - 11:00am)

Daniel Barker, Engineer (1:00pm - 1:30pm)

Emma Clark, Community Development Coordinator (11:00am – 11:15am)

Apologies:

Mr. Lenny Jenner, CEO

Conflict of Interest Disclosures:

Councillors: Nil

Officers: Nil

Agenda Items:

1. Budget Assumptions
2. Fees & Charges
3. Community Grants / 150th Anniversary of the Borough
4. Council Plan – Business Plan priorities
5. Capital Projects & New Initiatives
 - Country Roads & Bridges Initiative
 - Priority Projects (Local Government Infrastructure Funding)
 - 2011/12 “Top 10” Listing
 - 2011/12 Submissions requiring minimal funds
 - 2011/12 Remaining items from Submissions
5. Capital Projects & New Initiatives, continued.



6.5. Councillor Assembly – Wednesday 1 February 2012

Assembly Commenced: 6:20pm

Assembly Closed: 6:49pm

Assembly Location: Queenscliff Town Hall

Attendees:

Cr. Bob Merriman

Cr. Helene Butler

Cr. Lloyd Davies

Cr. David Mitchell

Cr. John Burgess

Mr. Lenny Jenner, CEO

Mr. Phil Josipovic, General Manager Planning & Infrastructure

Apologies:

Nil

Conflict of Interest Disclosures:

Councillors: Nil

Officers: Nil

Agenda Items:

1. Point Lonsdale Boardriders proposal update
2. ABM Planning Workshop – 10-12 on 23 February 2012 at the MAV – clarify Councillors attendance
3. Website Feedback



6.6. Planning Review Meeting – Wednesday 1 February 2012

Assembly Commenced: 7:00pm

Assembly Closed: 7:30pm

Assembly Location: Borough of Queenscliffe Council Offices

Attendees:

Cr. Bob Merriman

Cr. Helene Butler

Cr. David Mitchell

Cr. John Burgess

Cr. Lloyd Davies

Mr. Lenny Jenner, CEO

Mr. Phil Josipovic, General Manager Planning & Infrastructure

Mr Mitch Hodgson, Senior Planner

Presenters:

1. Applicant John Gullan

Apologies:

Nil

Conflict of Interest Disclosures:

Councillors: Nil

Officers: Nil

Agenda Items:

1. 153 Point Lonsdale Road, Point Lonsdale



**6.7. Borough's 150th Celebrations Community Organising Committee –
Thursday 2 February 2012**

Assembly Commenced: 10:00am

Assembly Closed: 11:00am

Assembly Location: Queenscliff Town Hall

Attendees:

Cr Bob Merriman	Carmel Christenson
Cr Helene Butler	Alf McKenzie – QCA
Lenny Jenner - BoQ	John Goodman – PLCA
Emma Clark - BoQ	Martin Brown
Maree Greenwood - BoQ	Les Irving-Dusting - Queenscliff Maritime Museum
Leanne Stein – BoQ	Jocelyn Grant - Queenscliff Historical Museum
Val Lawrence	Lorraine Golightly - QLBT
Kate Kenny – Bellarine Railway	

Apologies:

Joan Kenwood - QCA

Conflict of Interest Disclosures:

Councillors: Cr Butler noted her role as President of the Queenscliffe Historical Museum
Officers: No

Agenda Items:

1. Goals/Principles for celebrations
2. Discussion/Workshop about event ideas



6.8. Councillor Workshop – Monday 6 February 2012

Assembly Commenced: 9:07am

Assembly Closed: 4:08pm

Assembly Location: Queenscliff Town Hall

Attendees:

Cr. Bob Merriman

Cr. Helene Butler

Cr. Lloyd Davies

Cr. David Mitchell

Cr. John Burgess

Mr. Lenny Jenner, CEO

Ms. Ev Wuchatsch, General Manager Governance & Community (*from 9:35am*)

Mr. Phil Josipovic, General Manager Planning & Infrastructure

Ms. Alison Chaloner, Senior Accountant (*from 9:35am*)

Apologies:

Nil

Conflict of Interest Disclosures:

Councillors:

Officers:

Agenda Items:

Council Plan & Budget Workshop



ADJUNCT TO 7.1 – MOTION ON NOTICE STATUS UPDATE

Date	Motion Number	Action	Status
21 September 2011	2011/552 - Public Tree Removal Policy	That Council defer the following motion and request a report from Officers and a response from the Council's Vegetation Advisory Group in relation to this Motion	This is yet to be implemented.
21 December 2011	2011/556 - Application to a Councillor Conduct Panel	Application lodged	Completed

ADJUNCT TO 17.1 – QUESTIONS WITHOUT NOTICE STATUS UPDATE

Date	Question Title	Action	Status
21 September 2011	MAV State Council Resolution	Advice forwarded to MAV with copies distributed to Councillors	Completed
