



# Agenda

## Ordinary Meeting of Council

Wednesday 17 February 2021 at 7:00pm

Via videoconference (Zoom)

### **Distribution**

#### **Councillors**

Cr Ross Ebbels – Mayor

Cr Susan Salter

Cr Donnie Grigau

Cr Fleur Hewitt

Cr Michael Grout

#### **Officers**

Martin Gill – Chief Executive Officer

Phillip Carruthers – General Manager Organisational Performance & Community Services

Johann Rajaratnam – General Manager Planning & Infrastructure

Connor Parker – Coordinator Community Engagement & Communications

Jackie Fletcher – Executive Assistant to the CEO, Mayor & Councillors

In accordance with the Borough of Queenscliffe Governance Rules, the information contained within this Agenda is for the confidential and privileged use of Councillors until at least 48 hours prior to this meeting.

**THIS MATERIAL DOES NOT NECESSARILY REFLECT THE VIEWS OF COUNCIL**



### **Council Vision**

***Inspired by the Borough's Latin motto, 'Statio Tutissima Nautis', that translates as "the safest anchorage for seafarers", our vision for the future is that:***

***The Borough remains a safe haven defined by its unique heritage, rich culture and significant natural environment. It is a special and restorative place for an involved and caring community and our visitors.***

***Council acknowledges the Traditional Owners of these lands, waters and skies, the Wadawurrung People. We acknowledge and respect their continuing connections to their Lands, Waters, Skies, Culture and the contribution they make to the life and spirit of our community. We pay respect to their past and present Elders and their emerging leaders, and extend this respect to all Aboriginal and Torres Strait Islander peoples.***

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## Appendices

<b>Appendix</b>	<b>Title</b>	<b>Agenda Item</b>	<b>Distribution</b>
Appendix 1	Quarterly report against Council Plan Priority Actions as at 31 December 2020	15.1 Implementation Plan Quarterly Report	Under separate cover
Appendix 2a	Quarterly Financial Report 31 December 2020	15.2 2020-21 Quarterly Financial Report as at 31 December 2020	Under separate cover
Appendix 2b	Governance and management checklist progress update	15.2 2020-21 Quarterly Financial Report as at 31 December 2020	Under separate cover
Appendix 2c	Update against the sustainable capacity, service performance and financial performance indicators	15.2 2020-21 Quarterly Financial Report as at 31 December 2020	Under separate cover

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Appendix 3a	CP039 Discretionary Reserves	15.3 Review of Council Policies	Under separate cover
Appendix 3b	CP040 Borrowings	15.3 Review of Council Policies	Under separate cover
Appendix 3c	CP020 Vegetation Vandalism	15.3 Review of Council Policies	Under separate cover
Appendix 3d	CP024 Memorials and Plaques	15.3 Review of Council Policies	Under separate cover
Appendix 3e	CP045 Child Safety Statement	15.3 Review of Council Policies	Under separate cover
Appendix 4a	General Local Law 2021 Community Impact Statement	15.4 Local Law General 2021	Under separate cover
Appendix 4b	Draft General Local Law 2021	15.4 Local Law General 2021	Under separate cover
Appendix 4c	Policy and Procedures Manual, Additional Requirements Applying to Local Laws	15.4 Local Law General 2021	Under separate cover
Appendix 5	CP005 Councillor Code of Conduct	15.5 Councillor Code of Conduct	Under separate cover

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**1. OPENING OF MEETING**

*Council acknowledges the Traditional Owners of these lands, waters and skies, the Wadawurrung People. We acknowledge and respect their continuing connections to their Lands, Waters, Skies, Culture and the contribution they make to the life and spirit of our community. We pay respect to their past and present Elders and their emerging leaders, and extend this respect to all Aboriginal and Torres Strait Islander peoples.*

The Meeting opened at:

**2. PRESENT & APOLOGIES**

*Present:*

*Apologies:*

**3. PECUNIARY INTEREST & CONFLICT OF INTEREST DISCLOSURES**

*Councillors must disclose a conflict of interest in accordance with Section 130 of the Local Government Act 2020.*

Councillors:

Officers:

Due to the current COVID-19 pandemic, for health and safety of our community this council meeting was closed to the public and made available via live streaming and for viewing via video (other than the confidential agenda items).

**4. LEAVE OF ABSENCE OF COUNCILLOR**

Nil

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## **5. PUBLIC QUESTION TIME**

### **5.1 Public Questions Status Update**

No public questions outstanding.

### **5.2 Public Questions**

*In accordance with Council's Public Question Time Guidelines, questions must be written and received by the Chief Executive Officer prior to 3.00pm on the day of the Ordinary Council meeting. Questions received after this time will be treated as correspondence and a written response provided consistent with Council's Customer Service Charter. Questions can be lodged online via the Borough of Queenscliffe website, via email, via post or in person by completing a Public Question Time Form.*

## **6. CONFIRMATION OF COUNCIL MEETING MINUTES**

### **6.1 Ordinary Meeting of Council – 16 December 2020**

A copy of the previous Minutes of the Ordinary Meeting of Council held on 16 December 2020 was distributed to Councillors under separate cover.

### **OFFICER RECOMMENDATION**

**That the Minutes of the Ordinary Meeting of Council of the Borough of Queenscliffe held on 16 December 2020, as distributed, be confirmed as an accurate record.**

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## **7. RECORD OF ASSEMBLY OF COUNCILLORS**

A Record of Assembly for the following Assemblies of Council are included at Adjunct to item 7:

- 15 December 2020 – Councillor Induction
- 16 December 2020 – Assembly Meeting
- 13 January 2021 – Planning Briefing
- 13 January 2021 – Planning Review Meeting
- 19 January 2021 – Councillor Induction
- 20 January 2021 – Councillor Induction
- 20 January 2021 – Amenities Block Tour
- 20 January 2021 – Assembly Meeting
- 28 January 2021 – PLLHR Reference Group
- 3 February 2021 – Assembly Meeting
- 10 February 2021 – Assembly Meeting

### **OFFICER RECOMMENDATION**

**That the Record of Assembly of Councillors, as presented in Adjunct to Item 7, be noted.**

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## 8. NOTICE OF MOTION

### 8.1 Notice of Motion Status Update

No Motions on Notice outstanding.

### 8.2 Motion on Notice

No Notices of Motion were received.

## 9. PETITIONS AND JOINT LETTERS

### 9.1 Petitions and Joint Letters

*In accordance with the Borough of Queenscliffe Governance Rules, a petition or joint letter presented to the Council must lay on the table until the next ordinary meeting of the Council and no motion, other than to receive the petition or joint letter may be accepted by the Chairperson, unless the Council agrees to deal with it earlier.*

#### 9.1.1 Petition: Against the proposed Bike park on the old high school site

Council received a petition addressed to the To the Mayor and Councillors Borough of Queenscliffe Council. Consistent with Division 9 of the Governance Rules, the petition is now tabled for Council's information.

The petition reads as follows:

#### ***PETITION AGAINST THE QUEENSCLIFFE BOROUGH COUNCIL'S PROPOSAL TO DEVELOP A BIKE PARK ON THE OLD HIGH SCHOOL SITE***

*To the Mayor and Councillors Borough of Queenscliffe Council. We the undersigned residents, ratepayers and friends of Queenscliffe question the presumption that a bike park should be located at the old High School site and request the Council reconsider the project.*

#### ***OUR REASONS FOR THIS REQUEST INCLUDE:***

- One of Queenscliff's key characteristics is its low-key historic profile which is important to residents, visitors and businesses alike. This attribute differentiates the town from other Bellarine and Surf Coast destinations and it should be carefully maintained and encouraged. A bike park at the primary entry point to the township does not enhance Queenscliff's acknowledged heritage values.*
  - The High School site forms an iconic entrance to Queenscliff, with important vistas through to Swan Bay and eastward along the Avenue of Honour and Memorial Garden. A bike*
-



*parkat this site does not align with the ongoing work to restore and promote these two heritage memorials.*

- The Council has already undertaken extensive community consultation about the High School site resulting in a 2014 grant funding application to make the area into parkland with community gardens. This is the Council resolution which is still valid.*
- Much of the site is located within 200m of Swan Bay so the Victorian Government's Marine and Coastal Policy will apply. This Policy clearly states that unless a facility needs to be located close to the coast, it should not be. Open space adjacent to the coast is under constant pressure and the bike park proposal would contribute to the loss of undeveloped land, whereas the Policy encourages the remediation of landscapes where possible. The proposal appears to lack any environmental impact assessment despite Swan Bay's high environmental values.*
- The proposed bike park is very close to house and, if the facility becomes an attraction, it will be difficult to manage amenity problems such as noise, parking and traffic (particularly over the peak summer season).*
- The Council has not established a budget nor undertaken any options analysis which establishes the underlying need for a bike park and evaluates alternatives within agreed parameters. As such, the project should be reconsidered to examine the drivers for the bike park and, should this be proven, further community consultation to determine an appropriate location.*

The petition was signed by 101 people. Following review of the petition, Council officers identified all signatories as coming from Point Lonsdale and Queenscliff (including those who live in Point Lonsdale within the municipal boundary of the City of Greater Geelong).

#### **OFFICER RECOMMENDATION**

**That Council receives the petition, and the petition lays on the table until 24 March 2021.**

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## 10. FUNCTIONS ATTENDED

Council was represented at the following meetings and functions between 11 December 2020 and 10 February 2021:

Date	Function Attended
11 December 2020	St Aloysius Primary School Award Presentations (Cr Ebbels)
12 December 2020	Cottage by the Sea function (Cr Ebbels)
14 December 2020	Tourism Greater Geelong and the Bellarine Corporate Planning Board Workshop via videoconference (Cr Ebbels)
17 December 2020	PLonQ Meeting (CEO & Cr Ebbels)
17 December 2020	Point Lonsdale Primary School Awards (Cr Ebbels)
17 December 2020	MAV Mayor Induction Day 1 (Cr Ebbels)
17 December 2020	Queenscliff Historical Museum Annual Christmas Mingling of the Volunteers (CEO)
18 December 2020	MAV Mayoral Induction Day 2 (Cr Ebbels)
18 December 2020	Queenscliff Primary School Awards Presentation (Cr Ebbels)
8 January 2021	Point Lonsdale Civic Association Annual General Meeting via videoconference via videoconference (CEO & Cr Ebbels & Hewitt)
14 January 2021	Coastal and Marine Management Plan Webinar (Cr Hewitt & Grout)
22 January 2021	Relaunch of the upgraded Portarlington Police Station (Cr Grigau & Grout)
26 January 2021	Australia Day Awards Ceremony (CEO, Crs Ebbels, Salter, Hewitt, Grout & Grigau)
28 January 2021	Bellarine Community Health Annual General Meeting (CEO, Crs Ebbels, Hewitt & Grout)
28 January 2021	Swan Bay Association Meeting (Cr Hewitt)
30 January 2021	Queenscliffe Maritime Museum Annual General Meeting (Cr Ebbels)
3 February 2021	Meeting with the new G21 CEO (Cr Ebbels & CEO)
4 February 2021	Meeting with the Point Lonsdale Civic Association (CEO & Cr Ebbels)
4 February 2021	Climate Emergency Australia Webinar 'The Impacts of Climate Disasters' (Cr Hewitt)



Date	Function Attended
5 February 2021	VLGA FastTrack Leadership Program for Mayors & Deputy Mayors (Cr Ebbels)
5 February 2021	G21 Planning & Services Pillar Meeting (Cr Grout)
6 February 2021	Geelong Arts Centre Season Launch (Cr Ebbels)
10 February 2021	MAV Mayoral Briefing (Cr Ebbels)

**OFFICER RECOMMENDATION**

**That the Functions Attended report be received.**

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## **11. COMMUNITY WELLBEING**

### **11.1 Event Sponsorship**

**File:** QG093.06.01

**Author:** Economic and Community Development Program Leader

**Portfolio:** Community Wellbeing

**Portfolio Holder:** Cr Grigau

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#### **PURPOSE**

The purpose of this report is present to Councillors a summary of the assessment of applications received for Event Sponsorship for events to be held up to 15 December 2021 and for Council to allocate an appropriate level of support.

#### **EXECUTIVE SUMMARY**

The Council Plan Strategic Objective 1 is to enhance community wellbeing by providing a safe environment where people are involved, healthy and active in recreation, arts and culture. This report aims to facilitate and support the conduct of public and community events.

Council's Event Sponsorship Policy CP022 seeks to support and promote a healthy, involved and creative community through the sponsorship of events. The Event Sponsorship program is available twice a year and event sponsorship may fall into one of three categories – local, minor and major. Applications are assessed against economic and social opportunities, sport, recreation and cultural opportunities and environmental sustainability

Round 1 of the Event Sponsorship program opened on 1 December 2020. Council received four applications, with one application withdrawn during the assessment period.

The three applications were subsequently assessed and met the criteria.

Council has a 2020/21 budget of \$20,000 for discretionary allocation to Events sponsorship. Successful applicants will be required to enter into an Event Sponsorship Agreement with the Borough of Queenscliffe.

#### **OFFICER RECOMMENDATION**

##### **That Council:**

- 1. Accept assessments as presented and determine an allocation of funding for the three applications presented:**
    - a) Local event – Groms Off The Wall**
    - b) Minor event – Peebles Print Prize**
    - c) Minor event – Blues Train Revival Concert Series**
-



- 2. Request the Chief Executive Officer to enter into an Event Sponsorship Agreement with the successful applicants subject to the Event Applicant meeting any event management permits (if applicable) including that the event can operate within mandated COVIDsafe regulations and practices.**



<b>REPORT</b>
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### **BACKGROUND**

Council's Event Sponsorship Policy CP022 seeks to support and promote a healthy, involved and creative community through the sponsorship of events.

Funding is available for:

- Established and new events
- One-off and repetitive events
- Not-for-profit and commercial events

Events may fall into one of three categories – local, minor and major and the following funding range applied to each:

- Local – up to \$5000
- Minor – up to 10,000
- Major – over \$10,000

The Event Sponsorship program is available twice a year and is supportive to minor and major events held in the off-peak season. The program is competitive and assessed on the merits of the application.

Council has a 2020/21 budget of \$20,000 for discretionary allocation to Events sponsorship.

### **DISCUSSION**

Round 1 of the Event Sponsorship program to applications opened on 1 December 2020. The program was advertised in the local press and promoted via Council's Facebook page and was included as a news item in the December 2020 issue of the Borough Business E-news Bulletin. The program promotion was supported by a web banner on the council website for 3 weeks. By the closing date (4 January 2021) Council had received 4 applications for Event Sponsorship. One application was withdrawn while under assessment due to a proposed date change with possible reapplication in Round 2, July 2021.

The three funding applications were assessed using the following criteria:

- Economic opportunities
- Social opportunities
- Sport, recreation and cultural opportunities
- Environmental sustainability

#### **Application 1:**

Event:	Groms off the Wall Day Out
Applicant:	Point Lonsdale Board Riders Club
Location:	Point Lonsdale Front Beach
Date:	24 April 2021
Event description:	A fun beach day at the front beach. Includes learn to surf opportunities, surf safety, beach games and a BBQ
Requested grant:	Local – \$2,000

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Criteria	Weighting	Assessment	Application does/does not meet criteria
Economic impact - boosting off peak visitation and spend	10%	Minimal impact as patrons will be mostly local families and members or friends of Board Riders club	Meets criteria
Social opportunities in a safe and meaningful way	35%	The event will encourage families and young people to come to the beach and experience the water in a supervised way. The focus is on encouraging children to have a go as it is not a competition. The age groups range from 3 yrs – 10 yrs with little experience in the water or just beginning. The older junior members of the club will participate by encouraging and assisting the young ones in the water and share knowledge and skills. Parents and carers may also have the opportunity to connect with new friends.	Meets criteria
Promotion of sport, recreation and cultural opportunities	35%	This event has the potential to inspire children to have a lifelong relationship with the ocean and surfing. Some children may have limited experience in the water and this event can boost confidence. This day will introduce the community to the Board Riders Club and also to the surfing community in general.	Meets criteria
Environmentally sustainable	20%	Patrons to the event will be requested to BYO water bottle and no plastic bags or straws. Volunteers will ensure a cleanup is undertaken at conclusion of the event.	Meets criteria

### Application 2:

Event: Peebles Print Prize

Applicant: Queenscliff Gallery

Location: Queenscliff Gallery

Date: August – September 2021

Event description: The Peebles Print Prize has run in 2017 and 2019. It offers printmakers from around Australia to participate in a national Print Prize dedicated to a local





printmaker, Graeme Peebles. It has an estimated 1500 participants and collaborates with the Geelong Gallery's Print /Prize exhibition

Requested grant: Minor – \$6,000

<b>Criteria</b>	<b>Weighting</b>	<b>Assessment</b>	<b>Application does/does not meet criteria</b>
Economic impact – boosting off peak visitation and spend	40%	<p>The schedule exhibition dates for the Peebles Print Prize is (PPP) is August and September, traditionally low months of visitation for the Queenscliff. The PPP, when held in 2019, experienced an average of 33 visitors to the gallery every day (compared to 55 per day in summer) and the Peoples' Choice Award received 750 responses from the 1,000+ people who visited and interacted with the gallery.</p> <p>Data gathered from previous years indicated that visitors were predominately from beyond the Bellarine with most supporting local business through purchases of food, beverages, and retail shopping and overnight stays.</p> <p>The Prize finalists, their families, friends, followers and supporters add to the numbers visiting the Borough of Queenscliffe. These 40 finalists also provide social media photos, posts and tags to promote themselves to their networks and beyond</p> <p>In addition Queenscliff Gallery (QG) collaborates with the Geelong Gallery and ensures that the two print prizes run simultaneously and host their openings on different days of the same weekend to create a destination print 'trip' to the Geelong Bellarine region. Both QG and Geelong Gallery promote both prizes to their extensive databases and run social media.</p>	Meets criteria



		<p>Entry to the Prize requires artist works 6 weeks prior to the Exhibition. Victorian finalists tend to bring down and also collect their work personally. Interstate artist's post unframed works and request local framing services.</p> <p>The QG advertising campaign begins in March and runs through to August and is supported by targeted media releases for distribution to all artist networks and publishers.</p> <p>The marketing campaign includes local and regional newspapers, online media and targeted cultural attractions listings such as <a href="http://artsproject.org.au">artsproject.org.au</a>, <a href="http://australiangalleries.com.au">australiangalleries.com.au</a> <a href="http://businesseventsgeelong.com.au">businesseventsgeelong.com.au</a>, <a href="http://flyingarts.org.au">flyingarts.org.au</a>, <a href="http://geelonggallery.org.au">geelonggallery.org.au</a> and <a href="http://sydneyprintmakers.com.au">sydneyprintmakers.com.au</a></p> <p>The Queenscliff Gallery website in 2019 attracted 12,791 views, its Facebook achieved 1907 likes and 2123 followers while its Instagram account had attracted 4068 followers.</p>	
Social opportunities in a safe and meaningful way	20%	<p>Throughout the year, QG offers a haven of tranquility and reflection to ease the burden of mental health stress. QG has regular visitors claiming they like to step into the space to 'get away' from the day to day and spend some time in a soothing and enriching environment. QG offers a 'luxury' product that enriches and brings joy to the visitor.</p> <p>The PPP appeals to all ages. In conjunction with our 'regular' adult visitors, we have local and Bellarine based schools visit in order to enjoy an educational insight into printmaking. QG also have students from the Victorian College of the Arts, RMIT and other</p>	Meets criteria



		<p>institutions visit as well as staff and volunteers from the NGV each time the event has been held.</p> <p>The flow on effect of having a nationally recognised prize hosted in Queenscliff is a significant cultural event, uplifting for residents and community business owners.</p>	
Promotion of sport, recreation and cultural opportunities	20%	<p>The PPP offers artists from around Australia the opportunity to be part of a cultural scene that is experienced by many.</p> <p>This event has grown in popularity and with each biennial expanded has its national presence at a very positive rate.</p>	Meets criteria
Environmentally sustainable	20%	This event has a negligible environmental footprint impact.	Meets criteria

**Application 3:**

Event: Revival Series Concerts  
 Applicant: The Blues Train  
 Location: Bellarine Railway  
 Date: From Oct to Dec 2021  
 Event description: The proposed event is an extension of The Blues Train, a dinner and show on the volunteer run, not for profit heritage Bellarine Railway for up to 200 passengers each show (COVID19 restrictions permitting)  
 Requested grant: Minor – up to \$10,000

Criteria	Weighting	Assessment	Application does/does not meet criteria
Economic impact – boosting off-peak visitation and spend	40%	<p>Based on the Blues Train (BT) data, patrons stay overnight in local accommodation, extending expenditure to patronising local cafés, pubs, restaurants and other small businesses.</p> <p>2021 will see a launch of a new community ‘Show and Save’ initiative, encouraging patrons to stay longer in Queenscliff.</p> <p>Approximately 85% of patrons travel from intrastate, with around 60% travelling from Melbourne. On average,</p>	Meets criteria



		<p>patrons stay in the region for a minimum of 2 nights.</p> <p>BT data shows that patrons average spend is:</p> <ul style="list-style-type: none"> <li>• 2 nights' accommodation \$300 per person</li> <li>• Restaurants Dining Out spend (3-5 meals) \$150 per person</li> <li>• Event Tickets \$149 per person</li> <li>• Retail expenditure of \$50 -- \$250/pp</li> <li>• Approx. \$850 pp per event</li> </ul> <p>The BT has very active social media marketing which as currently resulted in:</p> <p>Facebook Followers 15,626          Instagram Followers 1,736          Bi Monthly Electronic direct mail to 21,000 Member database</p>	
Social opportunities in a safe and meaningful way	20%	<p>The Bellarine Railway is one of the largest local volunteer organisations and is the largest piece of tourism infrastructure in the region. The Blues Train is an equal opportunity employer and works regularly in conjunction with many disability groups to organise tourism outings for their members and clients. The BT also offer heavily discounted tickets for carer/companion card holders. It regularly employs artists with a disability and have ensured that the historic train carriages are wheelchair accessible.</p> <p>The BT has a long standing Community Giving Program, annually donating over \$10,000 to support and sponsor local businesses and organisations with their fundraising ventures.</p>	Meets criteria
Promotion of sport, recreation and cultural opportunities	20%	<p>The Blues Train is a proven pathway to get a start in the music industry for local musicians such as local 3225 based artists Alistair Turrell, Tex Miller and Blue Liners as well as Geelong/Surf</p>	Meets criteria



		<p>Coast artists Brian Fraser, John McNamara, Von Robertsons, Wayne Jury, Brooklyn Blues, Dave Steel, Diamond Jim, Jarrah Thompson and Mia Dyson to name a few.</p> <p>The Blues Train Bay City Events are members of local organisations such as the Bellarine Railway, Point Lonsdale Bowling Club, Queenscliff Cruising Yacht Club and annually sponsor the following local community organisations and Businesses; Queenscliff Music Festival Sponsor since 1999</p> <p>Queenscliff Hot Rodders; Point Lonsdale Board Riders Club; Cottage by The Sea; Coast Guard Queenscliff, Point Lonsdale Surf Life Saving Club, Queenscliff Uniting Church, Queenscliff Kindergarten, Queenscliff Bowling and Tennis Croquet Club.</p>	
Environmentally sustainable	20%	<p>All waste management at the event is managed and recycled (where appropriate) by the Bellarine Railway through their waste management strategy. All cutlery and crockery used during meal service is either stainless steel or china. All items are taken offsite to be commercially washed and reused.</p> <p>The Blues Train is a member of Music Victoria, and abides by their best practice guidelines which includes a good neighbour's policy which helps to maintain and manage any noise concerns from the community.</p> <p>As a requirement of the train hire the BT is required to serve all drinks in aluminium cans with recycle bins onsite for their disposal and collection or wine bottles and plastic bottled water.</p>	Meets criteria



### Options

Option 1 – Council can accept assessments as presented and approve the allocation of funding as requested from the three applications

Option 2 – Council can accept the assessments as presented and determine an alternate funding amount for each application

Option 3 – Council can accept the assessments as presented and decline to financially support any of the three applications

## COMMUNICATIONS AND ENGAGEMENT

### Community Engagement



In line with the Borough of Queenscliffe Event Sponsorship Policy Council invited applications for sponsorship from the community from 1 December 2020 to 4 January 2021. This included advertising in the local press, social media and electronic newsletters to business and community database. Four applications for event sponsorship were received.

### Collaboration

Not applicable

## GOVERNANCE CONTEXT

### Relevant Law

Not applicable

### Charter of Human Rights

This report has had consideration to, and complies with, the Charter of Human Rights and Responsibilities Act 2006.

### Regional, State and National Plans and Policies

Not applicable

### Council Plan Alignment

Strategic Objective 1 – Enhance community wellbeing by providing a safe environment where people are involved, healthy and active in recreation, arts and culture

- Facilitate and support the conduct of public and community events
- Facilitate and support recreation, art and cultural development activity

Strategic Objective 3 – Foster a diverse and vibrant local economy.

- Promote the Borough as a destination of choice
-



### **Legal and Risk Implications**

Not applicable

### **Related Documents**

Not applicable

### **Disclosure of Interest**

No officer involved in the preparation of this report has any conflicts of interest.

## **CONSIDERATIONS**

### **Environmental Sustainability**

Applications must demonstrate practices that promote positive environmental sustainable outcomes in the short (event specific) or longer term. Each application has been assessed on this criteria.

### **Financial and resource implications**

Council has \$20,000 in the 2020/21 budget for allocation to Events sponsorship.

### **Innovation and Continuous Improvement**

Not applicable

## **IMPLEMENTATION**

### **Operational Impacts**

Not applicable

### **Implementation Process**

If approved, successful applicants will be required to enter into an agreement with the Borough of Queenscliffe Council. The agreement will list all conditions relating to the funding and governance requirements as well marketing and promotional undertakings.

Funded groups will need to complete an acquittal report at the completion of the funded event.

## **ATTACHMENTS**

Nil

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## **12. LOCAL ECONOMY**

### **12.1 Queenscliffe Economic Development Advisory Committee**

**File:** QG045.03.11

**Author:** Community and Economic Development Program Leader

**Portfolio:** Local Economy

**Portfolio Holder:** Cr Ebbels

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#### **PURPOSE**

The purpose of this report is for Council to review the role of the Queenscliffe Economic Development Advisory Committee and determine an appropriate mechanism for receiving input from the community regarding strategic economic development.

#### **EXECUTIVE SUMMARY**

Since 2014 Council has had a Tourism and/or Economic Development Advisory Committee in place to provide strategic advice to Council on economic development related issues on behalf of the Borough's business community. A major project of this Committee was to develop a three year Economic Development Strategy and this plan was achieved and adopted by Council in 2017. Recently the Committee have held workshops to debate, question and identify the ongoing role of the Committee and to investigate and analyse its relevance and effectiveness as an advisory body for Council.

In recent months Council adopted a Community Engagement Policy that identifies methods to achieve broader community engagement rather than restricting involvement to a small number or group of individuals.

The Committee is seeking guidance from Council in regards to its ongoing role and function and clarity on how the wider business community can have input into future strategic direction.

#### **OFFICER RECOMMENDATION**

##### **That Council:**

- 1. Disband QEDAC and use a broader based community consultation to obtain input on economic development, in line with Council's Community Engagement Policy and the intent of the Local Government Act 2020**
  - 2. Formally write to the members of the QEDAC to thank them for their commitment and insights as a Committee member**
  - 3. Encourage the Committee members to participate in the upcoming Council Plan engagement process**
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<b>REPORT</b>
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### **BACKGROUND**

At the 22 October 2014 Ordinary Meeting of Council, Council resolved to approve the establishment of a formal 'Tourism and Economic Development Advisory Committee', generally known as TEDAC.

At the December 2017 Ordinary Council Meeting Council resolved to change the name of the Tourism and Economic Development Advisory Committee (TEDAC) to Queenscliffe *Economic* Development Advisory Committee (QEDAC) and requested officers to undertake a recruitment process. After a period of public advertising for members the inaugural QEDAC was appointed by Council at the 22 March 2018 Ordinary Meeting of Council. In 2019 the Committee recruited for replacement committee members and at a confidential Meeting of Council in May 2019 Council appointed three new members.

The purpose of the Queenscliffe Economic Development Advisory Committee is to provide strategic advice to Council on economic development related issues on behalf of the Borough's business community.

One of the most significant projects TEDAC and QEDAC was involved with was the development of the Borough of Queenscliffe's Economic Development Strategy. Over 12 months Council worked with the Committee and engaged the wider community to deliver a 3 year Economic Development Strategy designed to future-proof the Borough, ensuring sustainable business, driving economic benefits for the greater community, recognising the Borough's heritage and values and to welcome and support a population for generations to come.

The Borough of Queenscliffe Council adopted the Economic Development Strategy at its Ordinary Meeting in December 2017.

### **DISCUSSION**

With the completion of the Economic Development Strategy project, the appointment of new Committee members in May 2019 and the recruitment of a new Chief Executive Officer of the Borough of Queenscliffe later that year, the Committee underwent a series of workshops to debate, question and identify the ongoing role and purpose of the Committee and investigate and analyse its relevance and effectiveness as an advisory body for Council.

Across the six years of its existence the Committee was most productive in producing the Economic Development Strategy. Subsequently, it has not had a clear purpose.

While Council continued to support the role of QEDAC during this period it was also learning of changes being made to the Local Government Act for genuine and productive engagement of the community as an essential component of local democracy and a new requirement of the *Local Government Act 2020*.

Council is committed to engaging the community in its decision-making processes in a consistent and strategic manner and in 2020 adopted a *Community Engagement Policy*.

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While technically there is nothing in the policy preventing Council from having reference groups such as QEDAC, there are sections in the Community Engagement Policy that direct Council towards engagement that is more open and accessible, in particular:

*3.1.4 Effective community engagement requires representative participation, and steps should be taken to ensure participants are not limited to a small demographic or group.*

*3.2.1 Community engagement should be as inclusive as possible. When larger numbers of residents take part in engagement, Council gains a better understanding of how different groups and parts of our community feel about a project, policy or service.*

*3.2.2 For this reason, community engagement activities should prioritise methods that allow everyone to participate, rather than restricting involvement to a small number or group of individuals.*

## Options

Option 1 – Continue current operation of QEDAC

Option 2 – Disband QEDAC and use a broader based community consultation to obtain input on economic development, in line with Council’s Community Engagement Policy and the intent of the *Local Government Act 2020*.

## COMMUNICATIONS AND ENGAGEMENT

### Community Engagement



Council has held numerous workshops with QEDAC over the last 18 months discussing the role and function of the Committee moving forward in light of recent introduction and amendments of Local and State policy.

### Collaboration

Not applicable

## GOVERNANCE CONTEXT

### Relevant Law

Local Government Act 2020

### Charter of Human Rights

This report has had consideration to, and complies with, the Charter of Human Rights and Responsibilities Act 2006.

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### **Regional, State and National Plans and Policies**

Not applicable

### **Council Plan Alignment**

Strategic Objective 3

Foster a diverse and vibrant local economy.

- Key objective – Promote and facilitate a culture of local business support and collaboration

Strategic Objective 5

Maintain a cohesive, well governed, financially sustainable and independent Borough

- Key objective – Embrace community engagement as a first principle of governance

### **Legal and Risk Implications**

Not applicable

### **Related Documents**

Not applicable

### **Disclosure of Interest**

No officer involved in the preparation of this report has any conflicts of interest.

## **CONSIDERATIONS**

### **Environmental Sustainability**

Not applicable

### **Financial and resource implications**

Not applicable

### **Innovation and Continuous Improvement**

Not applicable

## **IMPLEMENTATION**

### **Operational Impacts**

Not applicable

### **Implementation Process**

If the recommendation is accepted, Officers will formally write to the members of the committee informing them of Councils direction to disband QEDAC and to thank them for their commitment and insights as a Committee member. Members will be advised that Council expects to begin the Community Vision project in March 2021 and will be encouraged to participate in the process.

## **ATTACHMENTS**

Nil

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## **13. ENVIRONMENTAL SUSTAINABILITY**

### **13.1 Local Government Power Purchasing Agreement for Renewable Energy**

**File:** QG074.01.02  
**Author:** Special Projects Officer  
**Portfolio:** Environmental Sustainability  
**Portfolio Holder:** Cr Hewitt

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#### **PURPOSE**

The purpose of this report is to provide Council an update on the Local Government Power Purchase Agreement (LGPPA) tender process and to seek delegation for the CEO to enter into contract with the preferred tenderer subject to final offers being within the agreed financial limits.

#### **EXECUTIVE SUMMARY**

The Local Government Power Purchasing Agreement responds to the Council Plan Strategic Objective 2 Environmental Sustainability, to lead by example and work with the community to reduce carbon emissions, to increase and promote the use of renewable energy and to actively participate in relevant regional, state and national environmental initiatives.

- Council has committed to joining 46 other Victorian municipalities to source 100% renewable electricity through a joint procurement process.
- The resulting power purchase agreement will provide renewable electricity generated from renewable electricity generation projects located within Victoria. Collectively over 230 Gigawatt-hours (GWh) of annual electricity load has been nominated by the buyer's group. If this load is committed it would represent the largest electricity buyers' group ever established in Australia by number of organisations involved, and would be the single largest activity that any council group has ever undertaken to reduce emissions from council operations.
- Council is scheduled to receive the tender outcomes report on 22 February 2021 and is scheduled to finalise the retail supply agreements prior to 8 March 2021.
- Council is requested to delegate authority to the CEO to finalise and execute the retail supply agreement(s) within the agreed financial limits to ensure officers are able to meet the required timelines associated with the procurement.

#### **OFFICER RECOMMENDATION**

##### **That Council:**

- 1. Resolves to delegate authority to the Chief Executive Officer to finalise and execute the retail supply agreement contract(s) for all of Council's market types on behalf of the Borough of Queenscliffe, subject to the net present cost of the PPA offer being no more**
-



than the cost of business as usual based on the mid-renewables scenario, as per the relevant clauses set out in the project's Participation Deed.

2. Receives a subsequent report at the conclusion of the tendering process that provides an update on the outcomes of the project.



<b>REPORT</b>
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## **BACKGROUND**

Council is required, under the Local Government Act 1989 to engage in a tender process for services that exceed \$150,000 in total value over the contract period.

In June 2020, Council joined 46 Victorian Councils in a tender process for the Local Government Power Purchase Agreement (LGPPA) led by Darebin City Council.

Council currently has four electricity contracts:

- Public Lighting (supply to all residential street lights), expiring 30 June 2021;
- Large Tariff Sites (two sites including Council Offices/Town Hall & Queenscliff Sports Ground), expiring 30 June 2021;
- Small Tariff Sites (Council's remaining buildings, caravan parks and infrastructure including water pumps), expiring 20 June 2023 (noting that no penalties apply for terminating at 30 June 2021).

Council was previously informed of the LGPPA collaborative procurement project at the June 2020 Ordinary Meeting of Council when Council resolved to accept the retail supply agreement offer by Origin Energy for small tariff sites for the period to 30 June 2023 noting the ability to transfer to the LGPPA supply offer within this term.

Council was most recently briefed on the LGPPA at the Council assembly held on 3 February 2021.

## **DISCUSSION**

### **What is a Power Purchase Agreement?**

A Power Purchase Agreement (PPA) is a broad term which relates to a contract for the purchase of electricity from a generator or retailer over an extended period (e.g. seven to ten years). Unlike standard electricity contracts, a PPA enables customers to purchase electricity from a specific generation source (e.g. solar and/or wind farm).

A 'retail-linked' PPA involves the sale and supply of electricity underpinned by the wholesale price from a contracted off-site power plant. A 'firming' component enables supply of electricity at intermittent periods when the power plant is not generating. The model provides long-term price certainty by tying electricity costs to the operating costs of the power plant. Such a contract is for electricity consumption charges only, accounting for approximately 55 per cent of the average bill. The network charges (35 per cent) are set by Powercor and are not contestable. The environmental charges (10 per cent) for the Federal Government's Renewable Energy Target (RET) and Victorian Energy Efficiency Certificates (VEECs) are also not contestable.

### **Why is the LGPPA important to Council?**

Council's Strategic Objective 2 – Environmental Sustainability (Council Plan 2017–2021) commits the Borough of Queenscliffe to contributing to the protection of the local, national and globally significant values within our natural environment for future generations. The plan identifies strategies to achieve this objective including the commitment to lead by example and work with the community to reduce carbon emissions as well as a commitment to increase and promote the use

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of renewable energy. The Borough of Queenscliffe has set itself a target to maintain or reduce the baseline carbon emissions (as at 2010/11 levels) generated by Council operations.

Most recently Council is embarking on the development of the Climate Emergency Response Plan (CERP). The purpose of the CERP is to guide Council decision making in the setting of strategic objectives in the Council Plan 2021 – 2025 to reduce carbon emissions and increase and promote the use of renewable energy in the Borough of Queenscliffe. This includes both Council and community emissions.

While Council has previously installed solar PV systems on a number of Council owned facilities including the Council office, Monahan Centre, Neighbourhood house, Community Hall (senior Citizens/Sea Scouts), the Queenscliff Kindergarten and the Historic Museum, there is still a reliance on the electricity network that will continue for the foreseeable future.

The LGPPA is a significant initiative in fulfilling Council's emissions reduction commitments to the community. The Borough of Queenscliffe formally joined the LGPPA buyers group through a participation deed of agreement in June 2020 following the review of the project business case which was developed by the buyers group in May 2019. The buyers group now consists of 47 Victorian municipalities and is facilitated by the City of Darebin. The LGPPA seeks to procure 100% renewable electricity generated within Victoria for council operations.

#### **The LGPPA Participation Deed of Agreement**

The LGPPA deed of agreement to which the Borough is a signatory serves to formalise Council's intention to participate in the procurement process as well as providing guiding principles for the Request for Tender (RFT) including agreed financial limits that must be satisfied to enable a Retail Electricity Supply Agreement (RESA) to progress.

The financial limit has been set as a requirement that the Preferred Tenderer or Preferred Tenderers provide the Net Present Cost impact over the life of the RESA for each Council to be no more than Business as Usual based on the mid- renewables scenario where:

'Business as Usual' = Power costs + LGC compliance costs (20%) + Voluntary LGC costs (80%) - as per the methodology established in the business case Report prepared by Energetics Pty Ltd.

#### **The LGPPA Business Case**

Energetics were contracted on behalf of the buyers group to develop a business case to assess the feasibility of councils adopting the PPA model. The business case models three long range electricity price series influenced by different renewable energy uptake scenarios within the National Electricity Market. The three scenarios include low-, mid- and high-renewables. They include all known new renewable and gas projects which will feed into the grid, planned closures of coal-fired power stations at the end of their technical life, and planned upgrades to the transmission network. An explanation of the three scenarios is provided below given in terms new renewable electricity generation coming on line:

- Low-renewables: under current policy settings and committed generation projects
  - Mid-renewables: assuming introduction of both committed and advanced renewable energy projects
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- High-renewables: assuming introduction of committed, advanced and publicly announced renewable energy projects.

These scenarios are used as a foundation for comparing 'business as usual' (BAU) with two styles of PPA (partially fixed-firm and fully fixed-firm). The BAU scenario within the business case has been modelled at the buyer's group level and reflects a short-term retail contract(s) with compliance renewable energy purchasing of 20 per cent as mandated by the federal RET. The PPAs came back favourably in most scenarios, highlighting that renewable energy can be purchased for little or no extra cost to in comparison to the BAU scenario under a PPA – in many scenarios it may be lower cost.

The Borough of Queenscliffe's individual BAU differs to the BAU modelled within the business case at the buyers' group level. The Borough's current arrangements for large sites and unmetered sites (street lighting) are consistent with the business case BAU model however Council recently resolved to purchase 100% renewable energy through the green power scheme for all small sites.

### **The Request for Tender (RFT)**

The RFT was advertised in September 2020 seeking offers from electricity retailers who to sell electricity and Large-Scale Generation Certificates (LGCs) over a 7 to 9.5-year period, commencing on 1 July 2021.

The RFT requires supply to be linked to a new or existing nominated Renewable Energy Project, that is a utility scale wind or solar asset (or assets) located in Victoria (i.e. a supply-linked renewable power purchase agreement). Key considerations tenderers have been required to address include:

- Roll-in & Roll-out: contracts will be required to provide provision for roll-in of new sites, and discontinuation of supply at other sites;
- Volume management mechanisms: including a 20% load flex provision on a specified baseline annual contract volume;
- Electricity price models: to be fully or partially fixed for the term of the RESAs; and
- Data Provision and Customer Service: provision of account management services.

Responses to the RFT are currently being evaluated by the nominated tender evaluation panel and negotiations have commenced with preferred retailers. Council will be presented a tender outcomes report scheduled to be received on 22 February 2021. Council has been instructed that formal commitment through signed contracts must be finalised by 8 March 2021. The short timeframes of offers are due to the fluctuating nature of the wholesale market and the nature of the tender request for both fixed and partially fixed price offers.

The short timeline between Council receiving the tender outcomes report and the deadline for finalising contractual arrangements presents an administrative and logistical challenge for Council officers to:

- Evaluate and determine if the tender offer is favourable for the Borough of Queenscliffe and,
  - Secure Council approval to finalise contractual agreements and financial commitments.
-





This report to Council seeks delegation for the CEO to enter into contract with the preferred tenderer subject to final offers being within the agreed financial limits in order to meet this challenge and comply with the required governance protocols.

### Options

Option 1 – Council enters into a RESA with the preferred tenderer subject to:

- The offer being favourable to the Borough of Queenscliffe (based on the accepted principles outlined in the LGPPA participation Deed of Agreement requirements of the Deed of Participation), and
- The offer being within the agreed financial limits.

Option 2 – In the event that the offer is not favourable to the Borough of Queenscliffe and not within the agreed financial limits, explore collaborative procurement opportunities through Procurement Australia or the Municipal Association of Victoria for the provision of electricity to Council sites.

## COMMUNICATIONS AND ENGAGEMENT

### Community Engagement



As this project involves more than half the state’s councils and is a significant PPA, officers expect there to be a high public profile for the project. The working group has developed a communications sub-group and a communications and engagement strategy has been developed to ensure respective communities are informed with consistent messaging across the state.

### Collaboration

The LGPPA project is the result of a collaboration between 47 Local Government Authorities. It is anticipated that the aggregated buying power of the collaborating Councils will provide outcomes otherwise not accessible to individual authorities.

## GOVERNANCE CONTEXT

### Relevant Law

Not applicable

### Charter of Human Rights

This report has had consideration to, and complies with, the Charter of Human Rights and Responsibilities Act 2006.

### Regional, State and National Plans and Policies

Victoria’s Climate Adaptation Plan 2017–2020 and *Climate Change Act 2017*, where our role as local government is to provide leadership and good governance, represent the needs and values of local communities, and foster community cohesion.

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The Victorian Government's current suite of policies and strategies to address climate change are legislated in the *Climate Change Act 2017*. The Act includes:

- Interim targets and strategies to be updated every five years;
- Adaptation action plans, policy objectives and guiding principles, pledges and annual reporting;
- A target of Net Zero emissions by 2050 and 40% renewable energy by 2025;
- An interim target of 15-20% reduction in emissions on 2005 levels by 2020 and 25% renewable energy by 2020; and
- Key plans are the Victorian Renewable Energy Target (VRET) and the Victorian Energy Efficiency Target (VEET).

### Council Plan Alignment

The Local Government Power Purchasing Agreement responds to Strategic Objective 2 Environmental Sustainability, to:

- lead by example and work with the community to reduce carbon emissions.
- increase and promote the use of renewable energy.
- actively participate in relevant regional, state and national environmental initiatives.

The Local Government Power Purchasing Agreement responds to Strategic Objective 5 Governance and Performance, to:

- provide transparent and accountable governance and meet all legislative requirements.
- ensure the continuing financial sustainability and independence of the Borough.

### Legal and Risk Implications

Risks identified that are associated with the LGPPA are presented in the table below.

Risk	Control	Residual Risk
Changes to Federal and State Government energy policy that may influence the electricity market.	The assumption is that the higher the renewable mix, the cheaper energy becomes over time. Given the current state of Federal and State Government energy policy, it is assumed that a mid-renewables scenario is the most likely to eventuate in the next ten years.	Medium
Council will commit to the PPA project at tender stage, without final contracts to review, and there is an expectation that Council will proceed.	To manage this risk, special contract conditions have been developed and the tender outcome will be subject to the final offer being within pre-agreed price parameters (no greater than the Net Present Cost of BAU where BAU equals power costs + LGC compliance costs + 80 per cent voluntary LGC costs under mid-renewables scenario). Legal advisers will be contracted by the	Low

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	Project Working Group to review documentation on behalf of councils.	
High energy demands during periods of low generation. Renewable energies are often generated by intermittent power sources (wind and solar).	The performance of the tenderers source of energy supply and their firming portfolio will be assessed within the evaluation criteria. (A firming portfolio may consist of agreements with a number of retailers, access to number of generators, use of batteries or other storage method to mitigate the risk of demand exceeding supply).	Low
Council wishes to significantly reduce electricity usage during the term of the contract (i.e removing sites from the grid).	It is a requirement of the RFT the contract will include a +/- 20% Load Flex. This enables an increase or decrease in usage of up to 20%. It is proposed the Load Flex limits will be applicable at Council level as well as at buyer's group level. It is anticipated that growth Councils will increase use over the term of the contract, in principle this would enable the Borough to reduce its usage by more than 20% subject to the buyers' group agreement.	Low
The magnitude of the LGPPA is seen as anti-competitive by suppliers within the market.	The project group has sought a determination by the Australian Competition & Consumer Commission (ACCC). The ACCC has now released its final determination on the project, confirming its interim authorisation. Specifically, this means that the procurement and contractual aspects of the project have been granted authorisation and cannot be legally challenged at a future date in regards to any anti-competitive provisions under the Competition and Consumer Act 2010. This authorisation protects all participating Councils.	Low
Accusations of improper behaviour during the procurement process.	A probity has been developed and is being overseen by independent specialist consultants. The following probity outcomes identified for the Project will be	Low



	<p>managed as described in this Probity Plan:</p> <ul style="list-style-type: none"><li>• Maintaining the integrity of confidential and/or sensitive information</li><li>• Ensuring that project related activities do not compromise market competitiveness of offers from retailers.</li></ul> <p>As required throughout the Project, protocols will be implemented to ensure appropriate confidentiality, to establish processes for managing conflicts of interest and to methodically manage communications.</p>	
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**Related Documents**

Not applicable

**Disclosure of Interest**

No officer involved in the preparation of this report has any conflicts of interest.

**CONSIDERATIONS**

**Sustainability**

Economic

The proposed long term power purchase agreement will provide competitive electricity costs. The final agreement will consist of fixed or partially fixed price which will provide budgeting certainty and stability.

Social

The community's involvement and drive to develop the Borough of Queenscliffe Climate Emergency Response Plan indicates carbon footprint reduction initiatives hold a strong social importance.

Environmental

The proposed LGPPA contributes to Councils environmental sustainability objective through reducing carbon emissions and increasing and promoting the use of renewable energy in the Borough of Queenscliffe.

**Financial and resource implications**

*Acceptance of a tender is contingent on meeting the agreed financial limits. Accordingly there are no adverse financial implications anticipated with adopting the recommendations of this report.*

*The financial limits are defined as:*

*'The Net Present Cost impact over the life of the RESA for each Council is to be no more than Business as Usual based on the mid- renewables scenario where;*

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'Business as Usual' = Power costs + LGC compliance costs (20%) + Voluntary LGC costs (80%), as per the methodology established in the business case Report prepared by Energetics Pty Ltd'.

### **Innovation and Continuous Improvement**

The LGPPA has provided an innovative approach to procuring Council's electricity. The LGPPA enables Council to tie its electricity usage with specific renewable electricity generators located in Victoria, providing incentive for investment in renewable resources locally. Collectively over 230 Gigawatt-hours (GWh) of annual electricity load has been nominated by the group. If this load is committed it would represent the largest electricity buyers' group ever established in Australia by number of organisations involved, and would be the single largest activity that any council group has ever undertaken to reduce emissions from council operations.

## **IMPLEMENTATION**

### **Operational Impacts**

Not applicable.

### **Implementation Process**

- CEO given delegated authority to finalise and execute the retail supply agreement(s).
- Council receives the tender outcomes report from the tender evaluation panel (scheduled on 22 February 2021).
- Council officers review the tender outcomes report and ensure the offer is favourable to the Borough of Queenscliffe and within the agreed financial limits.
- CEO finalises and executes the retail supply agreement(s) if the offer is determined favourable and within the agreed financial limits (scheduled prior to 8 March 2021).
- A report is presented to Council following the consideration of the offer detailing the action undertaken by the CEO.

## **ATTACHMENTS**

Nil

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## 14. PLANNING & HERITAGE

### 14.1 Planning Permit Activity Report

**File:** QG290.01.02  
**Author:** Planning Program Leader  
**Portfolio:** Planning & Heritage  
**Portfolio Holder:** Cr Grout

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#### PURPOSE

The purpose of this report is to present a record of planning permit activity in the Borough of Queenscliffe.

#### EXECUTIVE SUMMARY

The following table provides a summary of the planning permit activity during the last month.

<b>CATEGORY</b>	<b>TALLY</b>
Current applications	14
Applications on hold at request of applicant	1
Applications finalised since last report	11
New applications received since last report	16
<b>Total number of permit applications under consideration</b>	<b>24</b>
Development Plan Summary Report	0
Planning Scheme Amendment Summary Report	1

#### OFFICER RECOMMENDATION

**That the Planning Permit Activity Report be received.**

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(a) Current applications

App. No	Date Received	Address	Proposal	Status
**2018/079	23/08/2018 (Amended 07/02/2019 & 8/05/2019)	81 Nelson Road Queenscliff	Subdivision of land into seven (7) lots, removal of vegetation and works associated with the subdivision	Public notification (combined with and related to planning scheme amendment queenC33)
2019/065	01/10/2019	The Promenade Point Lonsdale Road Point Lonsdale	Removal of native vegetation	Referred to DELWP
2020/003	31/01/2020	Point Lonsdale Lighthouse Reserve (Crown Allotments 2002 & 2009)	Removal of native vegetation	Referred to DELWP & Heritage Victoria
**2020/039	14/07/2020	6 Beach Street Queenscliff	<b>Demolition of outbuildings (garage and shed), removal, repositioning, restoration and painting of an outbuilding (former fisherman's cottage), construction of side and rear boundary fences and construction of a double vehicle crossover in a Heritage Overlay area</b>	<b>Refer agenda</b>
2020/046	11/08/2020	61-75 Murray Road Queenscliff	Subdivision of the land into thirteen (13) lots	Further information requested 3 September 2020
**2020/058	06/10/2020	31 Point Lonsdale Road Point Lonsdale	Permission under Clause 52.27 of the Queenscliffe Planning Scheme to use the land to sell and consume alcohol (Restaurant and Café Licence)	Notice of decision to grant a permit issued



App. No	Date Received	Address	Proposal	Status
**2020/059	06/10/2020	25 Alexander Crescent Point Lonsdale	Construction of a two storey dwelling	Notice of decision to grant a permit issued VCAT appeal lodged by objector - VCAT hearing yet to be scheduled
**2020/061	08/10/2020	11 Jacqueline Court Point Lonsdale	Construction of two dwellings (two storey) and subdivision of the land into two (2) lots	Under consideration
2020/066	21/10/2020	51 Mercer Street Queenscliff	Alterations and extensions to an existing dwelling individually listed in a Heritage Overlay	Public notification
**2020/069	28/10/2020	24 Glaneuse Road Point Lonsdale	Alterations and extensions to an existing dwelling and variation to the site coverage requirements of Design and Development Overlays – Schedule 4	Notice of decision to grant a permit issued
2020/070	28/10/2020	34 Kirk Road Point Lonsdale	Construction of two double storey dwellings, subdivision of the land into two (2) lots and removal of native vegetation	Public notification
2020/071	17/11/2020	1 Hesse Street Queenscliff (JL Jordan Boat Ramp)	Building and works associated with the redevelopment of the Queenscliff boat ramp, including additional car parking areas, and removal of vegetation	Under consideration
**2020/072	18/11/2020	82A & 82B Glaneuse Road Point Lonsdale	Construction of one dwelling and removal of native vegetation at 82A Glaneuse Road (lot 2), and construction of one dwelling, and removal of native vegetation at 82B Glaneuse Road (lot 1) and boundary re-alignment (subdivision)	Under consideration





App. No	Date Received	Address	Proposal	Status
2020/074	03/12/2020	14 Crows Nest Place Queenscliff	Construction of a two storey dwelling	Further information requested 21 December 2020

**(b) Applications on Hold at Request of Applicant**

App. No	Date Received	Address	Proposal	Status
2019/040	01/07/2019	28-30 Buckleys Road Point Lonsdale	Alterations and extensions (two storey) to an existing dwelling	On hold pending further instruction from applicant

**(c) Applications Finalised Since Last Report**

App. No	Date Received	Address	Proposal	Status
2020/030.1	04/12/2020	49-55 Hesse Street Queenscliff	<i>Demolition of an existing building (museum) and outbuilding, alterations and extensions to an existing building (library), buildings and works associated with the construction of a building extension and removal of trees on a site individually listed in the Heritage Overlay</i>	<i>Amended permit issued</i>
2020/060	08/10/2020	22 Killearn Avenue Point Lonsdale	Removal of easement E-1	Permit issued
2020/063	13/10/2020	2 Thomson Street Point Lonsdale	Construction of a habitable building associated with a dwelling	Permit issued



App. No	Date Received	Address	Proposal	Status
2020/064	13/10/2020	9 Alexander Crescent Point Lonsdale	Construction of a two storey dwelling and studio and removal of native vegetation	Permit issued
2020/065	21/10/2020 (Amended 16/11/2020)	4 Queen Street Queenscliff	Construction of a two storey dwelling and variation to the site coverage and front setback requirements of Design and Development Overlay – Schedule 1	Permit issued
2020/067	29/10/2020	62 Learmonth Street Queenscliff	Part demolition and alterations and extensions to an existing dwelling, demolition of an outbuilding, and construction of an outbuilding and vegetation removal in a heritage overlay area	Permit issued
V 2020/073	23/11/2020	5A Flinders Street Queenscliff	Construction of a fence	Permit issued
V 2020/075	04/12/2020 (Amended 19/01/2021)	21 Stokes Street Queenscliff	Demolition of an existing outbuilding (garage) and construction of a replacement outbuilding (garage)	Permit issued
V2020/076	08/12/2020	54-56 Stokes Street Queenscliff	Repainting of existing dwelling	Permit issued
2021/005	19/01/2021	30 Gellibrand Street Queenscliff	External painting of a dwelling in a Heritage overlay area	Permit issued
V 2021/009	27/01/2021	4 Ocean Road Point Lonsdale	Construction of a verandah	Permit issued



**(d) New Applications Received Since Last Report**

App. No	Date Received	Address	Proposal	Status
2020/030.1	04/12/2020	49-55 Hesse Street Queenscliff	Demolition of an existing building (museum) and outbuilding, alterations and extensions to an existing building (library), buildings and works associated with the construction of a building extension and removal of trees on a site individually listed in the Heritage Overlay	Amended permit issued
**2020/077	16/12/2020	18 Cheshunt Street Point Lonsdale	Construction of a two storey dwelling, removal of native vegetation and variation to the site coverage requirements of Design and Development Overlay – Schedule 4	Public notification Referral to Borough Engineer (Note: proposed site coverage 43%)
2020/078	23/12/2020	8 Swanston Street Queenscliff	Alterations and extensions to an existing dwelling	Public notification
2020/079	23/12/2020	11 Kirk Road Point Lonsdale	Buildings and works associated with the construction of a pergola and associated landscaping works (outdoor furniture, raised garden beds) associated with the existing Place of Assembly use	Public notification
2021/001	05/01/2021	38 Wharf Street Queenscliff	Alterations and extensions to an existing dwelling and fence and variation to the site coverage requirements of Design and Development Overlay – Schedule 6	Under consideration (Note: proposed site coverage 57%)
2021/002	05/01/2021	30 Cheshunt Street Point Lonsdale	Alterations and extensions to an existing dwelling	Further information requested 19 January 2021



App. No	Date Received	Address	Proposal	Status
2021/003	08/01/2021	17 Bowen Road Point Lonsdale	Alterations to an existing dwelling and carport	Further information requested 19 January 2021
2021/004	15/01/2021	38 Ward Road Queenscliff	Construction of a two storey dwelling	Further information requested 21 January 2021
2021/005	19/01/2021	30 Gellibrand Street Queenscliff	External painting of a dwelling in a Heritage overlay area	Permit issued
2021/006	15/01/2021 (Amended 03/02/2021)	134 Hesse Street Queenscliff	Buildings and works associated with the relocation of a structure (coaches box)	Initial review
2021/007	20/01/2021	49-55 Hesse Street Queenscliff	Trimming of trees in a Heritage Overlay where tree controls apply	Initial review
2021/008	22/01/2021	134 Hesse Street Queenscliff	Buildings and works associated with the demolition of an existing building and construction of an outbuilding (amenities block) and fence and lopping of vegetation	Public notification Referral to DELWP
V 2021/009	27/01/2021	4 Ocean Road Point Lonsdale	Construction of a verandah	Permit issued
2021/010	27/01/2021	1/11 Queen Street Queenscliff	Extensions to an existing dwelling	Initial review
V 2021/011	03/02/2021	44 King Street Queenscliff	Alterations to an existing outbuilding	Under consideration



App. No	Date Received	Address	Proposal	Status
V 2021/012	04/02/2021	16B King Street Queenscliff	Construction of a verandah	Under consideration

**(e) Development Plan Summary Report**

App. No	Address	Proposal	Status
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NO APPLICATIONS TO REPORT

**(f) Planning Scheme Amendment Summary Report**

Amend. No.	Address	Proposal	Status
queenC33	81 Nelson Road, Queenscliff	Rezone the land at 81 Nelson Road, Queenscliff to Neighbourhood Residential Zone – Schedule 1 (NRZ1) and General Residential Zone – Schedule 1 (GRZ1), apply Design and Development Overlay – Schedule 3 (DDO3) and Design and Development Overlay – Schedule 5 (DDO5), delete Development Plan Overlay 1 (DPO1) and subdivide the land into seven (7) lots.	Public notification of amendment

**LEGEND**

\*\* Objections received

*Italics* Amendment or extension of time request to application previously determined by Council

**Bold** Officer delegation removed

V VicSmart application



## 14.2 Planning Permit application 2020/039 – 6 Beach Street, Queenscliff

**File:** QP020-600  
**Author:** Program Leader Planning  
**Portfolio:** Planning & Heritage  
**Portfolio Holder:** Cr Grout

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### PURPOSE

The purpose of this report is to present an assessment and recommendation for a planning permit at 6 Beach Street, Queenscliff.

### EXECUTIVE SUMMARY

Council resolved the following at its Ordinary Meeting on 16 December 2020:

*That Council remove officer delegation conferred under Section 98(1) of the Local Government Act 1989 in relation to Planning Application 2020/039: 6 Beach Street, Queenscliff for Demolition of Outbuildings (garage and shed), removal, repositioning, restoration and painting of an outbuilding (former fisherman's cottage), construction of side and rear boundary fences, construction of a double vehicle crossover and removal, repositioning, restoration of an outbuilding (former fisherman's cottage) in a Heritage Overlay area, on the grounds of response to the cultural heritage character of the precinct.*

This report presents an assessment of the proposal against the relevant planning considerations detailed in the Queenscliffe Planning Scheme and makes a recommendation based on the merits of the application.

### OFFICER RECOMMENDATION

#### **That Council:**

**Having caused notice of Planning Application No. 2020/039 to be given under Section 52 of the *Planning and Environment Act 1987*; the Queenscliffe Planning Scheme and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, resolve to Grant a Notice of Decision to Grant a Permit under the provisions of Clause 43.01 and 43.02 of the Queenscliffe Planning Scheme in respect of the land known and described as 6 Beach Street Queenscliff for the Demolition of Outbuildings (garage and shed), removal, repositioning, restoration and painting of an outbuilding (former fisherman's cottage), construction of side and rear boundary fences and construction of a double vehicle crossover in a Heritage Overlay area in accordance with the endorsed plans, with the application dated 14 July 2020, subject to the following conditions:**

#### **1. AMENDED PLANS REQUIRED**

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Before the use and 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 notation 'existing garage' be changed to read 'bedroom' and 'temporary windows' changed to read 'windows' on the dwelling to the south of the subject site on the land known as 8 Beach Street, Queenscliff.
- b) Deletion of the proposed 400mm x 400mm window from the west (front) elevation of the relocated cottage.
- c) Removal of references to 'fire rated alternative (subject to NCC classification) cladding.
- d) Reduction in the width of the proposed driveway crossover to Bay Street to 5 metres.
- e) Removal of dimensions and areas nominated for demolition on the existing Fisherman's cottage/bungalow.

## **2. SCHEDULE OF MATERIALS AND COLOURS**

Before the development starts, a schedule of construction materials, external finishes and colours must be submitted to and approved by the responsible authority. The schedule shall show the materials, colours and finishes of all external walls, roofs, fascia, gutters, window frames, glazing type, doors, all to the satisfaction of the responsible authority. When approved, the schedule will be endorsed and will then form part of the permit.

## **3. RECORDING**

Before demolition and relocation of the fisherman's cottage begins, an annotated photographic study of the building prepared by a suitably qualified person to the satisfaction of the responsible authority must be submitted to the responsible authority as a record of the building. The survey must include:

- a) The existing finished floor level of the fisherman's cottage determined in metres to Australian Height Datum (AHD)
- b) Each elevation of the building
- c) The interior of the building
- d) Architectural design detailing of the building
- e) A statement prepared by an architectural historian describing and explaining both the design and construction of the building and the photographs

## **4. CONSERVATION MANAGEMENT PLAN**

Before the demolition and relocation begins, a conservation management plan for the fisherman's cottage to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved the conservation management plan will be endorsed and will then form part of the permit. The conservation management plan must include:

- a) Further investigation into the original building footprint and the age of the existing cottage/bungalow to determine the extent and justification for demolition of identified additions.
-



- b) a relocation method statement outlining how the fabric of the building will be safeguarded during and after relocation
- c) window and door repairs/restoration
- d) external joinery restoration proposed, if any
- e) repair and reconstruction methods for the existing brick chimney using the existing bricks. The mortar should match existing and be of the same strength (composition/mix), texture and colour.

Works to the fisherman's cottage must be undertaken in accordance with the conservation management plan to the satisfaction of the responsible authority.

#### **5. LAYOUT NOT ALTERED**

The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

#### **6. USE**

The fisherman's cottage must at all times only be used for purposes ancillary to the main dwelling and must not be occupied/used as a habitable building.

#### **7. ENGINEERING**

The site must be drained to the satisfaction of the responsible authority and an application must be made to Council for the identification of a legal point of discharge for the site. No storm water, sullage, sewerage or polluted drainage may drain or discharged from the land to adjoining properties, including public land.

#### **8. VEHICULAR CROSSINGS**

The vehicular crossing to Bay Street must be constructed to the road to suit the proposed driveway to the satisfaction of the responsible authority and any existing crossing or crossing opening must be removed and replaced with nature strip and kerb and channel to the satisfaction of the responsible authority.

#### **9. COMPLETION OF DEVELOPMENT**

Once the development has started it must be continued and completed to the satisfaction of the responsible authority.

#### **10. PERMIT EXPIRY**

This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:

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

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

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- Note (1)**                    **The requirements of Part 5 – Siting – of the Building Regulations have not been taken into consideration in the granting of this planning permit.**
- Note (2)**                    **Prior to the commencement of the development you are required to obtain the necessary Building Permit(s).**
- Note (3)**                    **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.**
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## REPORT

### BACKGROUND

On 14 July 2020, Council received an application for demolition and buildings and works on the land at 6 Beach Street, Queenscliff. The proposal is defined as *demolition of outbuildings (garage and shed), removal, repositioning, restoration and painting of an outbuilding (former fisherman's cottage), construction of side and rear boundary fences and construction of a double vehicle crossover in a Heritage Overlay area.*

The subject site is a regular shaped allotment located on the west side of Beach Street, approximately 36 metres south of the intersection of Beach Street and Harbour Street (see aerial photograph below).



The site contains an existing single storey weatherboard dwelling with an iron roof. The site also contains the fisherman's cottage and other outbuildings that are the subject of the application. As is common for land in Fisherman's Flat, the subject site runs east-west between Beach Street and Bay Street with Beach Street as the property frontage and Bay Street providing vehicle access to the rear of the site.



Photograph of the dwelling at 6 Beach Street, Queenscliff

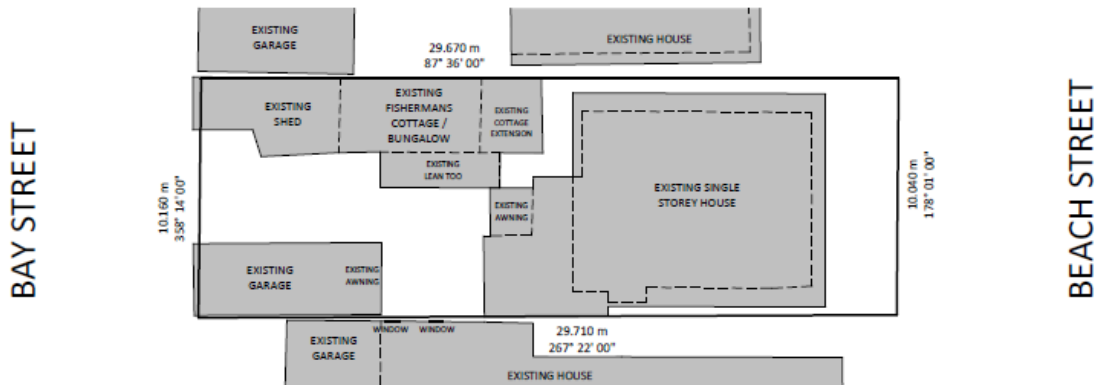
The site is approximately 299 square metres in area. The northern boundary of the site is approximately 29 metres in length and abuts a lot containing a single storey weatherboard dwelling with an iron roof. The southern boundary of the site is approximately 29 metres in length and abuts a lot containing an existing single storey dwelling.

## DISCUSSION

The application seeks a planning permit for the following buildings and works:

- Demolition of the existing shed located in the north west corner of the site
- Demolition of the existing garage located in the south west corner of the site
- Deconstruction of the bungalow currently located approximately mid-block and abutting the northern boundary of the site.
- Reconstruction of the bungalow, reduced in size, in the south west corner of the site including restoration and painting.
- Construction of fencing, including gates, along the western boundary of the site.
- Construction of a widened crossover into the site from Bay Street.
- Demolition of northern and southern boundary fences
- Reconstruction of northern and southern boundary fences

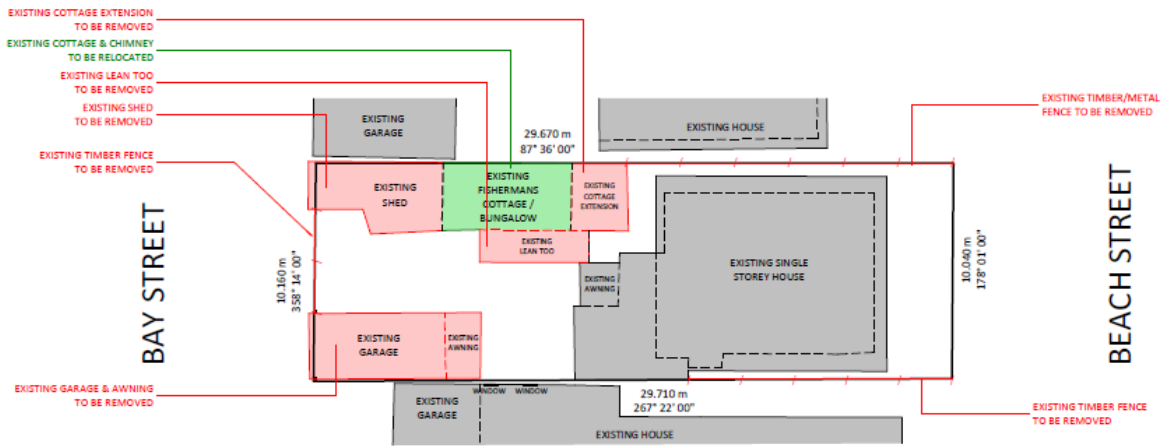
The existing layout of the site is as follows:



**1 - SITE PLAN - EXISTING**

1 : 200

The proposed changes to the site are as nominated in the plan below:

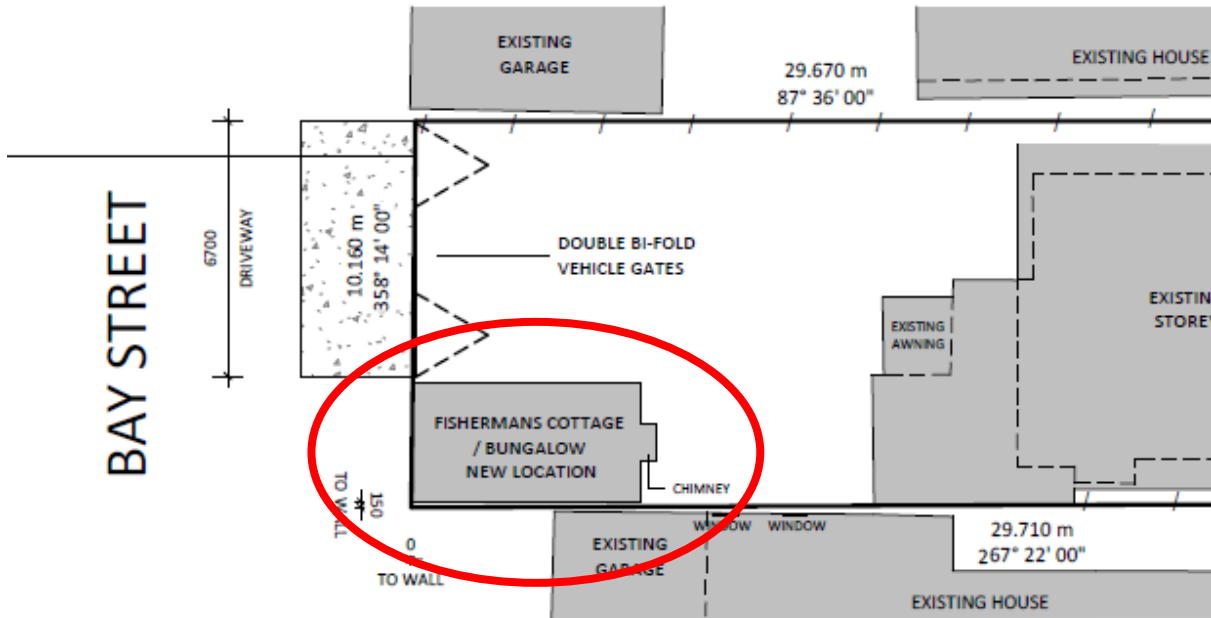


**1 - SITE PLAN - DEMOLITION**

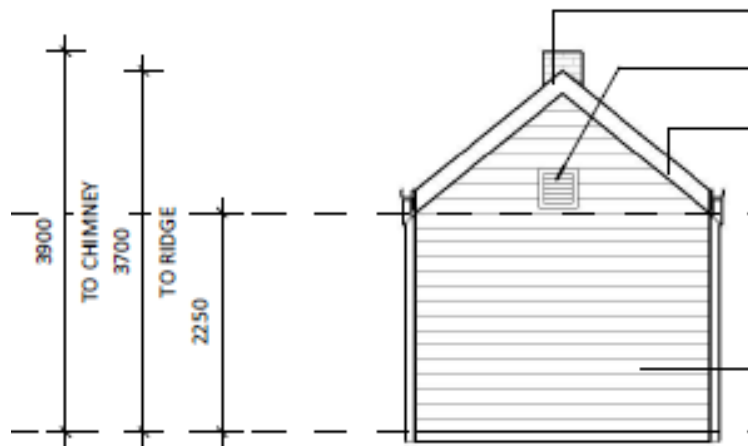
1 : 200

The demolition of the existing garage and shed and construction of northern and southern boundary fences are considered minor relative to the more contentious elements of the application and are considered to be generally compliant with the relevant provisions of the Queenscliffe Planning Scheme. Significant community concern has been registered about the demolition and reconstruction of the existing fisherman’s cottage. The concern appears to be centred on the perceived loss of heritage values attributed to the cottage, and Fisherman’s Flat, should relocation be approved.

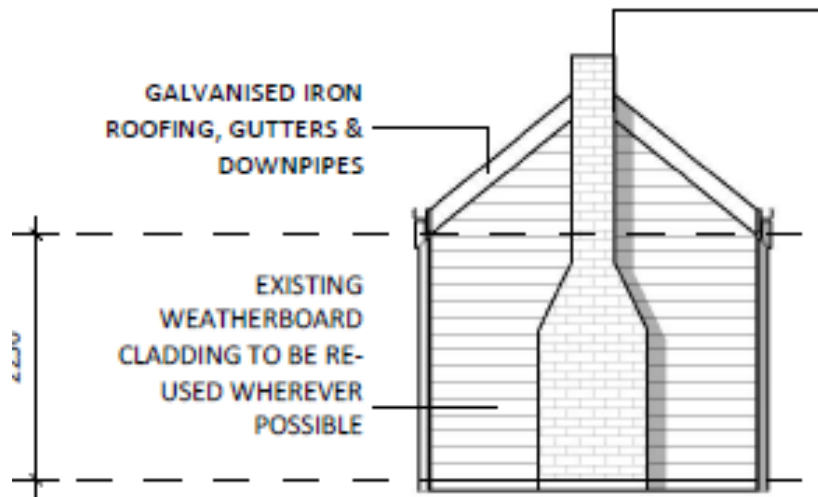
The proposal is to demolish the eastern portion of the cottage and the existing skillion roofed addition to the south side of the cottage and then relocate the remaining portion of the cottage to the south west corner of the site. In relocating the building, it will also be rotated 180 degrees resulting in the western elevation (chimney end) becoming the east elevation (see below).



The elevations of the relocated cottage are proposed in the application as follows:



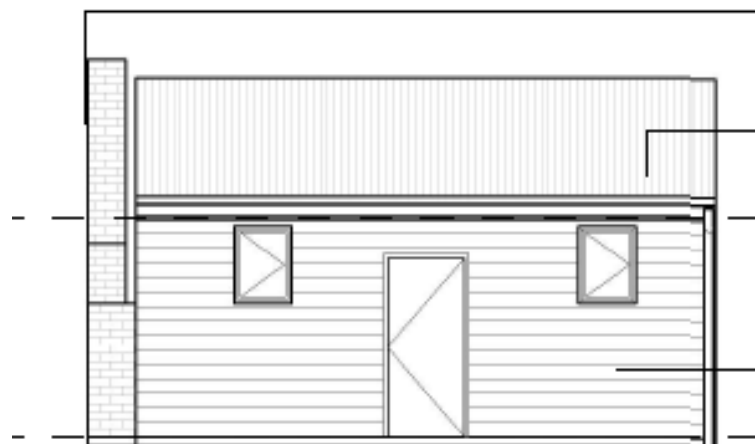
Proposed Bay Street (west) elevation



Proposed East elevation



Proposed south elevation (against boundary fence between subject site and 8 Beach Street)



Proposed north elevation



As a component of the assessment of the application, Council officers sought advice on the proposal from an independent heritage advisor. In summary, the heritage advisor made the following observations specific to the subject site and cottage:

- The Fisherman's Flat precinct is historically important to the development of Queenscliff.
- The dwelling and outbuildings on the site are not nominated as contributory in the *Queenscliffe Urban Conservation Study* (1984).
- It is possible that the fisherman's cottage had already been relocated to the subject site and the fact that the external chimney is engaged with the weatherboards may confirm same.
- The possibility that the outbuilding has previously been relocated is precedence for relocation and the future viability of the structure is at risk in its current location.
- The relocation of the fisherman's cottage to the rear of the site will increase visibility and public exposure to the building.

The heritage advisor does not object to the relocation of the cottage, subject to permit conditions which have been included in the proposed resolution above.

In addition to seeking external heritage advice, Council officers consulted with the Corangamite Catchment Management Authority (CCMA). Fisherman's Flat is known to be at high risk of coastal inundation associated with climate change and storm surges. Whilst the CCMA are not a referral authority, as defined by the *Planning and Environment Act 1987* and the Queenscliffe Planning Scheme, there are obvious sensitivities around built form outcomes in this part of Queenscliff. An extract from the CCMA response, which summarises their position is provided as follows:

#### **Summary**

The Authority understands the query relates to the relocation of a heritage fisherman's cottage at 6 Beach Street, Queenscliff.

Flood information available to the Authority indicates 95% of the site is subject to inundation from coastal storm surge during 1% AEP flood events under existing climatic conditions. The applicable 1% AEP flood level is 1.06 metres AHD.

When assessing developments in flood affected areas, the Authority is guided by the *Guidelines for Development in Flood Affected Areas, DELWP, 2019*, which generally require that replacement buildings and building extensions set floor levels at the Nominal Flood Protection Level (1% AEP flood level + 0.5 metres freeboard for coastal flooding).

However, freeboard requirements can be relaxed for minor developments in certain circumstances. In this instance, the Authority understands the building is to remain as an outbuilding only and will not be habitable. It is also recognised that the building is currently at risk from flooding and that risk won't change with the relocation.

The Authority would therefore have no objection to the relocation of the fisherman's cottage and would recommend the following conditions / considerations:

1. The existing finished floor level of the fisherman's cottage be determined in metres to Australian Height Datum (AHD).
2. The finished floor level of the relocated cottage shall be no lower than the existing finished floor level, as measured in metres AHD.
3. The fisherman's cottage shall not be used as a habitable building.
4. Consideration should be given to using flood resistant materials on the inside of the building to a minimum height of 1.56 metres AHD (1% AEP flood level + 0.5 metres freeboard) to minimise the impact of flooding.

The Corangamite CMA has provided this advice as preliminary information only and has been based on the information you have provided. Any flood level advice provided is based on the most accurate information currently available and may change if new information becomes available.

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As highlighted in the letter, the CCMA can relax freeboard requirements in certain circumstances. The CCMA advice is based on the following:

1. That the cottage is not used as a habitable building.
2. That the cottage is currently at risk from flooding and that the risk will not change with the relocation.

The CCMA have also recommended that flood resistant materials be used internal to the building to a height of 1.56 metres to minimise the impact of future flooding.

These requirements have been included as conditions in the officer recommendation.

### Options

Option 1 – That Council adopt the officer recommendation.

Option 2 – That Council modify the officer recommendation.

Option 3 – That Council reject the officer recommendation.

## COMMUNICATIONS AND ENGAGEMENT

### Community Engagement



The application has been advertised, in accordance with the requirements of the *Planning & Environment Act 1987*. Specifically, the applicant:

- Directly notified, via Registered Post, ten (10) surrounding landowners.
- Displayed two (2) signs on the property – one on the Beach Street frontage and the other on the Bay Street boundary of the subject site for a period of not less than 14 days.

Council received ten (10) objections to the proposal. The objections, and an officer response to each issue, are summarised as follows:

Objector No.	Reason for objection	Officer response
1	No indication of plans for the remaining block.	There is no requirement for the applicant to provide details of future application(s) for use or buildings and works on the subject site. Council is restricted to determination of the current application before it.
	A map of Fisherman's Flat from the 1930s shows the buildings on 6 Beach Street, including the fishermans	The map from the 1930s is acknowledged as a clear and accurate representation of the existence of the fishermans





<b>Objector No.</b>	<b>Reason for objection</b>	<b>Officer response</b>
	cottage which means that the cottage is original.	cottage at the rear of the dwelling at 6 Beach Street.  No evidence has been located that definitively specifies the provenance of the cottage. This of itself is not adequate grounds to recommend refusal of the application.
	The proposed gates will be vulnerable to strong winds.	Acknowledged, however, the design and construction of the gates, including determination of 'fit for purpose' is not a planning consideration.
	There are inaccuracies in the plans, particularly reference to the property at 8 Beach Street. The area nominated as 'garage' is part of the dwelling.	Noted. Should a permit issue, amended plans will be required as outlined in the officer recommendation.
	The relocated cottage and the dwelling at 8 Beach Street will be very close without the benefit of a firewall.	Noted. Should a permit issue a conservation management plan will be a permit condition. This, in consultation with a qualified building surveyor, will determine the necessary construction of the boundary wall without detracting from the heritage values attributed to the cottage.
	Opinion from the Corangamite Catchment Management Authority is unavailable.	There is no trigger in the Queenscliffe Planning Scheme for the referral of the application to the CCMA . Despite this, officers have engaged with the CCMA and have incorporate their recommendations into the officers recommendation to Council.
	The higher roof pitch of the cottage will have a negative impact on the dwelling at 8 Beach Street, particularly in the winter.	The window in the dwelling at 8 Beach Street faces west and the cottage, if relocated, will be along the northern boundary. There will be no impact on the existing passive solar for 8 Beach Street.



2	Moving a significant feature and character secondary building of Fisherman's Flat is an undesirable outcome when it can be preserved 'in situ'.	No evidence has been provided that supports the retention of the building in its current location. Heritage advice commissioned by officers indicates that moving the subject building will not result in a detrimental heritage impact.
	The 1948 sewerage plan shows the cottage in its current location – it has not moved.	As with the 1930s plan, we do not have access to a construction and/or relocation date for the cottage. The existence of the cottage in its present location is not, of itself, adequate grounds to recommend refusal of the application.
	It is quite possible that the cottage was a separate kitchen servicing the original house.	Whether the building was a kitchen is not a matter that can be considered in the assessment of the application.
	The subject site has links to a significant fishing family who remember the cottage being there in the 1930s.	Acknowledged.
	It is possible that the Corangamite Catchment Management Authority (CCMA) will require that the cottage be elevated if relocated.	Comments by the CCMA have been incorporated into permit conditions, should the permit be issued.
	Removal and rebuilding to comply with building regulations will damage the heritage.	Plans showing the relocation and compliance with relevant building regulations will be required. Condition 4 of officers recommendation aims to mitigate any impacts on the heritage fabric of the building.
	The cottage represents the rental history of residents of Fisherman's Flats.	Agreed. Anecdotal evidence indicates that the cottage was used when the primary dwelling was rented to holiday makers.
	The cottage adds to the Bay Street streetscape.	Agreed.
	View of the cottage from Beach Street adds to the Beach Street streetscape.	Disagree. The cottage is barely visible from Beach Street. It is, however, visible from Bay Street and the proposal to move it closer to Bay Street will increase its prominence in the streetscape.



3	The cottage is intact, complete with its original chimney and is in reasonable, restorable condition.	No evidence has been provided that categorically defines the original form of the building (other than an outline on the plan provided by objectors). As outlined previously, prior to moving the cottage, should a permit be granted, officers recommend that a conservation management plan outlining how critical fabric will be conserved, must be submitted by the applicant.
	The previous owners used the cottage for sleeping.	In this case, the existing or previous use of the cottage is not being considered as a component of the application for its relocation.
	The skillion on the south side of the cottage has been in place since the early 1930s.	Heritage advice indicates that the 'gabled form and associated fabric' has some heritage interest and that the skillion and additions could be removed subject to conditions.
	The proposed changes to the cottage will reduce the significance of the cottage.	The proposed changes and relocation of the cottage will place the cottage in a more prominent and visible location. Officers consider that this will increase the significance of the building relative to the streetscape.
	The fisherman's cottages are important to the development of Queenscliff as a fishing village.	Agreed. The proposal nominates retention of the cottage.
	Every time a change is made to Fisherman's Flat its integrity is put at risk.	The Queenscliffe Planning Scheme contains provisions that control the elements that had been identified as critical to maintaining the integrity of Fisherman's Flat – building height, materials and design and site coverage. None of these elements are being challenged by the current proposal.
	It is disappointing that the heritage study hasn't acknowledged significant out-buildings.	Acknowledged.
	The design of the new gates is inappropriate for the area.	This is not a matter than can be used to sustain a recommendation for refusal.



		The construction details of the gates are considered to be generally appropriate as outlined in the officer assessment.
4	The cottages should remain where they are because they represent Fisherman's Flat – moving them damages the identity of the Flats.	No evidence has been provided that supports the retention of the building in its current location.
	If the permit is granted it goes against the strict guidelines experienced while the objectors were designing and constructing their home.	Assessment of the proposal is made against the same sections of the planning scheme that the objectors were required to comply with.
5	Who will monitor this rebuild of the cottage to ensure it is done correctly?	Permit conditions require appropriately qualified persons monitor the demolition and reconstruction of the cottage.
	The proposed gates will not be able to withstand the wind.	The construction details of the gates, including the ability to withstand local weather conditions, are not a planning consideration.
	The bedroom at 8 Beach Street is incorrectly nominated on the applicants plans as a garage.	Revised plans will be a condition of a planning permit, should one be issued.
	The height of the relocated cottage roof will block sunlight from the west facing bedroom at 8 Beach Street especially in the winter.	The window in the dwelling at 8 Beach Street faces west and the cottage, if relocated, will be along the northern boundary. There will be no impact on the existing passive solar for 8 Beach Street.
	Objects to the proposed boundary fence between 6 Beach Street and 8 Beach Street until fencing paperwork is completed and agreed between both owners.	Fencing that is visible from the street requires planning permission in this location.  Approval of a design via the planning scheme does not remove the responsibility of affected landholders to agree on construction and cost.



6	Some of the early families that lived in Fisherman's Flats moved into simple dwellings in their backyards and rented their houses to holiday makers.	Acknowledged.
	Audrey Johnson was born in 1932 and grew up in a small cottage at the back of 6 Beach Street. Her mother rented the front house out to people from Ballarat.	Acknowledged.
	Each time something is changed in the Flat it 'eats away' at the history and integrity of the precinct.	The Queenscliffe Planning Scheme contains provisions that control the elements that had been identified as critical to maintaining the integrity of Fisherman's Flat – building height, materials and design and site coverage. None of these elements are being challenged by the current proposal.
	The proposed relocation will destroy original features and the required new height regulations will alter the building.	A Conservation Management Plan is a planning permit requirement with the intention that the existing fabric and design of the building remains unaltered.  There is no requirement to significantly increase the height of the building when it is relocated.
7	All buildings covered within a Heritage Overlay require the same consideration for protection.	Noted.
	The relocation of the cottage will negatively impact the integrity and authenticity of the structure, particularly the chimney.	A Conservation Management Plan is a planning permit requirement with the intention that the existing fabric and design of the building remains unaltered. Specific reference to the preservation of the chimney is made in the permit condition.
	The structure should only be moved if it poses a safety or fire threat.	The fire safety of a building in either its current or proposed location is not a planning consideration.
	The proposed rear gate structure is unsympathetic to the heritage values of the area.	Noted.



	The CCMA will require the floor height of the cottage to be raised which will destroy the heritage value and appearance of the building.	There is no trigger in the Queenscliffe Planning Scheme for the referral of the application to the CCMA as part of the application for a planning permit. That being said, Council officers have engaged with the CCMA and have incorporated their recommendations.
	Moving the cottage will have a negative impact on natural sunlight entering the property at 8 Beach Street.	The window in the dwelling at 8 Beach Street faces west and the cottage, if relocated, will be along the northern boundary. There will be no impact on the existing passive solar for 8 Beach Street.
8	Demolition and reconstruction of the cottage will require a much higher floor level and be more dominant in the low key streetscape.	The CCMA have been consulted as part of the assessment of the application and their comments have been incorporated into permit conditions, should one issue.
	The elaborate rear gates are inconsistent with the character and simplicity of the rest of the heritage streetscape.	The gates are considered to be generally appropriate as outlined in the officer assessment.
9	There is no possible reason to relocate the cottage.	The reasoning behind the application for relocation of the cottage is not a consideration for the purposes of assessing the application against the provisions of the Queenscliffe Planning Scheme.
	The heritage coverage of the houses in Fisherman's Flats have been established to retain the integrity of this historic precinct.	Agree.
	Please review this application with all the consideration needed for preservation.	The application intends to preserve the cottage through relocation and renovation.



10	The applicant has provided no evidence to suggest that the cottage had been previously relocated onto the site.	Agree. Unfortunately, despite the efforts of the consultant heritage advisor, there appears to be no evidence that the building <u>wasn't</u> relocated onto the site prior to the 1930s plan.
	There has been no construction documentation of the building.	Documentation of the building is a requirement of the permit, should one issue.
	This is a dwelling. Fishermen and their families lived in it.	The cottage is not defined as a dwelling by the Queenscliffe Planning Scheme.
	Relocation of the dwelling will require a fire wall and increase in building height to accommodate sea level rise.	Plans showing the relocation and compliance with relevant building regulations will be required as a condition of permit, should one issue.  The CCMA have been consulted as part of the assessment of the application and their comments have been incorporated into permit conditions, should one issue.
	The Fisherman's Flat community and tourists will lose the current view of the chimney and the humble scale dwelling and old world authenticity which is clearly evident from the street.	The cottage is visible from Bay Street and the proposal to move it closer to Bay Street will increase its prominence in the streetscape.  This is not seen as being inappropriate when assessed against the provisions of the planning scheme and heritage advice obtained by officers.
	The planning permit application to demolish and/or move a dwelling on a site in a heritage precinct usually requires a comprehensive building plan for the whole site.	Council officers are assessing the application as it has been made. There is no legal requirement to provide overall plans for the site as a component of assessment.
	The applicant has not addressed any upgrade of the larger dwelling in the application.	See above.
	The applicant has misinterpreted the neighbours dwelling at 8 Beach Street.	Changes to plans to correctly reflect the dwelling on the neighbouring property will be a condition on the permit, should one issue.



Council resolved the following at the ordinary meeting on 16 December 2020:

*That Council remove officer delegation conferred under Section 98(1) of the Local Government Act 1989 in relation to Planning Application 2020/039: 6 Beach Street, Queenscliff for Demolition of Outbuildings (garage and shed), removal, repositioning, restoration and painting of an outbuilding (former fisherman's cottage), construction of side and rear boundary fences, construction of a double vehicle crossover and removal, repositioning, restoration of an outbuilding (former fisherman's cottage) in a Heritage Overlay area, on the grounds of response to the cultural heritage character of the precinct.*

In accordance with Council's Planning Protocol, a Planning Review Meeting was held on 13 January 2021 via videoconference. The meeting gave the applicant and objectors an opportunity to elaborate on their objections and answer questions posed by Councillors. The applicant and all of the objectors attended the meeting.

### **Collaboration**

There has been no collaboration with other councils in assessing the application.

## **GOVERNANCE CONTEXT**

### **Relevant Law**

Development and land use within the Borough of Queenscliffe is regulated by the provisions of the Queenscliffe Planning Scheme.

The hierarchical nature of Victorian planning schemes demands consideration and assessment of the application against the relevant policy and specific provisions in the following order:

- Planning Policy Framework (PPF)
- Local Planning Policy Framework (LPPF)
- Zone(s)
- Overlay(s)
- Particular Provisions
- General Provisions
- Operational Provisions

An assessment of the proposal against the relevant provisions of the Queenscliffe Planning Scheme is as follows:

### Planning Policy Framework

VPP 11                      SETTLEMENT  
VPP11.03-4S              Coastal Settlement

The objective of Clause 11.03-4S is to:

*Plan for sustainable coastal development*

The strategies, nominated to achieve the objective, that are relevant to the application are as follows:

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- *Encourage urban renewal and redevelopment opportunities in existing settlements to reduce the demand for urban sprawl.*
- *Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.*
- *Direct new residential and other urban development and infrastructure to locations within defined settlement boundaries of existing settlements that area capable of accommodating growth.*

The subject site is located within an area that is defined as residential in the Queenscliffe Planning Scheme. The proposal accords with the underlying zoning through facilitation of the continued use of the land for residential purposes.

VPP 11.03-5S            Distinctive areas and landscapes

The objective of Clause 11.03-5S is to:

*Protect and enhance the valued attributes of identified distinctive areas and landscapes.*

The strategies, nominated to achieve the objective, that are relevant to the application are as follows:

- *Recognise the significant geographic and physical features of these areas.*
- *Protect the identified key values and activities of these areas.*
- *Support use and development where it enhances the valued characteristics of these areas.*

The policy document relevant to the assessment of the application is the *Bellarine Peninsula Localised Planning Statement* (Victorian Government, 2015).

The *Bellarine Peninsula Localised Planning Statement* (BPLPS) was developed by the Victorian State Government, the City of Greater Geelong and the Borough of Queenscliffe and released in September 2015. The BPLPS acknowledges the landscape, built form and environmental features of the Bellarine Peninsula are important to Victoria. The BPLPS does not specifically refer to Fisherman's Flat but notes that Queenscliff township is *characterized by mainly Victorian and early twentieth century architecture of significant cultural and built heritage value...*<sup>1</sup>. The BPLPS nominates the following strategies specific to the preservation of built heritage:

- *Ensure that development responds to the identity and character of the individual township in which it is located.*
- *Protect the character of local conservation precincts, places, objects and sites and heritage areas on the Bellarine Peninsula.*

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<sup>1</sup> *Bellarine Peninsula Localised Planning Statement* (Victorian Government, 2015), page 9

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- *Encourage development which respects the setting of coastal settlements by providing reasonable sharing of views of the coast and foreshore and uses contemporary design that reflects existing built form.<sup>2</sup>*

The proposal does not impact on the sharing of views of the coast or foreshore areas and is respectful of the past and emerging character of both Queenscliff and, more specifically, Fisherman's Flat.

Local Planning Policy Framework

LPP 21.04 BUILT ENVIRONMENT AND HERITAGE

The objective that is relevant to the application is as follows:

*To require that new development in the Borough protects, enhances and harmonises with the following distinguishing elements of the Borough's urban character:*

- *The significant view lines to and from the sea, coastal dune environments and the Queenscliff townscape skyline.*
- *The unique and intact building, landscape heritage, and natural foreshore qualities of the Borough.*
- *The distinguishing cultural heritage identity of the township of Queenscliff, including the prevailing Victorian and Edwardian built form and scale of development.*

The proposed demolition of the nominated outbuildings (garage and shed) will not impact on the viewlines of Fisherman's Flat as they are no more prominent than the existing building in the landscape. Officers consider that the relocation of the Fisherman's Cottage will not negatively impact on the landscape and may, by virtue of the need to marginally raise the height of the relocated building, be a positive contribution to the visual heritage of Fisherman's Flat by increasing the building's prominence in the streetscape of Bay Street.



**Bay Street, looking north**

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<sup>2</sup> *ibid*, page 15

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As can be seen in the photograph above, the existing streetscape of Bay Street is dominated by gable roofed buildings, used as accommodation and/or garaging, located at the rear of lots fronting Beach Street. The relocated Fisherman's cottage will continue this development pattern by presenting a similar built form to Bay Street.

The subject site is zoned Neighbourhood Residential Zone – Schedule 2 (NRZ2) and is covered by Heritage Overlay 1 (HO1) and Design and Development Overlay – Schedule 6 (DDO6).

LPP 22.02 HERITAGE POLICY

The objectives of Clause 22.02 are as follows:

- *To recognise, conserve and enhance buildings, sites, works, trees, objects, streetscapes, precincts and settings in the Borough identified as having architectural, cultural or historic significance.*
- *To ensure the continued aesthetic, historic, scientific or social value of the Borough's heritage places for past, present and future generations.*
- *To ensure that any additions, alterations and replacement buildings are sympathetic to the heritage place and/or its surrounds.*
- *To ensure that new development maintains, protects and enhances the distinguishing elements of the Borough's heritage character.*
- *To recognise the existing significance, character and appearance of heritage places and the contribution to the architectural or historical character and appearance of the locality.*
- *To ensure that subdivision or development which may result from subdivision does not adversely affect the significance, character or appearance of heritage places.*
- *To promote the recognition and protection of heritage places on Commonwealth land not protected by the Victoria Planning Provisions, but listed with Heritage Victoria.*
- *To ensure that an appropriate setting and context for heritage places is maintained*

The policy framework, specifically applicable to the current application is as follows:

- *The demolition or alteration of heritage buildings will generally not be supported unless it can be demonstrated that:*
  - o *The action will contribute to the long-term conservation of the significant fabric of the building; and*
  - o *The demolition involves the removal of later insignificant modifications.*

The proposal has been assessed as complying with the relevant objectives and policies above. The relocation and reconstruction of the fisherman's cottage on the subject site will result in the preservation of the cottage in a location that positively impacts on the existing heritage streetscape.

LPP 22.02-1 Fisherman's Flat Urban Conservation Precinct (HO1)

The objectives of Clause 22.02-1, that are relevant to the current assessment, are as follows:

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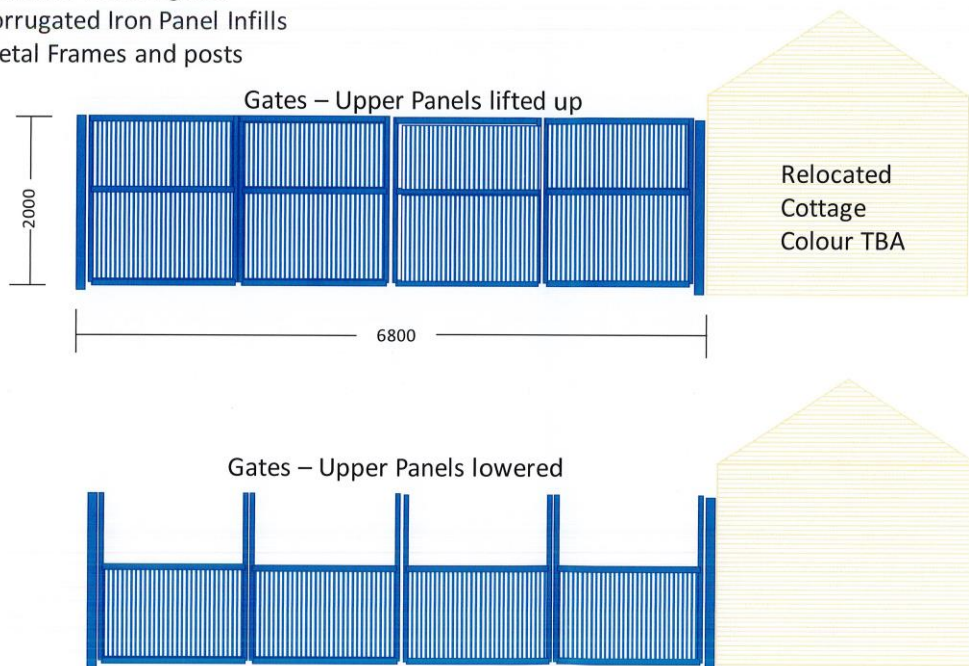
- To maintain and enhance the character of the area as a fishing village set apart from the main town centre.
- To retain the general uniformity in scale and massing of the buildings.
- To encourage the use of the traditional building materials of the area, being timber weatherboard walls, timber-framed windows, corrugated iron roofs and brick chimneys.
- To maintain traditional fencing in the area, such as low pickets, capped corrugated iron or twisted wire, and for new fencing to buildings, encourage the use of the traditional materials and construction techniques.
- To encourage use of the traditional building design of the area, which include narrow eaves, gable roofs, verandahs, vertical rectangular windows and unbroken facades.

The provision, as written, provides objectives and policies for new development within Fisherman’s Flat. The immediate relevance to the current application is the proposal to construct new boundary fencing, including rear gates on the Bay Street side of the subject site.

The proposed boundary fences are nominated on the plans submitted with the application as 2 metre high capped timber with a 6.5 metre rate decreasing the fence height to 1 metre at the front and rear property boundaries. The boundary fences will not be visually prominent in the streetscape and will weather over time thereby ensuring that the existing dwellings maintain visual prominence in the streetscape.

The rear fence along the Bay Street frontage of the site is proposed to be a 2 metre high set of two bi-fold metal gates. The gates will be constructed of metal framing with galvanized corrugated iron panel infills.

Rear Fence = double vehicle gates  
Galvanized Corrugated Iron Panel Infills  
Galvanized Metal Frames and posts



The existing fences along Bay Street vary significantly in their design, height and construction. This variability will potentially be enhanced by the proposal and the use of corrugated iron is supported as it is a building material that has been utilised traditionally in Fisherman’s Flat.



As discussed throughout this report, the proposed relocation of the cottage also meets the objectives of Clause 22.02-1.

#### Zone

The subject site is zoned Neighbourhood Residential Zone – Schedule 2 (NRZ2). There is no trigger for the requirement of a planning permit within the zone. As a result, further assessment against zone provisions is not required.

#### Overlays

The subject site is covered by Heritage Overlay 1 (HO1) and Design and Development Overlay – Schedule 6 (DDO6).

The requirement for a planning permit is triggered by the Heritage Overlay for the demolition of the shed and garage, the relocation of the Fisherman’s Cottage and the construction of the boundary and rear fences.

The purpose of the Heritage Overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places. To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

The application has been considered as an appropriate response to the decision guidelines detailed at Clause 43.01-8. Specifically, and as noted throughout this report, the application will not result in works that will adversely affect the significance of the heritage place.

The requirement for a planning permit is also triggered by the Design and Development Overlay for buildings and works.

The design objectives of DDO6 are as follows:

- *To ensure that development is consistent with the uniform, low-rise streetscape character of the Fisherman’s Flat precinct and nearby Symonds Street.*
  - *To ensure that development reflects the character of the precinct as a fishing village physically and visually set apart from the main town centre.*
  - *To protect coastal and heritage vistas from intrusive development.*
  - *To ensure new development maintains, protects and enhances the distinguishing elements of the urban character of the Queenscliff township.*
-



- *To require all new development to have regard to the urban character policies contained in the Municipal Planning Strategy and to the Building Siting and Design Guidelines contained in the Borough of Queenscliffe Urban Character Study.*

The application has been considered as an appropriate response to the decision guidelines detailed in Schedule 6 to Clause 43.02.

### **Charter of Human Rights**

This report has had consideration to, and complies with, the Charter of Human Rights and Responsibilities Act 2006.

### **Regional, State and National Plans and Policies**

There are no additional Regional, State and National Plans and Policies applicable to the assessment of the application.

### **Council Plan Alignment**

The proposal aligns with Strategic Objective 4 – Planning and Heritage, of the Borough of Queenscliffe Council Plan (2017–2021). The objective is as follows:

*Preserve and enhance the Borough as a special place through excellence of design and conservation of its rich culture and unique heritage.*

The strategies identified to meet the objective, which are relevant to the current application, are as follows:

- *Conserve the Borough's significant history, culture and heritage.*
- *Maintain the Borough's unique features and neighbourhood character.*

The proposed demolition and relocation of the fisherman's cottage will encourage maintenance of the unique neighbourhood character identified in Fisherman's Flat. The proposal will also result in the retention of a building that has been acknowledged a part of the landscape of Fisherman's Flat since at least the 1930s.

### **Legal and Risk Implications**

There are no legal or risk implications for Council associated with the proposal.

### **Related Documents**

There are no related documents associated with the application.

### **Disclosure of Interest**

No officer involved in the preparation of this report has any conflicts of interest.

## **CONSIDERATIONS**

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### **Environmental Sustainability**

The climate change implications associated with the relocation of the Fisherman's cottage have been addressed in discussions with the CCMA. In summary, as the building will not be habitable, a minimal increase to the current height of the building will be required when it is relocated. This does not mean that the building will not be at risk of flooding, however, the CCMA have recommended that waterproof lining material be used internal to the building to a height of 1.56 metres AHD to minimise potential damage as a result of flood.

### **Financial and resource implications**

There are no budget or resource implications specific to the application.

### **Innovation and Continuous Improvement**

There are no areas for innovation and continuous improvement identified as a result of the application.

## **IMPLEMENTATION**

### **Operational Impacts**

There are no operation impacts associated with the application.

### **Implementation Process**

The planning permit contains a standard expiry clause which grants the applicant two (2) years to commence works and four (4) years to complete the works.

The applicant may apply for an extension of time to the planning permit in accordance with the requirements of the *Planning and Environment Act 1987*.

## **ATTACHMENTS**

Nil

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## 15. GOVERNANCE & PERFORMANCE

### 15.1 Council Plan 2017–2021 – Quarterly Report against 2020–21 Implementation Plan as at 31 December 2020

**File:** QG054.01.01

**Author:** Chief Executive Officer

**Portfolio:** Governance & Performance

**Portfolio Holder:** Cr Salter

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#### PURPOSE

The purpose of this report is to provide Council with the progress report (**Appendix 1**) on actions taken in relation to the 2017–2021 Council Plan and the initiatives for the period from 1 October 2020 to 31 December 2020 as defined in the 2020/21 Implementation Plan.

#### EXECUTIVE SUMMARY

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 2020/21 financial year. The report continues to reinforce the importance of good working relationships and project partnerships between residents, local community organisations, Council, neighbouring municipalities and other levels of Government.

The 2020/21 second quarter initiatives and actions that should be highlighted include:

- Twelve 'Skiplets' and two 'pop up' alfresco zones were installed across Queenscliff and Point Lonsdale.
- Hesse Street South reconstruction was substantially completed this quarter with only the shared path and landscaping to be completed next quarter.
- Between 15 and 31 December there were 49 hours of beach patrols conducted.
- Every property in the Borough was visually inspected this quarter for the purposes of fire prevention, resulting in 13 fire direction notices issued.
- A planning permit was issued for the Queenscliffe Hub and the construction tender for the Hub was awarded.
- Council installed a recreational vehicle dump point at Golightly Park.
- There were 871 inspections of dog bag dispensers, with 229 refills (75,300 bags) installed this quarter. Two dog bag dispensers were installed in Hesse Street, Queenscliff.

#### OFFICER RECOMMENDATION:

**That Council note the Council Plan Progress Report against the 2020/21 Implementation Plan for the period 1 October – 31 December 2020.**

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## REPORT

### BACKGROUND

The Council Plan 2017–2021 was framed around five Strategic Objectives and related portfolios:

1. Enhance community wellbeing by providing a safe environment where people are involved, healthy and active in recreation, arts and culture;
2. Play our part in protecting the local, national and globally significant values within our natural environment for future generations;
3. Foster a diverse and vibrant local economy.
4. Preserve and enhance the Borough as a special place through excellence of design and conservation of its rich culture and unique heritage;
5. Maintain a cohesive, well governed, financially sustainable and independent Borough.

The Council Plan 2017–2021 identifies that the Strategic Objectives will be achieved by implementing initiatives in specific financial years. These are documented in Council's 2020–21 Implementation Plan.

### DISCUSSION

This progress report provides details regarding actions taken between 1 October and 31 December 2020.

The implementation of the actions in this quarter has resulted in five outcomes:





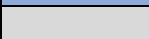
- **Completed/Achieved** (these actions have now been completed for this financial year);
- **Not achieved** (these actions were not completed this quarter; explanations for these items are noted in the appendix);
- **On-going** (some actions are on-going in nature and therefore do not have an end date by which the action can be completed, and are reported on given their importance to the Borough and the initiatives within the 2017–2021 Council Plan);
- **In progress** (these actions have progressed, but are not yet completed);
- **Not scheduled to commence this quarter** (these actions were not scheduled to commence this quarter, hence actions have not progressed against these items. These actions are scheduled for progress at a future date.)

Overall results and achievement of the priority actions in relation to each Strategic Objective for this second quarter are presented in the following charts.

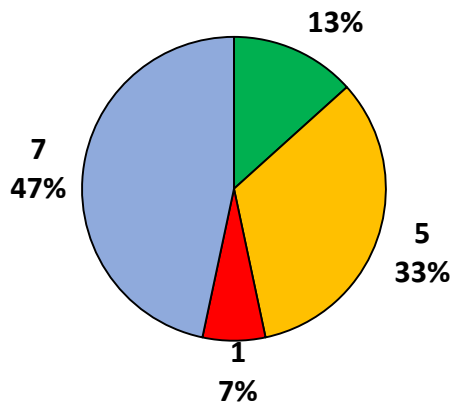
Note that all items that are marked as 'Not achieved' were all a direct consequence of COVID pandemic restrictions disrupting services and the temporary relocation of the Queenscliff Library and Visitor Information Service while the Queenscliffe Hub is built.

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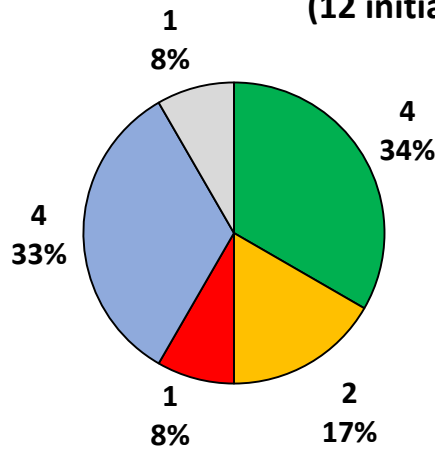


	Completed/Achieved
	In progress
	Not achieved
	On-going (items that due to their nature do not have an end/completed date)
	Not scheduled to commence this quarter

### Community Wellbeing 2 (15 initiatives)

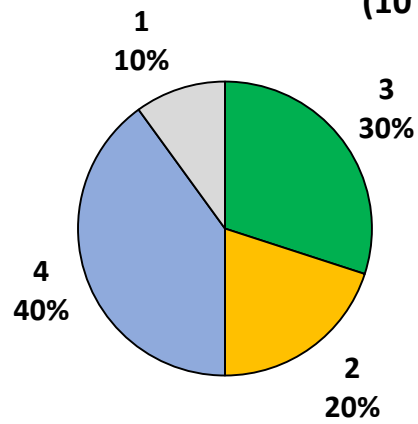


### Local Economy (12 initiatives)

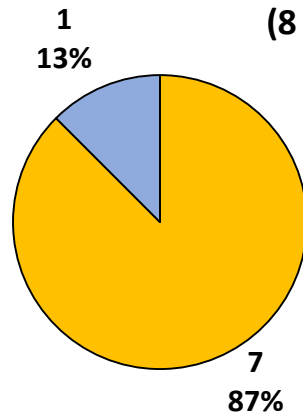




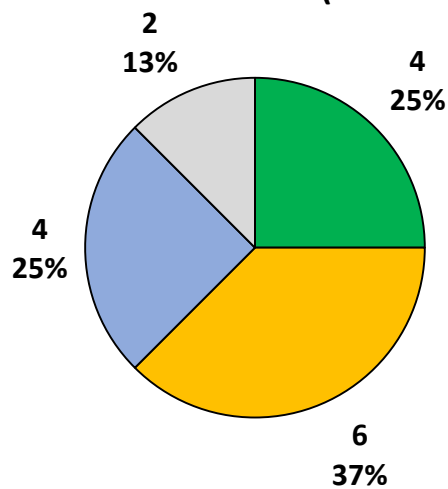
### Environmental Sustainability (10 initiatives)



### Planning & Heritage (8 initiatives)

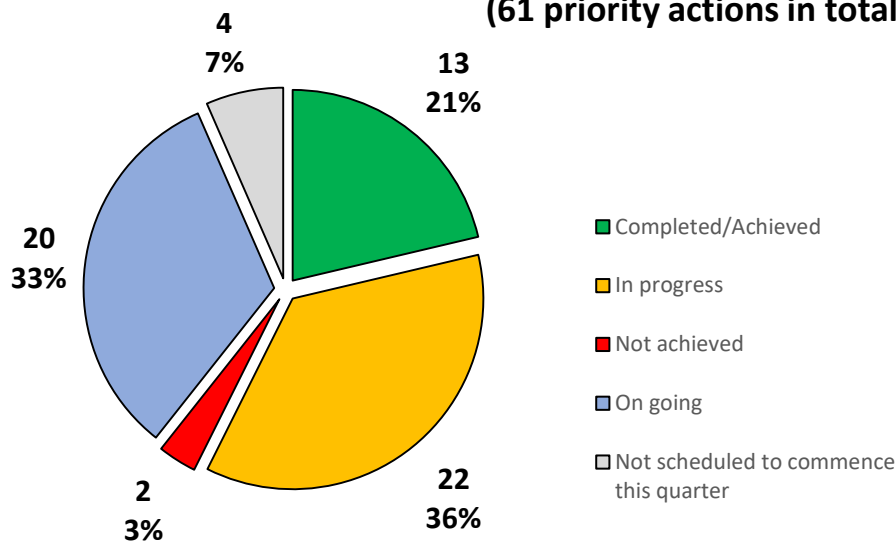


### Governance & Performance (16 initiatives)





### Overall Result (61 priority actions in total)



#### 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 2020/21 financial year. The report continues to reinforce the importance of good working relationships and project partnerships between residents, local community organisations, Council, neighbouring municipalities and other levels of Government.

Council activities over the financial year period to 31 December 2020 that deserve particular attention include:

- 48 Local Law permits were issued, including 8 extension of outdoor eating facility permits.
  - Between 15 and 31 December there were 49 hours of beach patrols conducted.
  - Every property in the Borough was visually inspected this quarter for the purposes of fire prevention, resulting in 13 fire direction notices issued.
  - There were 871 inspections of dog bag dispensers, with 229 refills (75,300 bags) installed this quarter. Two dog bag dispensers were installed in Hesse Street, Queenscliff in December.
  - This quarter 83 public health related assessments and inspections took place. These include *Food Act*, *Tobacco Act* and *Public Health and Wellbeing Act* regulated visits (noting 2 authorised officers worked during this quarter).
  - Community Care Staff provided 2,163 hours of services this quarter to 164 clients and maintained a zero waiting list.
  - 346 respondents participated in the online Climate Emergency Response Plan community survey. Students from all three Borough primary schools and local high school students participated in Climate Emergency Response Plan workshops.
  - Five community panel workshops Climate Emergency Response Plan were held in November and December. Community representatives analysed the community survey
-



data and decided on the vision, key pillars and actions for the draft recommendations for Climate Emergency Response Plan.

- In October the Borough of Queenscliffe secured \$250,000 as part of the funding allocation to rural Councils for the State Government's Outdoor Eating and Entertainment Package. After engaging with traders to seek ideas, feedback and assess individual requests, twelve 'Skiplets' and two 'pop up' alfresco zones were installed across Queenscliff and Point Lonsdale using this funding.
  - Hesse Street South reconstruction was substantially completed this quarter with only the shared path and landscaping to be completed next quarter.
  - Avenue of Honour new planting of 20 cypress trees was completed with four dangerous Avenue of Honour trees removed.
  - Drainage renewal works along Beach Street Queenscliff were successfully completed.
  - Major road patching was completed in Stokes St/Stevens St roundabout, Nelson Road and Glaneuse Road.
  - Sea wall reconstruction was completed in Queenscliff adjacent to Bridge Road.
  - Improvements to two disabled parking bays outside Point Lonsdale shops were completed.
  - Arboricultural trimming works were completed on the Plane trees along Stokes St Queenscliff and tree protection and kerb renewal works completed in Stokes St around old willow myrtles.
  - Pathway upgrade works were undertaken in Kirk Road Point Lonsdale and also to the coastal track to Point Lonsdale pier.
  - Council's draft kerbside waste service transition plan was submitted to the Department of Environment Land Water and Planning. State Government funding announcements were scheduled for late December 2020 but are yet to be released.
  - Council appointed an architect to commence the design of the Queenscliff Recreation Reserve Caravan Park Hesse Street Amenities Block. Community engagement was undertaken with user groups and community stakeholder representatives. A functional plan has been completed and an application for Planning consent and *Marine and Coastal Act* Consent was submitted in January 2021.
  - The design of the electrical upgrade within Queenscliff Recreation Reserve caravan park is complete. Tender documentation is progressing and will be tendered in early 2021.
  - Council continued its active participation in the Local Government Power Purchase Agreement Project. Council finalised the submission of its electricity load requirements for the procurement of 100% renewable energy across all council sites in collaboration with 47 other Victorian municipalities. The collaborative tender was advertised and evaluation and negotiations with the preferred tenderer is anticipated to be complete in February 2021.
  - Council installed a recreational vehicle dump point at Golightly Park.
  - Council continued to progress the Point Lonsdale Tennis Club improvement project. Following the completion of court resurfacing and installation of new court lighting, the design of the clubroom building improvements has been completed. The construction work has been tendered and a builder is scheduled to be engaged in January 2021. Construction work is scheduled to commence in late February and be completed by May 2021.
  - A planning permit was issued for the Queenscliffe Hub and the construction tender for the Hub was awarded.
-



- Communications staff began developing a new website. This new site will be more reliable and accessible, while also offering new features to residents and visitors. This process is expected to take four to six months.
- Council adopted a new Community Engagement Policy that is clearer and more ambitious. This policy is already being used to guide an extensive suite of community engagement projects, including the Climate Emergency Response Plan, and soon-to-be-launched consultation on major strategic documents such as the Council Plan.
- Council continued to find creative ways to connect our community online during the ongoing coronavirus pandemic, including live streaming the lighting of the Point Lonsdale Christmas tree.
- The Aged Care Review process commenced and work plan started.
- Council continued the detailed implementation of the *Local Government Act 2020* including commencing the induction of the new elected Councillors.
- Financial hardship provisions were extended for ratepayers.
- The Council permit process was streamlined and revitalised for new businesses in the Borough.

### Options

Option 1 – Endorse the Council Plan Progress Report.

Option 2 – Request Officers to make further amendments to the Council Plan Progress Report.

## COMMUNICATIONS AND ENGAGEMENT

### Community Engagement



The Council Plan reflects a strong commitment to providing information regarding actions taken, outcomes achieved and challenges encountered in implementing the 2017–2021 Council Plan. This progress report provides details regarding actions taken between 1 October and 31 December 2020 in relation to the specific financial year initiatives.

### Collaboration

Not applicable

## GOVERNANCE CONTEXT

### Relevant Law

In accordance with section 125 of the *Local Government Act 1989* Council adopted its Council Plan that covers the four year period from 2017 to 2021 at its 10 August 2017 Special Meeting. For the 2019–20 financial year Council defined the specific Initiatives that would form part of its 2019–20 Implementation Plan. This report provides Council with progress achieved against the adopted priorities for the quarter 1 October and 31 December 2020.

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### **Charter of Human Rights**

This report has had consideration to, and complies with, the *Charter of Human Rights and Responsibilities Act 2006*.

### **Regional, State and National Plans and Policies**

Not applicable

### **Council Plan Alignment**

This report details progress against the current Council Plan.

### **Legal and Risk Implications**

Not applicable

### **Related Documents**

Borough of Queenscliffe Council Plan 2017–2021  
Borough of Queenscliffe Implementation Plan 2020–21

### **Disclosure of Interest**

No officer involved in the preparation of this report has any conflicts of interest.

## **CONSIDERATIONS**

### **Environmental Sustainability**

This progress report highlights that Council has completed or commenced a number of priority actions that have contributed to the environmental sustainability of the Borough and its goal to move towards carbon neutrality.

### **Financial and resource implications**

There are no financial implications associated with this report.

### **Innovation and Continuous Improvement**

Not applicable

## **IMPLEMENTATION**

### **Operational Impacts**

Not applicable

### **Implementation Process**

Not applicable

## **ATTACHMENT**

1. Quarterly report against Council Plan Priority Actions as at 31 December 2020 (Appendix 1)

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## 15.2 2020-21 Quarterly Financial Report as at 31 December 2020

<b>File:</b>	<b>QG085.01.08</b>
<b>Authors:</b>	<b>Manager Financial Services</b>
<b>Portfolio:</b>	<b>Governance &amp; Performance</b>
<b>Portfolio Holder:</b>	<b>Cr Salter</b>

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### **PURPOSE**

The purpose of this report is to consider the 2020–21 Quarterly Financial Report as at 31 December 2020.

### **EXECUTIVE SUMMARY**

The financial report is in line with the Council Plan 2017–2021 strategic objective to maintain a cohesive, well governed, financially sustainable and independent Borough, particularly to provide transparent and accountable governance and meet all legislative requirements.

This report provides information on Council’s operating and capital performance for the six months to 31 December 2020 and explains key variances against the budgeted results presented to Council in June 2020. Detailed financial and non-financial information is included at **Appendix 2a**. The forecast cash result is a deficit of \$256,000 for the year, a decrease on the deficit budgeted.

### **OFFICER RECOMMENDATION**

#### **That Council:**

- 1. Note the Quarterly Finance Report to 31 December 2020 included at Appendix 2a;**
  - 2. Note the governance and management checklist progress update included at Appendix 2b;**
  - 3. Note the update against the sustainable capacity, service performance and financial performance indicators included at Appendix 2c;**
  - 4. Note the statement by the Chief Executive Officer, “The Chief Executive Officer, as required under Section 97(3) of the Local Government Act 2020 is of the opinion a revised budget is not required”; and**
  - 5. Approve additional budget allocations to the following capital projects,**
    - Hesse Street south road upgrade project, \$94,000;**
    - Queenscliffe Cultural Hub, \$50,000;**
    - Roundabout upgrade work on Hesse Street, \$38,000.**
-





<b>REPORT</b>
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### **BACKGROUND**

At its Ordinary Meeting on 18 June 2020, Council adopted the 2020–21 Budget (including the Strategic Resource Plan). This budget was based on a set of key assumptions, including the projected completion of major projects and capital works at 30 June 2020.

Each quarterly financial report includes a summary of forecast adjustments identified since the last report was issued. Adjustments typically include new government grants confirmed, efficiency savings and additional income achieved, the reallocation of funds to meet emerging budget pressures and the identification of projects likely to be carried forward to next year.

Budgeting is conducted on a conservative basis, with the responsible financial management of ratepayer monies foremost in Council's mind when adopting its budget. The quarterly forecast review process provides an opportunity for up-to-date information to be presented by officers to Council, on changes from original estimates to forecast outcomes, identifying any efficiency savings achieved and/or emerging issues to be addressed.

### **DISCUSSION**

The forecast cash result is a **deficit of \$256,000 for the year, a decrease of \$73,000** on the budgeted cash deficit of \$329,000. This net decrease mainly reflects projected savings from recurring operating expenses, savings from capital projects completed during the period, and additional income from the sale of motor vehicles, after the following additional budget allocations:

- Hesse Street south road upgrade project \$94,000;
- Queenscliffe Cultural Hub \$50,000;
- roundabout upgrade work on Hesse Street \$38,000; and
- early settlement of the existing loan in full \$10,000.

Further, \$170,000 of net savings have been used to fund the remaining work of the Hesse Street south upgrade project instead of borrowing as indicated in the budget.

Due to the shift in the timing, \$901,000 capital project work and \$239,000 operating project work have been carried over from 2019–20 via reserve transfers with a nil impact on the cash result. The **forecast accumulated cash surplus for 2020–21 is \$196,000** at June 2021.

The **forecast underlying result for the year is a deficit of \$1,086,000** a reduction of \$190,000 against the budget mainly due to the impact of operating projects carried over from 2019–20 is being partially offset by the projected savings from recurring operating expenses.

One of the key objectives in Council's Strategic Resource Plan is the achievement of a breakeven underlying operating result cumulatively. The **forecast accumulated underlying surplus stands at \$1,153,000** at 30 June 2021.

**Total financial assets** (including cash and cash equivalents) as at **31 December 2020** is **\$9.7 million**.

**Trade and other receivables** stands at **\$5,279,000 at 31 December 2020** of which only 1.4% is due for more than 60 days.

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Council settled in full the existing loan and currently has **zero debt** on its balance sheet after twelve years.

During the last six months, **\$1,337,000** has been spent in **capital projects** against the **forecast of \$7.7 million for the year**.

The inclusion of new road projects totalling \$1,159,000 (100% grant-funded) is the most significant change incorporated into the Quarterly Financial Report as at 31 December 2020. These projects have been identified in line with conditions stipulated in the Commonwealth Road Safety funding program. All funds under this program need to be spent before 30 June 2021.

The impact of the outbreak of COVID-19 in Victoria especially on the operations of caravan parks has been reviewed but required no adjustment to the targets set in the budget. Officers will continue to monitor developments about the outbreak with any further changes to be reported to Council as and when required.

Explanations for key variances against the December forecast are included at **Appendix 2a**.

**Financial Sustainability Indicators**, VAGO reports to the Parliament each year, on the results of the Local Government Audits for the most recent financial year. In its report, VAGO considers the outcomes for each Council grouping across seven financial sustainability risk indicators (VAGO is yet to report to the Parliament in relation to 2019–20 financial year).

Queenscliffe's results for the last five years to 2019–20 are summarised in the table below with estimated results for 2020-21.

Financial Sustainability Indicators	Risk Assessment Matrix			Risk Assessment						20/21**
	Low	Medium	High	15/16	16/17	17/18	18/19	19/20*	5 yrs average	
Net result	>0%	-10% - 0%	<-10%	1.71%	2.45%	10.77%	25.07%	4.45%	8.89%	25.08%
Adjusted underlying result	>5%	0% - 5%	< 0%	-2.00%	2.00%	1.00%	0.00%	-3.27%	-0.45%	-9.78%
Liquidity	>1.0	0.75 - 1.0	<0.75	2.96	3.06	2.88	5.04	5.13	3.81	3.56
Internal financing	>100%	75% - 100%	<75%	56%	183%	135%	144%	151%	134%	76%
Indebtedness	<=40%	40% - 60%	>60%	2.09%	1.08%	1.08%	0.51%	1.18%	1.19%	1.08%
Capital replacement	>1.5	1.0 - 1.5	<1.0	1.96	1.22	1.79	2.88	1.42	1.85	5.35
Renewal gap	>1.0	0.5 - 1.0	<0.5	1.64	0.82	1.14	2.21	1.22	1.41	5.16

Source : VAGO

\* Based on audited actual and calculated by BoQ

\*\*Based on the forecast and calculated by BoQ



Based on the above forecast result of sustainability indicators, **Council will continue to be considered 'low' risk in all but two financial sustainability indicators for the 2020–21 year.** The forecast accumulated underlying operating surplus stands at \$1,153,000 at June 2021 even though an underlying deficit is forecast for the year. The timing between operating grant income and the cost of the projects associated with such grant income has resulted in the Borough reporting underlying deficits in some years. The majority of the capital expenditure included in the 2020–21 forecast is funded through money held in reserve (grant received in advance) and capital grant to be received, having an impact on the internal financing ratio.

### **Local Government Performance Reporting Framework (LGPRF)**

Officers continue to monitor the governance and management checklist items that require action before 30 June 2021, **all** items are expected to be achieved by year-end. A progress update is provided at the Appendix 2b.

An update against the sustainable capacity, service performance and financial performance indicators is provided at the Appendix 2c. Data is not available to report against two service performance indicators. The Borough is within the expected range for **all reported indicators except for one (adjusted underlying result) which is still permissible.**

### **Options**

Option 1 – note the Quarterly Finance Report to 31 December 2020 as presented.

Option 2 – request Officers to make further amendments to the Quarterly Finance Report to 31 December 2020.

## **COMMUNICATIONS AND ENGAGEMENT**

### **Community Engagement**



Quarterly financial report provides information on Council's operating and capital performance to the community on a quarterly basis.

### **Collaboration**

Similar reports from neighbouring municipalities, namely Surf Coast Shire and the City of Greater Geelong, were reviewed in developing the format of the quarterly finance report.

## **GOVERNANCE CONTEXT**

### **Relevant Law**

Section 97 of the *Local Government Act 2020*

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### **Charter of Human Rights**

This report has had consideration to, and complies with, the *Charter of Human Rights and Responsibilities Act 2006*.

### **Regional, State and National Plans and Policies**

Not applicable

### **Council Plan Alignment**

The financial report is in line with the Council Plan 2017–2021 strategic objective “Maintain a cohesive, well governed, financially sustainable and independent Borough” and the key strategy “Provide transparent and accountable governance and meet all legislative requirements.”

### **Legal and Risk Implications**

This report in each quarter compares budget/forecast results with actual results, providing useful information to Councillors and officers in managing the organisation’s risks.

### **Related Documents**

2020–21 Financial Budget

### **Disclosure of Interest**

No officer involved in the preparation of this report has any conflicts of interest.

## **CONSIDERATIONS**

### **Environmental Sustainability**

Quarterly report provides financial information in relation to the Environmental Sustainability activities of Council.

### **Financial and resource implications**

The report attached provides the opportunity for constant review of Council’s financial position against the adopted budget (available resources).

### **Innovation and Continuous Improvement**

The report has been simplified to enhance transparency of Council operations.

## **IMPLEMENTATION**

### **Operational Impacts**

The report provides financial information about Council’s planned operational activities.

### **Implementation Process**

Not applicable.

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## **ATTACHMENTS**

1. Quarterly Financial Report 31 December 2020 (Appendix 2a)
  2. Governance and management checklist progress update (Appendix 2b)
  3. Update against the sustainable capacity, service performance and financial performance indicators (Appendix 2c)
-



### 15.3 Review of Council Policies

**File:** Q055.01.12

**Co-Authors:** Executive Project Officer & Manager Financial Services

**Portfolio:** Governance & Performance

**Portfolio Holder:** Cr Salter

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#### **PURPOSE**

The purpose of this report is to consider five revised Council policies:

- CP039 Discretionary Reserves
- CP040 Borrowings
- CP020 Vegetation Vandalism
- CP024 Memorials and Plaques
- CP045 Child Safety Statement

#### **EXECUTIVE SUMMARY**

This report responds to a number of objectives and strategies contained in the 2017–2021 Council Plan, namely:

- Strategic Objective 1 Portfolio: Community Wellbeing Enhance community wellbeing by providing a safe environment where people are involved, healthy and active in recreation, arts and culture, relates to CP045 Child Safety.
- Council's strategic objective 2 Environmental Sustainability to play our part in protecting the local, national and globally significant values within our natural environment for future generations relates to CP020 Vegetation Vandalism.
- Strategic Objective 4 Planning and Heritage Preserve and enhance the Borough as a special place through excellence of design and conservation of its rich culture and unique heritage, which relates to CP024 Memorials and Plaques.
- Strategic Objective 5 Governance and Performance Maintain a cohesive, well governed, financially sustainable and independent Borough, which relates to CP039 Discretionary Reserves and CP040 Borrowings.

#### **OFFICER RECOMMENDATION**

**That Council adopt the following revised Council policies as presented:**

1. CP039 Discretionary Reserves
  2. CP040 Borrowings
  3. CP020 Vegetation Vandalism
  4. CP024 Memorials and Plaques
  5. CP045 Child Safety Statement
-



<b>REPORT</b>
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## **BACKGROUND**

Good governance is a core role of Council and the timely and regular review of Council policies is essential to ensuring that current and relevant direction and guidance is available to Council and its officers in relation to the core corporate governance functions of Council.

The establishment of Council policies, typically reviewed on a cyclical basis, is influenced by a range of considerations, such as:

- Ensuring compliance with legislative requirements;
- Alignment with best practice guidelines applicable to the local government sector and/or business;
- Implementing internal and external audit recommendations; and
- Conveying Council's strategic intent to the organisation and/or the community in relation to a Council function or responsibility.

## **DISCUSSION**

### **CP039 Discretionary Reserves – Revised**

This policy was first adopted by Council on 26 October 2017. The purpose of this policy is to ensure Council sets aside and maintains monies in reserve funds on the Balance Sheet to meet specific legal and discretionary liabilities. The policy provides for responsible financial management of general revenue allocations for specific reserves, as well as tied government grants and community contributions that have not been utilised in the year of receipt. This policy also establishes requirements for the creation of reserves and subsequent transfers to/from these reserves.

Council officers have now reviewed this policy, presented it to Council's Audit and Risk Committee and recommend the following amendments:

- Rename "Asset Replacement reserve (unallocated)" to "General Reserve" as the reserve is to provide a contingency for responding to any emerging risk and other unbudgeted issues (section 1.1);
  - Minimum of \$500,000 (approximately 5% of annual cash operating expenses) in the General Reserve, sufficient to cover one month cash operating expenses of Council (section 1.1). Balance at 01 July 2020 is \$396,981;
  - Asset replacement reserve (allocated), a minimum allocation for a transfer to reserve of \$45,000 p.a. approximately 5% of annual asset renewal budget (section 1.2). Balance at 01 July 2020 is \$575,661;
  - Specific guidelines to transfer funds out from reserve accounts (section 4);
  - Reporting quarterly to Council on material forecast adjustments including a listing of impacted individual reserves (section 5.4); and
  - Changes to wordings to make the policy concise and clear, and to comply with the *Local Government Act 2020*.
-



#### **CP040 – Borrowings – Revised**

This policy was first adopted by Council on 26 October 2017. The purpose of this policy is to establish objectives and principles that outline when it is appropriate for Council to undertake borrowings, using a sound financial management framework that ensures Council keeps within the relevant prudential guidelines provided by State government, and that borrowings undertaken by Council are in accordance with requirements of the *Local Government Act 2020* (the Act). This policy sets out the manner in which Council may establish and manage its debt portfolio, noting it applies to all new borrowings undertaken by Council from the date of adoption of this policy.

Council officers have now reviewed this policy and recommend the following amendments:

- Introduction of borrowing ratios and limits. The limits specified under section 2 of the policy will ensure that the maximum exposure to borrowing will be at \$1 million in a given point in time unless Council decides (after consultation of the Audit and Risk Committee) otherwise based on specific requirements of the capital project/s are being funded.
- This proposed limit will ensure that maximum debt servicing cost will be within the additional rates revenue estimated on an average rate increase of 2%.
- Changes to wordings to make the policy concise and clear, and to comply with the *Local Government Act 2020*.

#### **CP020 Vegetation Vandalism – Revised**

This policy was first adopted by Council on 27 November 2013 and last reviewed on 25 May 2017. The purpose of this policy is to highlight the importance and value Council places on the protection and preservation of vegetation on Council Land within the Borough of Queenscliffe.

Council officers have now reviewed this policy and recommend a minor update to change the reference to the local law.

#### **CP024 Memorials and Plaques – Revised**

This policy was first adopted by Council on 27 November 2013 and last reviewed on 25 May 2017. The purpose of this policy is to provide a clear framework for the approval and installation of memorials and plaques, and includes commemorative trees.

Council officers have now reviewed this policy and recommend a minor update to the definition of 'public place', which sees the removal of the reference to the *Summary and Offences Act* as 'public place' is already clearly defined in the local law and it is felt unnecessary to refer the reader to several reference documents.

#### **CP045 Child Safety Statement – Revised**

This policy was first adopted by Council on 24 May 2018. The purpose of this policy is to affirm the Borough of Queenscliffe's commitment to child safety in the delivery of Council services and activities.

A number of key word changes have been made to further enhance Council's commitment to the important issue of child safety, including:

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- delete the word “serious” from the definition of “child abuse” (so we have zero tolerance for any type of psychological abuse and neglect)
- expand bullet point #3 to cover identifying risks
- note in bullet point #3 that allegations will be responded to expeditiously and in accordance with our robust policies and procedures
- state that we will foster a culture and environment of openness which encourages and supports children and adults to safely disclose risks or incidents of harm to children in the knowledge that their concerns will be taken seriously, investigated and responded to appropriately.

### **Options**

Option 1 – adopt the revised policies as presented.

Option 2 – request Officers to make further amendments to the policies.

## **COMMUNICATIONS AND ENGAGEMENT**

### **Community Engagement**



All Council policies are published on Council’s website under the ‘council – publications, strategies and reports’ tab and are communicated internally to all staff.

### **Collaboration**

Not Applicable

## **GOVERNANCE CONTEXT**

### **Relevant Law**

Not Applicable

### **Charter of Human Rights**

This report has had consideration to, and complies with, the Charter of Human Rights and Responsibilities Act 2006.

### **Regional, State and National Plans and Policies**

Not Applicable

### **Council Plan Alignment**

- Strategic Objective 1 Portfolio: Community Wellbeing Enhance community wellbeing by providing a safe environment where people are involved, healthy and active in recreation, arts and culture, relates to CP045 Child Safety.
-



- Council's strategic objective 2 Environmental Sustainability to play our part in protecting the local, national and globally significant values within our natural environment for future generations relates to CP020 Vegetation Vandalism.
- Strategic Objective 4 Planning and Heritage Preserve and enhance the Borough as a special place through excellence of design and conservation of its rich culture and unique heritage, which relates to CP024 Memorials and Plaques.
- Strategic Objective 5 Governance and Performance Maintain a cohesive, well governed, financially sustainable and independent Borough, which relates to CP039 Discretionary Reserves and CP040 Borrowings.

### **Legal and Risk Implications**

The absence of clear policies, relating to good governance practices, increases the risk that relevant legislative provisions may not be complied with and current practices may not be transparent. Financial and non-financial (social and environmental) risks were considered in this review of an existing Council policy for Council adoption.

### **Related Documents**

As per reference in each individual policy.

### **Disclosure of Interest**

No officer involved in the preparation of this report has any conflicts of interest.

## **CONSIDERATIONS**

### **Environmental Sustainability**

Key policy reviews also provide the opportunity for constant assessment of environmental risks to the organisation, which assist in limiting unnecessary exposure to risk.

### **Financial and resource implications**

Key policy reviews provide the opportunity for constant assessment of the financial and non-financial risks to the organisation, which assist in limiting unnecessary exposure to risk.

### **Innovation and Continuous Improvement**

Not applicable.

## **IMPLEMENTATION**

### **Operational Impacts**

The tasks associated with the policies are within the normal program area responsibilities and it is not envisioned to impose any additional operational impact.

### **Implementation Process**

Not applicable.

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## **ATTACHMENTS**

1. CP039 Discretionary Reserves (Attachment 3a)
  2. CP040 Borrowings (Attachment 3b)
  3. CP020 Vegetation Vandalism (Attachment 3c)
  4. CP024 Memorials and Plaques (Attachment 3d)
  5. CP045 Child Safety Statement (Attachment 3e)
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## 15.4 Local Law General 2021

**File:** QG185.01.03

**Author:** Executive Project Officer

**Portfolio:** Governance & Performance

**Portfolio Holder:** Cr Salter

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### PURPOSE

The purpose of this report is to declare General Local Law 2021, after calling for submissions in accordance Section 223 of the *Local Government Act 1989*, and receiving final advice from Council's lawyers.

### EXECUTIVE SUMMARY

The Council Plan includes Strategic Objective 5 Governance and Performance, that is, to 'provide transparent and accountable governance and meet all legislative requirements'. The general Local Law presented in this report has been developed in accordance with that strategy and with the legislative requirements contained in the *Local Government Act 1989*.

### OFFICER RECOMMENDATION

#### That Council:

1. **Adopt General Local Law 2021 (Appendix 4b), and associated Policies and Procedures Manual (Appendix 4c), and give notice of its adoption in the Government Gazette and local media.**
  2. **Forward a copy of the adopted General Local Law 2021 and associated Policies and Procedures Manual to the Minister for Local Government.**
  3. **Make available for public inspection a copy of the adopted General Local Law 2021, and associated Policies and Procedures Manual.**
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<b>REPORT</b>
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## **BACKGROUND**

The authority for Council to make Local Laws is framed within the context of the Local Government Act. The relevant provisions in the Act states '*A Council may make Local Laws for or with respect to any act, matter or thing in respect of which the Council has a function or power under this or any other Act*' and clearly sets out what a Local Law 'must' and 'must not' do.

Local Laws are developed with consideration to other existing legislation and must not be inconsistent with any Act or regulation. A Local Law is inoperative if it is inconsistent. Both current Local Law No 1 2010 – Processes of Municipal Government and Local Law No 2 – Community Amenity formally ceased to operate on 24 December 2020.

## **DISCUSSION**

Legislative changes to the Local Government Act in 2020 meant that Council has introduced new Governance Rules which address the conduct of council meetings and the election of mayor, amongst other things. Local Law No 1 2010 – Processes of Municipal Government mostly was incorporated into the new Governance Rules.

Therefore it was determined to make one new general Local Law which consisted primarily of the expired Local Law No 2 2010 – Community Amenity (with some amendments) and included the use of the common seal.

An initial draft was advertised and feedback was sought with 22 submissions being received, with 18 of those relating to flying drones. Some minor amendments were made to the proposed draft Local Law 2020 General, which included the removal of requiring a permit to fly a drone and inclusion of a clause to recover waste costs, and a final draft was forwarded to Council lawyers for review.

Council lawyers have since advised that the provisions relating to the making of local laws in the *Local Government Act 2020* do not come into effect until 1 July 2021, therefore the proposed local law was re-advertised in accordance with the *Local Government Act 1989*, with no further submissions being received.

The amendments made to the draft General Local Law 2021 can be found in the Community Impact Statement (**Appendix 4a**). In addition to the amendments listed in the Community Impact Statement, other amendments were a minor grammatical change to one definition, and to the wording around the Common Seal, in that the CEO should sign under their own name if they chose to do so under delegation, and that the common seal should only be used by resolution of Council (not CEO's discretion).

## **Options**

Option 1 – resolve adopt General Local Law 2021, and associated policy and procedures manual, as presented without amendment.

Option 2 – resolve adopt General Local Law 2021, and associated policy and procedures manual, with amendments, as determined by Council.

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## COMMUNICATIONS AND ENGAGEMENT

### Community Engagement



A formal submission process was undertaken in accordance with Section 223 of the *Local Government Act 1989* with submissions being received up until 11.59pm on Saturday 16 January 2021.

### Collaboration

Council Officers have researched and reviewed neighbouring municipalities' local laws and other coastal municipalities, such as Warrnambool City Council and Mornington Peninsula Shire to gain insight into common themes to include in the new local law.

## GOVERNANCE CONTEXT

### Relevant Law

Local Government Act 1989

### Charter of Human Rights

This report has had consideration to, and complies with, the Charter of Human Rights and Responsibilities Act 2006.

### Regional, State and National Plans and Policies

Minister's Guidelines for Local Laws, 2010

### Council Plan Alignment

The Borough of Queenscliffe Council Plan clearly sets out Council's key directions and strategies which all relate in some way or another to the objectives of these Local Laws.

### Legal and Risk Implications

The Local Laws provide for those matters which require a local law under the *Local Government Act 1989* and any other Act and reduce Council's risk by regulating and controlling issues associated with community amenity and the use of the common seal.

The content of the proposed Local Law must be reviewed by Council's legal advisors and confirmed as consistent with the *Local Government Act 1989* and other relevant legislation prior to adopting the final General Local Law 2021.

### Related Documents

Local Law Policy and Procedures Manual

### Disclosure of Interest

No officer involved in the preparation of this report has any conflicts of interest.

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## CONSIDERATIONS

### Environmental Sustainability

The Local Law addresses many social and environmental issues by:

- Prohibiting, regulating and controlling activities, events, practices and behaviour in places so that no nuisance is caused and there is no detriment to the amenity of the neighbourhood, to a person or to a person's property; and
- Providing for the peace, order and good government of the municipal district of the Borough of Queenscliffe.

### Financial and resource implications

There are costs associated with advertising in the Government Gazette and local newspapers throughout the process to declare the Local Laws. The Local Law also provides Council with the opportunity for recompense when offences have occurred.

A number of Fixed Infringement Notice penalties are proposed to deal with minor offences, giving the person to whom a notice is issued the option of paying a fixed penalty, rather than proceeding to a court hearing. This system uses inducements such as convenience of payment, lower fine levels than in open court, the avoidance of a conviction being recorded and saving of legal costs to dispose of matters in an efficient and timely manner.

### Innovation and Continuous Improvement

Not applicable.

## IMPLEMENTATION

### Operational Impacts

Council officers need to be formally authorised to implement / enforce local laws. These instruments are currently in place for Local Law officers, the Environment Health Officer and the Municipal Building Surveyor. Victoria Police are also authorised for the purpose of enforcing and issuing of infringement notices in relation to the consumption of alcohol.

### Implementation Process

Timeframe	Action
25 Feb 2021	Government Gazette – Adoption of Local Law
After Gazette Notice	Local Media Advertising – Adoption of Local Law

## ATTACHMENTS

1. General Local Law 2021 Community Impact Statement (Attachment 4a)
  2. Draft General Local Law 2021 (Attachment 4b)
  3. Policy and Procedures Manual, Additional Requirements Applying to Local Laws (Attachment 4c)
-



## 15.5 Councillor Code of Conduct

<b>File:</b>	<b>QG055.01.12</b>
<b>Author:</b>	<b>General Manager Organisational Performance &amp; Community Services</b>
<b>Portfolio:</b>	<b>Governance &amp; Performance</b>
<b>Portfolio Holder:</b>	<b>Cr Salter</b>

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### **PURPOSE**

The purpose of this report is for Council to consider and adopt CP005 Councillor Code of Conduct policy following the 2020 general election, in accordance with the requirements of the *Local Government Act 2020* (the Act) and the *Local Government (Governance and Integrity) Regulations 2020*.

### **EXECUTIVE SUMMARY**

This report is consistent with Strategic Objective 5 in the 2017–2021 Council Plan as follows, to maintain a cohesive, well governed, financially sustainable and independent Borough. Particularly to provide transparent and accountable governance and meet all legislative requirements.

Section 139(1) of the *Local Government Act 2020* requires each council to develop a Councillor Code of Conduct. This Councillor Code of Conduct must be reviewed and adopted by Council within 4 months of a general election (which relevantly here is 24 February 2021).

Section 139(2) of the Act provides that the purpose of the Councillor Code of Conduct is to include the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions as Councillors, including prohibiting discrimination, harassment (including sexual harassment) and vilification. This Councillor Code of Conduct is intended to set a high standard of conduct in order to ensure good governance and increase public confidence in the administration of Council.

Council must resolve to adopt the Councillor Code of Conduct with or without amendments at this meeting to ensure that the Councillor Code of Conduct is reviewed and adopted by Council no later than 24 February 2021.

### **OFFICER RECOMMENDATION**

**That Council adopt CP005 Councillor Code of Conduct as presented in Appendix 5.**

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<b>REPORT</b>
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## **BACKGROUND**

Section 139(1) of the *Local Government Act 2020* requires each council to develop a Councillor Code of Conduct. This Councillor Code of Conduct must be reviewed and adopted by Council within 4 months of a general election (which relevantly here is 24 February 2021). All Councillors elected in 2020 promised to abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct as part of their oath or affirmation of office.

The current Councillor Code of Conduct was adopted at a Special Meeting of Council on 16 February 2017, and was developed in accordance with the requirements of the *Local Government Act 1989*. On 24 October 2020, the Councillor Code of Conduct provisions in the *Local Government Act 1989* were repealed and the relevant provisions in the *Local Government Act 2020* became operative.

The *Local Government Act 2020* (the Act) prescribes the process by which all new councils must establish, review and commit to their Councillor Code of Conduct. The minimum requirements that are included in the Councillor Code of Conduct are detailed in section 139(3) of the Act, which specifically requires that:

*A Councillor Code of Conduct—*

- (a) must include the standards of conduct prescribed by the regulations expected to be observed by Councillors; and*
- (b) must include any provisions prescribed by the regulations for the purpose of this section; and*
- (c) must include provisions addressing any matters prescribed by the regulations for the purpose of this section; and*
- (d) may include any other matters which the Council considers appropriate, other than any other standards of conduct.*

Section 139(5) of the Act requires that a Council must adopt the Councillor Code of Conduct by a formal resolution of the Council passed at a meeting by at least two-thirds of the total number of Councillors elected to the Council (relevantly for the Borough of Queenscliffe this is four (4) Councillors). Unlike the 1989 legislation, the Act does not require a special meeting of council be called for this purpose.

A Council may review or amend the Councillor Code of Conduct at any time. A Council can only amend the Councillor Code of Conduct by a formal resolution of the Council passed at a meeting by at least two-thirds of the total number of Councillors elected to the Council.

Section 139(2) of the Act provides that the purpose of the Councillor Code of Conduct is to include the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions as Councillors, including prohibiting discrimination, harassment (including sexual harassment) and vilification.

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## DISCUSSION

The draft CP005 Councillor Code of Conduct, as presented in Appendix 5, is based on the Borough of Queenscliffe's 2017 Councillor Code of Conduct, it has been updated and revised to meet the requirements of the *Local Government Act 2020* and the *Local Government (Governance and Integrity) Regulations 2020*.

This Councillor Code of Conduct is intended to set a high standard of conduct in order to ensure good governance and increase public confidence in the administration of Council.

Council must resolve to adopt the Councillor Code of Conduct with or without amendments at this meeting to ensure that the Councillor Code of Conduct is reviewed and adopted by Council no later than 24 February 2021.

## Options

Option 1 – Adopt the Councillor Code of Conduct as presented.

Option 2 – Adopt the Councillor Code of Conduct with amendments (noting that mandatory legislative inclusions will have limited or no opportunity for amendments).

## COMMUNICATIONS AND ENGAGEMENT

### Community Engagement



There are no community engagement requirements associated with this report.

### Collaboration

Information from the Engage Victoria Local Government Act website was accessed in preparing this report, as well as reviewing recently adopted Codes of Conduct by the City of Melbourne and the City of Wyndham, but no collaboration was undertaken with other Councils.

## GOVERNANCE CONTEXT

### Relevant Law

*Local Government Act 2020*

*Local Government (Governance and Integrity) Regulations 2020*

### Charter of Human Rights

This report has had consideration to, and complies with, the Charter of Human Rights and Responsibilities Act 2006.

### Regional, State and National Plans and Policies

N/A

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### **Council Plan Alignment**

This action is aligned to the 2017–2021 Council Plan as follows:

Strategic Objective 5: Maintain a cohesive, well governed, financially sustainable and independent Borough.

- Provide transparent and accountable governance and meet all legislative requirements.

### **Legal and Risk Implications**

Adopting and signing the Councillor Code of Conduct ensures compliance with the *Local Government Act 2020*.

### **Related Documents**

N/A

### **Disclosure of Interest**

No officer involved in the preparation of this report has any conflicts of interest.

## **CONSIDERATIONS**

### **Environmental Sustainability**

Not applicable.

### **Financial and resource implications**

Minimal implications if Councillor Code of Conduct adopted; significant risk if Councillor Code of Conduct is not adopted.

### **Innovation and Continuous Improvement**

The purpose of the Councillor Code of Conduct is to set out the principles, values, standards and behaviours that will guide Council collectively and the Councillors individually in undertaking their duties and obligations. These principles, values, standards and behaviours should always be reviewed and improved to ensure they meet the expectations of the community. To this end it is recommended that the Councillor Code of Conduct be reviewed annually.

## **IMPLEMENTATION**

### **Operational Impacts**

A Councillor Conduct Officer will need to be appointed by the Chief Executive Officer as per section 150 of the Act. The Chief Executive Officer must notify the Principal Councillor Conduct Registrar of the appointment.

### **Implementation Process**

The revised Councillor Code of Conduct will become operative as soon as it is adopted by Council.

### **ATTACHMENT/S**

1. CP005 Councillor Code of Conduct (Appendix 5)
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## 15.6 Reformed Municipal Emergency Management Planning Committee

**File:** QG076.03.05

**Author:** Chief Executive Officer

**Portfolio:** Governance & Performance

**Portfolio Holder:** Cr Salter

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### PURPOSE

The purpose of this report is to disestablish Council's existing Municipal Emergency Management Planning Committee (MEMPC) and authorise the Chief Executive Officer to facilitate the establishment of a new MEMPC in accordance with recent emergency management legislative changes (that require all Victorian councils to make this change).

### EXECUTIVE SUMMARY

Recent emergency management legislative changes require all Victorian councils to disestablish their Municipal Emergency Management Planning Committee (MEMPC), and for the CEO to establish a new MEMPC with mandatory membership. The new MEMPC will report to the Regional Emergency Management Planning Committee and not Council. Council's Municipal Emergency Management Plan will also be approved by the Regional Emergency Management Planning Committee and not Council. The intent with the legislative changes is that the responsibility for municipal level emergency planning is to transfer from councils to the MEMPC.

These legislative changes will have very little practical impact on Council's emergency management planning. The mandatory membership inclusions are already in place on Council's existing MEMPC. Council's Municipal Emergency Management Plan will still be developed every three years by Council officers and other key emergency management personnel, and will still be subject to review by the entire MEMPC and a rigorous appraisal process before it is submitted for final approval. The approval process will now be done by emergency management specialists who will ensure the plan's effectiveness and cohesiveness with other regional municipal plans. The approved plan will then be presenting to Council for noting.

### OFFICER RECOMMENDATION

#### That Council:

1. **authorises the disestablishment of the existing Municipal Emergency Management Planning Committee (MEMPC) established under sections 21(3)-(5) of the *Emergency Management Act 1986*, in recognition that on 1 December 2020 these provisions were repealed by section 82(2) of the *Emergency Management Legislation Amendment Act 2018* and replaced by the provisions of section 68 of the *Emergency Management Legislation Amendment Act 2018*;**
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2. authorises the CEO to facilitate the establishment of the MEMPC in accordance with the provisions of section 68 of the *Emergency Management Legislation Amendment Act 2018* (which inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the *Emergency Management Act 2013* on 1 December 2020); and
  3. notes that, under the *Emergency Management Legislation Amendment Act 2018* (which inserts sections 59 and 59F into the *Emergency Management Act 2013* on 1 December 2020), Council's role is to establish the committee. Once established, the committee exists separately to Council and is not a committee of Council.
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<b>REPORT</b>
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### **BACKGROUND**

All Victorian Councils have been required to establish a Municipal Emergency Management Planning Committee (MEMPC) pursuant to sections 21(3)–(5) of the *Emergency Management Act 1986*.

The Borough of Queenscliffe MEMPC meets three times a year (or more as required) and has representatives from emergency services, recovery agencies, government departments and the local community. The MEMPC is responsible for developing Council's Municipal Emergency Management Plan.

On 1 December 2020 the provisions for MEMPCs were repealed from the 1986 emergency management legislation, and new provisions became operative in the *Emergency Management Act 2013*. These new provisions require councils to establish a new MEMPC with specific membership and functions. The legislative changes provide that the new MEMPC promotes shared responsibility for emergency planning by requiring relevant agencies to participate in the planning process, and that the MEMPC reports directly to the Regional Emergency Management Planning Committee, not to Council.

Due to these legislative changes, Council is required to disestablish the existing Municipal MEMPC established under section 21(3)–(5) of the *Emergency Management Act 1986* and authorise the CEO to facilitate the establishment of a new MEMPC in accordance with the provisions of section 68 of the *Emergency Management Legislation Amendment Act 2018* (which inserts a new 'Part 6- Municipal Emergency Management Planning Committees' into the *Emergency Management Act 2013* on 1 December 2020).

In establishing the new Borough of Queenscliffe MEMPC, the CEO must ensure representatives from the following agencies are members of the new MEMPC:

- Borough of Queenscliffe Council officer
- Victoria Police
- Country Fire Authority
- Ambulance Victoria
- Victoria State Emergency Service
- Australian Red Cross
- Department of Health and Human Services
- at least one community representative
- at least one recovery representative
- at least one other representative (for example, industry, business or additional agency).

There are no legislative limits on the number of additional members that can be on the MEMPC.

Under these legislative changes, the Borough of Queenscliffe Municipal Emergency Management Plan will be approved by the Regional Emergency Management Planning Committee and not Council.

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## DISCUSSION

These legislative changes will have no practical impact on the current membership of the Borough of Queenscliffe MEMPC.

The table below shows the required membership under the legislative changes and the current membership of the Borough of Queenscliffe MEMPC.

Required members	Current members
Borough of Queenscliffe Council officer	<ul style="list-style-type: none"> <li>Chief Executive Officer – Chair (CEO is also Municipal Emergency Manager)</li> <li>Municipal Emergency Management Officer</li> <li>Deputy Municipal Emergency Management Officer</li> <li>Municipal Recovery Manager</li> <li>Municipal Fire Prevention Officer</li> <li>Public Health Emergency Coordinator</li> <li>Coordinator Community Engagement and Communications</li> <li>MEMPC Executive Officer (administration)</li> </ul>
Victoria Police	<ul style="list-style-type: none"> <li>Station Commander, Bellarine Police Station</li> </ul>
Country Fire Authority	<ul style="list-style-type: none"> <li>District 7 Commander and Catchment Officer</li> </ul>
Ambulance Victoria	<ul style="list-style-type: none"> <li>Greater Geelong Senior Team Manager</li> <li>Area Manager, Barwon District</li> <li>Emergency Management Planning Coordinator</li> </ul>
Victoria State Emergency Service	<ul style="list-style-type: none"> <li>Commander, Bellarine SES</li> <li>Operations Officer – Regional Officer Emergency Management</li> </ul>
Australian Red Cross	<ul style="list-style-type: none"> <li>Divisional Operations Officer, Inner Barwon Division</li> <li>Liaison Officer, Inner Barwon Division</li> </ul>
Department of Health and Human Services*	<ul style="list-style-type: none"> <li>Manager, Emergency Management Barwon South West Region</li> <li>Senior Emergency Management Coordinator, Barwon South West Region</li> </ul>
at least one community representative	Representatives from: <ul style="list-style-type: none"> <li>Point Lonsdale Surf Living Saving Club</li> <li>Victorian Council of Churches Emergency Ministry</li> <li>Volunteer Coast Guard Queenscliff</li> </ul>
at least one recovery representative	Representatives from: <ul style="list-style-type: none"> <li>Bellarine Community Health (Point Lonsdale)</li> <li>Department of Defence (Queenscliff)</li> <li>Agriculture Victoria (Geelong)</li> <li>Parks Victoria (Queenscliff)</li> <li>Department of Transport (Geelong)</li> </ul>
at least one other representative (for example, industry, business or additional agency).	Representatives from: <ul style="list-style-type: none"> <li>Barwon Water</li> <li>City of Greater Geelong</li> <li>Queenscliff Harbour</li> <li>Sea Road Ferries</li> </ul>



\*Note the Department of Health and Human Services has been divided into the Department of Health and the Department of Families, Fairness and Housing. Council's MEMPC emergency management department representatives are now with the Department of Families, Fairness and Housing. The emergency management legislation, as at 12 February 2021, still refers to the Department of Health and Human Services. Officers are expecting the legislation to change to require a MEMPC representative from the Department of Families, Fairness and Housing but officers will continue to monitor this requirement to ensure legislative compliance.

Further, the approval of the Municipal Emergency Management Plan (MEMP) by the Regional Emergency Management Planning Committee and not Council is an improvement in ensuring regional cohesiveness and expert input into municipal emergency management planning.

Under the existing legislation, the MEMP was prepared every three years by Council officers in conjunction with key MEMPC stakeholders. The MEMP was then reviewed by the entire MEMPC and then audited. The audit was conducted by the SES with auditors including representatives from the SES, Victoria Police and the Department of Health and Human Services. After the MEMP was audited it was then submitted to Council for approval.

Under the new legislation, the MEMP will again be prepared every three years by Council officers in conjunction with key MEMPC stakeholders, and again will be reviewed by the entire MEMPC. The audit process has been replaced under the legislation by a self-assurance process conducted by the MEMPC, with learnings from the existing audit process embedded in the self-assurance process. Once the MEMPC signs off a certificate of assurance, which verifies the plan has been prepared in accordance with the emergency management legislation and has due regard to the guidelines for preparing state, regional and municipal emergency management plans, the MEMP is submitted to the Regional Emergency Management Planning Committee for approval. The approved MEMP will then be presenting to Council for noting.

This new process for developing Council's municipal emergency management plan, will still have the rigour of the existing process but will now add in an approval process by emergency management specialists who will ensure the plan's effectiveness and cohesiveness with other regional municipal plans.

### **Options**

Option 1 – Approve the Officer recommendation

Option 2 – Request further information of Officers regarding these legislative changes

## **COMMUNICATIONS AND ENGAGEMENT**

### **Community Engagement**



There are no community engagement requirements associated with this report.

### **Collaboration**

These legislative changes are required to be made by all Victorian councils.

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## GOVERNANCE CONTEXT

### Relevant Law

*Emergency Management Act 1986*

*Emergency Management Act 2013*

*Emergency Management Legislation Amendment Act 2018*

### Charter of Human Rights

This report has had consideration to, and complies with, the Charter of Human Rights and Responsibilities Act 2006.

### Regional, State and National Plans and Policies

N/A

### Council Plan Alignment

This action is aligned to the 2017–2021 Council Plan as follows:

Strategic Objective 5: Maintain a cohesive, well governed, financially sustainable and independent Borough.

2017/21 Strategies:

- Provide transparent and accountable governance and meet all legislative requirements.

Strategic Objective 1: Enhance community wellbeing by providing a safe environment where people are involved, healthy and active in recreation, arts and culture.

2017/21 Strategies:

- Maintain the Borough's standing as a safe place for residents and visitors.
- Protect, enhance and promote public health.

### Legal and Risk Implications

Approving the Officer recommendation ensures compliance with current Victorian emergency management legislation. Not approving the recommendation carries significant legal risk the Council would not comply with emergency management legislation.

### Related Documents

N/A

### Disclosure of Interest

No officer involved in the preparation of this report has any conflicts of interest.

## CONSIDERATIONS

### Environmental Sustainability

Not applicable.

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### **Financial and resource implications**

No risk if recommendation adopted; significant risk if recommendation is not adopted.

### **Innovation and Continuous Improvement**

These changes are as a result of state wide innovation and continuous improvement in municipal emergency management. All Victorian councils are required to make these changes.

## **IMPLEMENTATION**

### **Operational Impacts**

Operationally these changes will have very little impact on the membership and functions of the Municipal Emergency Management Planning Committee and the Council officers who serve on this Committee. Officers will continue to play a key role in developing and implementing the Municipal Emergency Management Plan in conjunction with emergency services and other key stakeholders.

### **Implementation Process**

If the recommendation is accepted, the new Municipal Emergency Management Planning Committee will be appointed at a meeting on 15 March 2021.

## **ATTACHMENTS**

Nil

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## **15.7 Appointment of portfolio Councillor to the Geelong Heritage Centre Collection Advisory Committee**

<b>File:</b>	<b>QG045.01.01</b>
<b>Author:</b>	<b>Chief Executive Officer</b>
<b>Portfolio:</b>	<b>Governance and Performance</b>
<b>Portfolio Holder:</b>	<b>Cr Salter</b>

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### **PURPOSE**

The purpose of this report is to enable Council to appoint a Councillor to sit on the Geelong Heritage Centre Collection Advisory Committee. The Borough of Queenscliffe position on this Committee has been vacant since the local government election was held on 24 October 2020.

### **EXECUTIVE SUMMARY**

This report is consistent with Strategic Objective 5 in the 2017–2021 Council Plan, to maintain a cohesive, well governed, financially sustainable and independent Borough, specifically to provide transparent and accountable governance and meet all legislative requirements.

Following the local government election held on 24 October 2020, all Council portfolio leaders and committee and Council delegations were vacant. At the Special Meeting of Council held on 19 November 2020, Council determined to appoint its Councillor representatives on various Committees and representative bodies for the forthcoming 12 month period of office. The position for the Geelong Heritage Centre Collection Advisory Committee was left vacant.

The Geelong Heritage Centre Collection Advisory Committee provides Heritage Centre collection related advice and recommendations to the Geelong Regional Library Corporation Board.

Council is now in the position to appoint a Councillor Representative to the Geelong Heritage Centre Collection Advisory Committee for the forthcoming 12 month period of office.

### **OFFICER RECOMMENDATION**

#### **That Council:**

- 1. Determine its Councillor representative on the Geelong Heritage Centre Collection Advisory Committee.**
-



## REPORT

### BACKGROUND

Due to the local government election held on 24 October 2020, all Council portfolio leaders and committee and Council delegations were vacant. At the Special Meeting of Council held on 19 November 2020, Council determined to appoint its Councillor Representatives on various Committees and representative bodies for the forthcoming 12 month period of office. The position for the Geelong Heritage Centre Collection Advisory Committee was left vacant.

### DISCUSSION

The Geelong Heritage Centre Collection Advisory Committee provides Heritage Centre collection related advice and recommendations to the Geelong Regional Library Corporation Board.

The Committee consists of representatives of the City of Greater Geelong Council, the Borough of Queenscliffe, Golden Plains Shire Council, the Surf Coast Shire Council, the Manager, Arts & Culture, City of Greater Geelong, the Manager, Geelong Heritage Centre Collection & Heritage Centre Services, a Public Records Office Victoria appointed representative, the President of the Geelong Historical Society, the Secretary of the Geelong Historical Society, a National Council of Women Geelong Branch representative or nominated proxy and a maximum of four community representatives.

Nominations of community applicants for membership of the Geelong Heritage Centre Collection Advisory Committee are called by public notice in local newspapers and representatives are appointed for a period of two years. Appointments of community representatives are made following a recruitment process undertaken by a selection panel consisting of the Chief Executive Officer, Geelong Regional Library Corporation, Manager, Geelong Heritage Centre and a member of the Collection Advisory Committee who is a current Council appointment from the City of Greater Geelong, Borough of Queenscliffe, Golden Plains Shire or Surf Coast Shire.

### Options

Option 1 – Appoint a Councillor Representative to sit on the Geelong Heritage Centre Collection Advisory Committee.

Option 2 – Elect to leave the position vacant.

## COMMUNICATIONS AND ENGAGEMENT

### Community Engagement



The appointment of Council portfolios, committees and delegations is an integral part of implementing the Council Plan.

### Collaboration

Not applicable



## **GOVERNANCE CONTEXT**

### **Relevant Law**

In accordance with section 125 of the *Local Government Act 1989* Council adopted its Council Plan that covers the four year period from 2017 to 2021 at its 10 August 2017 Special Meeting. The appointment of Council portfolios, committees and delegations is an integral part of implementing the Council Plan.

### **Charter of Human Rights**

This report has had consideration to, and complies with, the Charter of Human Rights and Responsibilities Act 2006.

### **Regional, State and National Plans and Policies**

Not applicable

### **Council Plan Alignment**

This report is consistent with Strategic Objective 5 in the 2017–2021 Council Plan, to maintain a cohesive, well governed, financially sustainable and independent Borough. Specifically to provide transparent and accountable governance and meet all legislative requirements and to foster partnerships with community organisations, business neighbouring Councils, statutory Organisations and other levels of Government.

### **Legal and Risk Implications**

Not applicable.

### **Related Documents**

Borough of Queenscliffe Council Plan 2017–2021

### **Disclosure of Interest**

No officer involved in the preparation of this report has any conflicts of interest.

## **CONSIDERATIONS**

### **Environmental Sustainability**

Not applicable

### **Financial and resource implications**

Not applicable

### **Innovation and Continuous Improvement**

Not applicable

## **IMPLEMENTATION**

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**Operational Impacts**

Not applicable

**Implementation Process**

The Geelong Heritage Centre Collection Advisory Committee will be notified of the appointment.

**ATTACHMENTS**

Nil

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**16. AUTHORISATION OF SIGNING & SEALING OF DOCUMENTS**

No reports to consider.

**17. QUESTIONS WITHOUT NOTICE**

**17.1 Questions Without Notice Status Update**

No Questions Without Notice outstanding.

**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 10 March 2021 at 7:00pm (if required)

COUNCIL MEETING

Wednesday 24 March 2021 at 7:00pm

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## 19. CLOSED SESSION OF MEETING

Time: \_\_\_\_\_pm

### OFFICER RECOMMENDATION

That, in accordance with sections 66(1) and 66(2)(a) of the Local Government Act 2020, the meeting be closed to members of the public for the consideration of the following confidential items:

#### 19.1 Confirmation of 16 December 2020 Confidential Council Meeting Minutes

This agenda item is deemed to contain confidential information as per section 3(1)(h) of the Local Government Act 2020 as it contains confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). This ground applies as the Council minutes being confirmed are for matters that have previously been deemed confidential.

Time: \_\_\_\_\_pm

### OFFICER RECOMMENDATION

That Council reopen the meeting and resume standing orders.

## 20. RATIFICATION OF CONFIDENTIAL ITEMS

### OFFICER RECOMMENDATION

That the decisions made in camera be ratified by Council.

## 21. CLOSE OF MEETING

The meeting closed at:

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Attendees	Apologies	Time	Matters discussed	Conflict of interest disclosures
<b>Councillor Induction &amp; Assembly Meeting– Thursday 16 December 2020</b>				
Queenscliff Town Hall				
Cr Ross Ebbels - Mayor Cr Donnie Grigau Cr Fleur Hewitt Cr Michael Grout Cr Susan Salter Martin Gill, CEO Johann Rajaratnam, GMPI Phillip Carruthers, GMOP&CS Gihan Kohobange, MFS Alex Tonkin, BSA Fiona Kerney, RC Connor Parker, CCEC Anna Handberg, OCC Dinah O’Brien, PPL Rebecca Petit-Bramwell, Project Officer- CERP Kitty Walker, CERP Community Panel Member Rebecca Steinhoff, CERP Community Panel Member	Nil	11:35am – 5:45pm  (11:45am – 4:54pm)  (11:00am – 1:27pm) (11:00am – 1:27pm) (11:00am – 1:27pm) (4:35pm – 5:45pm) (3:30pm – 4:55pm) (3:30pm – 4:55pm) (2:03pm – 3:03pm) (2:03pm – 3:03pm)  (2:03pm – 3:03pm)	1. Understanding Rates 2. Trees at Bull Ring 3. Climate Emergency Response Plan 4. Customer Service Charter 5. Planning Briefing a) 6 Beach Street, Queenscliff b) 62 Baillieu Street, Point Lonsdale c) 25 Alexander Crescent, Point Lonsdale d) 4 Queen Street, Queenscliff e) 11 Kirk Rd, Point Lonsdale 6. Social Media Policy 7. Proposed BMX Track – Design Phase engagement plan 8. COVID-19 update	Nil



<b>Planning Briefing – Wednesday 13 January 2021</b>				
Videoconference (Zoom)				
<b>Attendees</b>	<b>Apologies</b>	<b>Time</b>	<b>Matters discussed</b>	<b>Conflict of interest disclosures</b>
<b>Planning Briefing – Wednesday 13 January 2021</b>				
Videoconference (Zoom)				
Cr Ross Ebbels - Mayor Cr Donnie Grigau Cr Fleur Hewitt Cr Michael Grout Cr Susan Salter Martin Gill, CEO Dinah O'Brien, PPL	Johann Rajaratnam, GMPI	6:00pm – 6:45pm	1. 2018/079, 81 Nelson Rd, Queenscliff 2. 2020/016, 11 Jacqueline Crt, Point Lonsdale 3. 2020/070, 34 Kirk Rd, Point Lonsdale	Nil
<b>Planning Review Meeting – Wednesday 13 January 2021</b>				
Videoconference (Zoom)				
Cr Ross Ebbels - Mayor Cr Donnie Grigau Cr Fleur Hewitt Cr Michael Grout Cr Susan Salter Martin Gill, CEO Dinah O'Brien, PPL John Vanderleest, Applicant Carmen Bell David Connoley June Negri Greg Roberts Pam Treble John Mercieca	Johann Rajaratnam, GMPI	7:00pm – 8:15pm	1. 2020/039 for 6 Beach Street, Queenscliff	Nil



Anne-Marie Mercieca Maggie Stowers Keith Stowers Victoria Brown Andrew Stephens Richard Petty Sally Petty				
Attendees	Apologies	Time	Matters discussed	Conflict of interest disclosures
<b>Councillor Induction – Tuesday 19 January 2021</b>				
Queenscliff Town Hall				
Cr Ross Ebbels - Mayor Cr Donnie Grigau Cr Fleur Hewitt Cr Michael Grout Cr Susan Salter Martin Gill, CEO Johann Rajaratnam, GMPI Phillip Carruthers, GMOP&CS Bridie Ogle, EPO Peter McLean, RIE Stuart Hansen, SPO Dinah O'Brien, PPL Steve Nelson, SLO Rebecca Petit-Bramwell, CERP Lisa Schorback, CSC	Nil	9:00am – 12:05pm 10:15am – 12:05pm       9:00am – 10:30am 9:00am – 10:30am 9:00am – 10:30am 9:00am – 10:30am 10:10am – 11:30am 10:10am – 11:30am  10:10am – 11:30am	1. One on one catch up with Program Leaders and other key staff	Nil



Shannon Maloney, ECDP Gihan Kohobange, MFS Anna Handberg, ODSC Connor Parker, CCEC		10:10am – 11:30am 10:10am – 11:30am 10:10am – 11:30am 10:10-10:30 & 11:30-12:05pm		
Sue Noble, TPTL		10:10-10:30 & 11:30-12:05pm		
Jackie Fletcher, EA		10:10-10:30 & 11:30-12:05pm		
Jenni Walker, EAHR&CGC		10:10-10:30 & 11:30-12:05pm		
Abbey Tatterson, EAGMPI		10:10-10:30 & 11:30-12:05pm		
<b>Councillor Induction – Wednesday 20 January 2021</b> Queenscliff Town Hall				
Cr Ross Ebbels - Mayor Cr Donnie Grigau Cr Fleur Hewitt Cr Michael Grout Cr Susan Salter Martin Gill, CEO Johann Rajaratnam, GMPI Phillip Carruthers, GMOP&CS Dinah O’Brien, PPL Lisa Riddle, Director at Praxis Planning	Nil	9:00am – 11:50am  11:00am – 11:50pm	1. Planning - Legislative Framework 2. Planning Schemes 3. Planning Permits 4. Review Forums 5. Decision Making	Nil



<b>Amenities Block Tour – Wednesday 20 January 2021</b>				
Queenscliff Tourist Park				
Cr Ross Ebbels - Mayor Cr Donnie Grigau Cr Fleur Hewitt Cr Michael Grout Cr Susan Salter Martin Gill, CEO Johann Rajaratnam, GMPI Stuart Hansen, SPO	Nil	12:05pm – 12:30pm	1. Queenscliff Tourist Park Amenities block site visit	Nil
<b>Councillor Induction Assembly Meeting – Wednesday 20 January 2021</b>				
Queenscliff Town Hall				
Cr Ross Ebbels - Mayor Cr Donnie Grigau Cr Fleur Hewitt Cr Michael Grout Cr Susan Salter Martin Gill, CEO Johann Rajaratnam, GMPI Phillip Carruthers, GMOP&CS Gihan Kohobange, MFS Alex Tonkin, BSA Dinah O'Brien, PPL Shannon Maloney, ECDP	Nil	2:35pm – 6:10pm  2:35pm – 4:10pm 2:35pm – 4:10pm 4:15pm – 5:15pm 5:00pm – 5:55pm	1. Budget: Situational analysis, budget timetable, budget process feedback 2. Policy updates – Discretionary Reserves, Borrowings 3. Planning Briefing 2020/017, 1 Hesse St, Queenscliff 4. Flags 5. Event sponsorships 6. Policy updates – Child Safety, Memorials & Plaques, Vegetation Vandalism 7. General Local Law 2020 8. Councillor Code of Conduct 9. Point Lonsdale Surf Life Saving Club 10. Confidential item	Nil



Point Lonsdale Lighthouse Reserve Reference Group – Thursday 28 January 2021				
Queenscliff Town Hall				
Cr Ross Ebbels - Mayor Cr Donnie Grigau Cr Michael Grout Cr Susan Salter Johann Rajaratnam, GMPI Michelle Jepson Lester Hunt Andrew Sutherland Merv Jaensch Neville Barwick Sue Westerval Michael Dowling	Martin Gill, CEO Cr Fleur Hewitt Matt Davis David Kenwood	10:30am – 12:15pm	1. Current Position 2. Next Steps 3. General Business	Nil
Councillor Induction – Wednesday 3 February 2021				
Queenscliff Town Hall				
Cr Ross Ebbels - Mayor Cr Donnie Grigau Cr Fleur Hewitt Cr Michael Grout Cr Susan Salter Martin Gill, CEO Johann Rajaratnam, GMPI Phillip Carruthers, GMOP&CS	Nil	9:05am – 11:04pm  9:20am – 11:04am	4. Reflections on the Councillor Induction program	Nil







<b>Assembly Meeting – Wednesday 10 February 2021</b>				
Queenscliff Town Hall				
Cr Ross Ebbels - Mayor Cr Fleur Hewitt Cr Michael Grout Martin Gill, CEO	Nil	11:15am – 11:50pm	1. Active Transport Strategy Borough of Queenscliffe	Nil

CEO - Chief Executive Officer	GMOP&CS General Manager, Organisational Performance and Community Services	GMPI – General Manager Planning & Infrastructure
ADO – Arts Development officer	BSA – Business Services Accountant	CCEC – Coordinator Community Engagement & Communications
CERP – Projects Officer, Climate Emergency Response Plan	CSC – Community Services Coordinator	EA – Executive Assistant to the CEO, Mayor and Councillors
EAGMPI – Executive Assistant General Manager Planning & Infrastructure	EAHR&CGC – Executive Assistant & HR and Corporate Governance Coordinator	ECDO – Economic & Community Development Officer
ECDPL – Economic & Community Development Program Leader	EPO – Executive Projects Officer	MFS – Manager Financial Services
ODCS – Organisational Development Customer Service & ICT services	PPL – Planning Program Leader	RC – Rates Coordinator
RIE – Roads & Infrastructure Engineer	SLEO – Senior Law Enforcement Officer	SPO - Special Projects Officer
TPTL – Tourist Park Team Leader (Acting)		



**ADJUNCT TO 5.1 – PUBLIC QUESTIONS STATUS UPDATE**

No public questions outstanding.

**ADJUNCT TO 8.1 – NOTICE OF MOTION STATUS UPDATE**

No Motions on Notice outstanding.

**ADJUNCT TO 17.1 – QUESTIONS WITHOUT NOTICE STATUS UPDATE**

No Questions Without Notice outstanding.

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