



# Minutes

## Ordinary Meeting of Council

Wednesday 24 November 2021 at 7:00pm

Queenscliff Town Hall

### **Distribution List**

#### **Councillors**

Cr Ross Ebbels – Mayor

Cr Susan Salter

Cr Donnie Grigau

Cr Fleur Hewitt

Cr Michael Grout

#### **Officers**

Martin Gill, Chief Executive Officer

Johann Rajaratnam, Director Place

Gihan Kohobange, Manager Finance & Corporate Services

Shannon Maloney, Manager Community

Stuart Hansen, Manager Infrastructure & Environment

Connor Parker, Communications Coordinator

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



### **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

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Appendix 1b	Barwon Regional Partnership 2021–22 Priorities	13.1 Chief Executive Officer Report	Under separate cover
Appendix 2	Borough of Queenscliffe Draft Coastal and Marine Management Plan	17.2 Borough of Queenscliffe Draft Coastal and Marine Management Plan	Under separate cover
Appendix 3a	CP053: Chief Executive Officer Employment and Remuneration	18.3 Review of Council Policies	Under separate cover
Appendix 3b	CP035: Complaint Handling	18.3 Review of Council Policies	Under separate cover

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Appendix 3c	CP047: User Fees and Charges	18.3 Review of Council Policies	Under separate cover
Appendix 3d	CP019: Conservation Covenant Incentive	18.3 Review of Council Policies	Under separate cover
Appendix 3e	CP032: Local Government Performance Reporting Framework	18.3 Review of Council Policies	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 7:00pm.

## 2. PRESENT & APOLOGIES

*Present:*

Cr Ross Ebbels, Mayor

Cr Donnie Grigau

Cr Michael Grout

Cr Fleur Hewitt

Martin Gill, Chief Executive Officer

Johann Rajaratnam, Director Place

Gihan Kohobange, Manager Finance & Corporate Services

Matt Gibbs, Communications Officer

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

*Apologies:*

Cr Susan Salter

## 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: Nil.

Officers: Nil.

## 4. LEAVE OF ABSENCE OF COUNCILLOR

Nil.

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## **5. CHAIR OF THE MEETING**

Consistent with clause 7 of the Borough of Queenscliffe Governance Rules, the Chief Executive Officer will temporarily chair the meeting until the election of the Mayor is appointed and assumes the Chair.



## 6. MAYORAL ELECTION

**File:** QG055-02-01

**Responsible Officer:** Chief Executive Officer/ HR & Governance Coordinator

### Introduction

In accordance with Section 25(1) of the *Local Government Act 2020* ('the Act'), at a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.

In accordance with section 25(3)(a) of the Act and clause 7 of the Borough of Queenscliffe Governance Rules, the Chief Executive Officer will preside for the purposes of the election of the Mayor.

If the Mayor is elected for a 1 year term, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 1 year term as is reasonably practicable (section 26(4) of the Act).

Section 18 of the Act provides that the role of the Mayor is to:

- chair Council meetings
- be the principal spokesperson for the Council
- lead engagement with the municipal community on the development of the Council Plan
- report to the municipal community, at least once each year, on the implementation of the Council Plan
- promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct
- assist Councillors to understand their role
- take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer; and
- provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings
- perform civic and ceremonial duties on behalf of the Council.

The Mayor is not eligible to be elected to the office of Deputy Mayor.

The Mayor has the following specific powers as per section 19 of the Act:

- to appoint a Councillor to be the chair of a delegated committee;
  - to direct a Councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business;
  - to require the Chief Executive Officer to report to the Council on the implementation of a Council decision.
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## 6.1 Setting of Mayoral Term

Before the election of the Mayor, the Council must determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term.

### Recommendation

**That Council set the Mayoral term for a 1 year or a 2 year term.**

### Councillors Hewitt / Ebbels

**That Council set the Mayoral term for a 1 year term.**

**Carried**

## 6.2 Election of Mayor

In accordance with clauses 7 and 8 of the Borough of Queenscliffe Governance Rules, the Chief Executive Officer will call for nominations for the Office of the Mayor.

As per section 25(4) of the Act the Mayor must be elected by an absolute majority of the Councillors. (An absolute majority means the number of Councillors which is greater than half the total number of the Councillors of a Council.)

If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.

If only one Councillor is a candidate for Mayor, the meeting must declare that Councillor to be duly elected as Mayor.

**Cr Hewitt nominated Cr Ebbels for the Mayoral role.**

**The CEO called for a Secunder.**

**Cr Grigau seconded the nomination.**

**No other nominations were received.**

**Given the only nomination, the CEO declared Cr Ebbles as the Mayor for the period November 2021 to November 2022.**

**Carried**

**The Chief Executive Officer vacated the Chair.**

**The Mayor as elected assumed the Chair.**

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### **6.3 Election of a Deputy Mayor**

Section 20A(1) of the Act provides that Council may establish an office of Deputy Mayor.

The Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if:

- the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting;
- or the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness;
- or the office of Mayor is vacant.

#### **Recommendation**

**That Council determine whether it wants to establish the role of Deputy Mayor for the Mayoral period.**

#### **Councillors Grout / Grigau**

**That Council will establish the role of Deputy Mayor for the Mayoral period.**

**Carried**

If Council so determines, the Mayor will call for nominations for the position of Deputy Mayor.

As per sections 25(4) and 27(1) of the Act the Deputy Mayor must be elected by an absolute majority of the Councillors. (An absolute majority means the number of Councillors which is greater than half the total number of the Councillors of a Council.)

If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.

If only one Councillor is a candidate for Deputy Mayor, the meeting must declare that Councillor to be duly elected as Deputy Mayor.

**Cr Grout nominated Cr Hewitt for the role of Deputy Mayor.**

**Cr Ebbels seconded the nomination.**

**No other nominations were received.**

**Given the only nomination, Maryor Ebbels declared Cr Hewitt as Deputy Mayor for period November 2021 to November 2022.**

**Carried**

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#### **6.4 Incoming Mayoral Speech**

The Mayor's speech provides the opportunity for the new Mayor to make a presentation highlighting key priorities for the forthcoming mayoral term.

##### **Cr Ebbels**

Thank you Mr. CEO and Councillors, it is a great honor to be elected as Mayor of the great Borough where we all live our daily lives. I would like to thank you Mr. CEO for your guidance and assistance over the past 12 months, and I look forward to working with you again for the next 12 months. Thank you very much to my fellow Councillors for the support you have given me the past 12 months and the confidence in me to lead this great team for another term.

Congratulations to Cr Fleur Hewitt for accepting the role of Deputy Mayor. I am certainly looking forward to working closely with you and enjoying your lively banter and of course your good-natured humor over the next year.

I did look back at what I said this time last year and reflected that after one week together, I had the feeling that this council was going to work really hard for our community. Twelve months on and I can tell you that the Councillor group have exceeded my expectations with the level of work and commitment to their roles. All five Councillors embraced their portfolios and this was evident during the Council Plan consultation, and I know this will continue for the next 3 years.

My fellow Councillors are all very respectful of each other and most importantly bring a wide variety of ideas and thoughts to the table. This can only result in a win for our community.

The first year of a new Council is always busy and this year was no exception. The development of our four year Council Plan and our 10 year Community Vision resulted in many hours of work for our Councillors and officers. It is a great roadmap for where we are as Councillors and the community wish to head. It is an ambitious plan, but one we have to work hard to achieve. This of course leads us into the next 12 months.

Our Council Plan is really vital as we are quickly approaching both Federal and State Elections. We will of course be advocating to all parties as to how they can help our community to financially achieve our Council Plan strategic objectives. Of course this must be in line with our Council Plan and not stray from this, simply because another level of government thinks it is what the Borough needs. Through the Council Plan consultation the community has already told us.

Of course the adoption of our Climate Emergency Response Plan was a great achievement for our community. This is a great example of how we as Council can work with our community to achieve some great things, which will also contribute greatly to the worth of Council over the next 12 months.

Finally thank you for the unwavering support that I receive from my family and close friends.

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## 7. PUBLIC QUESTION TIME

### 7.1 Public Questions Status Update

No public questions outstanding.

### 7.2 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.*

No public questions were received within the prescribed timeline.

## 8. CONFIRMATION OF COUNCIL MEETING MINUTES

### 8.1 Ordinary Meeting of Council – 27 October 2021

A copy of the previous Minutes of the Ordinary Meeting of Council held on 27 October 2021 was distributed to Councillors under separate cover.

#### **Councillors Grigau / Hewitt**

**That the Minutes of the Ordinary Meeting of Council of the Borough of Queenscliffe held on 27 October 2021, as distributed, be confirmed as an accurate record.**

**Carried**

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## **9. RECORD OF ASSEMBLY OF COUNCILLORS**

A Record of Assembly for the following Assemblies of Council are included at Adjunct to item 9:

- 27 October 2021 – Assembly Meeting
- 3 November 2021 – Assembly Meeting
- 17 November 2021 – Assembly Meeting

### **Councillors Grout / Grigau**

**That the Record of Assembly of Councillors, as presented in Adjunct to Item 9, be noted.**

**Carried**

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## **10. NOTICE OF MOTION**

### **10.1 Notice of Motion Status Update**

No Motions on Notice outstanding.

### **10.2 Motion on Notice**

No Notices of Motion were received.

## **11. PETITIONS AND JOINT LETTERS**

### **11.1 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.*

None received.

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## 12. FUNCTIONS ATTENDED

Council was represented at the following meetings and functions from 22 October to 18 November 2021.

Date	Function Attended
22 October 2021	G21 Health and Wellbeing Pillar Executive meeting via videoconference (CEO)
22 October 2021	Bellarine School of Art Gala Dinner (Cr Ebbels)
25 October 2021	Climate Change and Coastal Erosion: The Great Ocean Road webinar (Cr Hewitt)
25 October 2021	Queenscliffe Climate Action Group Meeting (CEO & Cr Hewitt)
26 October 2021	Queenscliffe Hub Project Control Group Meeting via videoconference (CEO)
28 October 2021	Climate Emergency Australia workshop (Cr Ebbels)
28 October 2021	G21 Arts, Heritage & Culture Pillar via videoconference (Cr Grigau)
29 October 2021	G21 Board Meeting via videoconference (Cr Ebbels & Cr Hewitt)
29 October 2021	Rural Councils Victoria Annual General Meeting (Cr Ebbels)
29 October 2021	Bellarine Community Safety Group (Cr Grigau)
3 November 2021	Meeting with the Association of Bayside Municipalities via videoconference (Cr Hewitt & Grout)
5 November 2021	Point Lonsdale Tennis Club Improvement Project Opening (Crs Ebbels, Grout, Grigau)
5 November 2021	Meeting with Minister Neville (CEO & Cr Ebbels)
8 November 2021	Climate Change and Coastal Erosion: The Great Ocean Road webinar (Cr Hewitt)
9 November 2021	Queenscliffe Hub Project Control Group Meeting via videoconference (CEO)
9 November 2021	Geelong City Deal – Advisory Committee Meeting via videoconference (CEO)
9 November 2021	Geelong Community Foundation CEO meeting (Cr Ebbels & Cr Grigau)
10 November 2021	Water for our Future – Regional Leader Forum #3 via videoconference (CEO, Cr Ebbels, Cr Grout & Cr Hewitt)



<b>Date</b>	<b>Function Attended</b>
11 November 2021	G21 Annual General Meeting via videoconference (CEO, Cr Ebbels & Cr Hewitt)
11 November 2021	Queenscliff/Pt. Lonsdale RSL Sub Branch Remembrance Day Service (Cr Ebbels)
15 November 2021	G21 CEOs Meeting via videoconference (CEO)
15 November 2021	Borough of Queenscliffe Municipal emergency management planning committee meeting via videoconference (CEO)
16 November 2021	Geelong Regional Library Corporation Strategic Workshop (CEO)
17 November 2021	Cities Power Partnership National Climate Awards 2021 (CEO, Crs Ebbels, Salter, Grigau, Grout & Hewitt)
17 November 2021	Borough After 5 (CEO, Crs Ebbels, Salter, Grigau, Grout & Hewitt)
17 November 2021	The Songs of Eva Cassidy – Silvie Paladino And Vip Gathering (Cr Grigau)
18 November 2021	Geelong Regional Library Corporation Board Meeting via videoconference (Cr Salter)
18 November 2021	MAV Sexual Harassment Training via videoconference (Cr Ebbels)
18 November 2021	Barwon Regional Economic Development Strategy Workshop via videoconference (CEO)
18 November 2021	Meeting with the Queenscliff Historical Museum President (Cr Ebbels)

#### **RECOMMENDATION**

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

**Councillors Grout / Hewitt**

**That the Functions Attended report, as amended, be received.**

**Carried**





## **13. CHIEF EXECUTIVE OFFICER**

### **13.1 Chief Executive Officer Report**

#### **PURPOSE**

The purpose of this report is to provide Council with an update on current projects and operational activities not reported through the quarterly reporting process.

#### **REPORT**

##### **29 October 2021 – Wind Storm**

Work continues on the clean-up following the severe storm event on Friday 29 October. It is estimated that more than 500 trees have been impacted and as many as 100 have been lost on land managed by Council.

Council officers continue to work with arborists to assess the risk and health of trees in public spaces.

Arborist reports have been received for Princess Park and the Point Lonsdale main street area including the two main playgrounds in those areas. All high risk items identified in these reports have been actioned and the medium risks are soon to be completed. Council has also engaged an arborist to assess the health of a number of trees in the Avenue of Honour, this is in addition to the assessments we make on an annual basis.

Our neighbourhood playgrounds have been inspected this week and work has commenced on removing fallen limbs.

Once this work is completed the focus will shift to removing debris from nature strips and roadsides. There is a lot of material to clear and collect; we will be visiting every street and aim to have this work completed prior to Christmas.

To this point the financial cost of the clean-up works is in the range of \$90,000 to \$100,000, however, is expected to increase as we action arborist advice.

##### **Geelong Regional Libraries Corporation Strategic Workshop**

The Chief Executive Officer attended the Geelong Regional Libraries Corporation (GRLC) strategic workshop on behalf of Council on 16 November 2021. At the workshop, the board members heard about the COVID-19 impacts on the performance of public libraries across the state and the Geelong Regional libraries.

The workshop also provided an opportunity to discuss strategies to get people back into libraries and review the Connected and Thriving – Library Plan 2021–2025 objectives, to ensure they remained relevant following changes in service delivery models introduced in response to COVID-19.

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While there were new matters to consider, such as the accelerated shift to the use of eResources, the core principles included in the strategic objectives within the plan provided for adapted service models, and the opportunities to build the role of libraries within the social economy and creative industries, post COVID-19.

### **Barwon Regional Partnership**

The Barwon regional partnership comprises business and community members from across Barwon, the G21 Local Government CEOs, as well as a representative of Regional Development Australia (ensuring Commonwealth involvement with the Partnership) and a representative from the Victorian Government.

Professor Iain Martin, Vice-Chancellor and President of Deakin University in Australia is the chair.

The partnership provides advice directly to the Victorian Government about regional priorities so they can then be incorporated into government policies, programs and planning.

Annual priorities are guided by the Regional Partners Barwon Outcomes Roadmap (**Appendix 1a**) which provides a summary of the key long-term outcomes the Partnership is striving to achieve and what success will look like for the region.

The Partnership has identified 15 priorities for 2021–22 that reflect some of the challenges and opportunities faced by the Barwon region.

The Barwon Regional Partnership 2021–22 Priorities list is included at (**Appendix 1b**).

### **Cities Power Partnership National Climate Awards 2021**

The Cities Power Partnership Climate Awards draw entries from its member councils all over the country.

The Borough's community led Climate Emergency Response Plan was nominated as one of the eight finalists in the Cities Power Partnership 2021, Community Choice Awards.

*"The collaboration has shown what is possible when council and residents work together in an open, respectful and forward thinking way"*

The Borough of Queenscliffe were successful in winning the Community Choice Award. The Mayor and Kitty Walker, founder and President of the Queenscliffe Climate Action group, accepted the award at a virtual ceremony on 17 November. Details about the award and awards can be found here.

<https://citiespowerpartnership.org.au/2021/11/18/councils-crowned-climate-leaders-at-national-awards/>

### **Councillors Hewitt / Grigau**

**That Council receives the Chief Executive Officer Report for November 2021.**

**Carried**

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#### **14. HEALTH AND WELLBEING**

No reports to consider.



## **15. ENVIRONMENT**

No reports to consider.

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**16. LOCAL ECONOMY**

No reports to consider.



## 17. HERITAGE PLANNING & INFRASTRUCTURE

### 17.1 Planning Permit Activity Report

**File:** QG290.01.02  
**Author:** Director Place  
**Portfolio:** Heritage, Planning & Infrastructure  
**Portfolio Holder:** Vacant

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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.

CATEGORY	TALLY
Current applications	21
Applications finalised since last report	14
New applications received since last report	11
<b>Total number of active permit applications</b>	<b>30</b>
Decisions awaiting review by VCAT	3
Development Plan & Planning Scheme Amendment Summary Report	0

#### Councillors Grout / Grigau

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

**Carried**

#### Cr Grout / Hewitt

**That Councillors receive a briefing on Planning Application 2021/105 for 34-36 Gellibrand Street and 61 Hesse Street, Queenscliff.**

**Carried**

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(a) Current applications

App. No	Date Received	Address	Proposal	Status
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) in a Heritage Overlay	Waiting from further information from applicant
**2021/018	25/02/2021	134 Hesse Street Queenscliff	Installation of Telstra telecommunication tower in a Heritage Overlay (Queenscliff Recreation Reserve)	Under consideration
**2021/025	19/03/2021 (Amended 15/09/2021)	5 Lonsdale Street Point Lonsdale	Construction of a dwelling (to 8.33 metres in height)	Under consideration
**2021/048	27/05/2021	200-204 Point Lonsdale Road Point Lonsdale	<b>Buildings and works associated with the construction of a two storey building comprising four (4) shops and twelve (12) dwellings, use of the site for commercial premises, reduction of the standard car parking requirement of Clause 52.06, alteration to and creation of access to a road in a road zone category 1</b>	Under consideration
**2021/067	15/07/2021	5 Beach Street Queenscliff	<b>Demolition of a dwelling, outbuilding and fences in a Heritage Overlay, construction of a dwelling and fences and variation to the site coverage requirements of Design and Development Overlay – Schedule 6</b>	Under consideration (Note: proposed site coverage 53.97%)
2021/069	15/07/2021	12 Bowen Road Point Lonsdale	Installation of Telstra telecommunications facility (satellite dish)	Further information requested 20 July 2021



App. No	Date Received	Address	Proposal	Status
2021/074	10/08/2021	58 Winterley Road Point Lonsdale	Construction of a dwelling and variation to the site coverage requirements of Design and Development Overlay – Schedule 4	Public notification (Note: proposed site coverage 42.27%)
2021/078	16/08/2021	8 Beach Street Queenscliff	Alterations and external painting to an existing dwelling in a Heritage Overlay	Further information requested 24 August 2021
**2021/081	23/08/2021	8 Cheshunt Street Point Lonsdale	Alterations and extensions (two storey) to an existing dwelling, construction of a habitable outbuilding (two storey) and variation to side setback under Design and Development Overlay – Schedule 4	Application on hold at request of applicant
**2021/082	25/08/2021	43 Hesse Street Queenscliff	Part demolition and alterations to a building in a Heritage Overlay and change of use of a building to a dwelling	Under consideration
**2021/084	27/08/2021 (Amended 10/11/2021)	32 Wharf Street Queenscliff	Alterations and extensions to an existing dwelling in a Heritage Overlay, variation to the site coverage requirements and side setback requirements of Design and Development Overlay – Schedule 6	Public notification (Note: proposed site coverage 55.5%)
**2021/087	03/09/2021	28 Gellibrand Street Queenscliff	Construction of a second dwelling (two storey) in a Heritage Overlay	Under consideration
2021/088	06/09/2021	56 Baillieu Street Point Lonsdale	Alterations and extensions (two storey) to an existing dwelling	Further information requested 29 September 2021
2021/094	17/09/2021	8 Bellarine Highway Queenscliff	Construction of a dwelling and variation to the setback requirements of Design and Development Overlay – Schedule 3	Public notification Referrals to Borough Engineer & CCMA





App. No	Date Received	Address	Proposal	Status
2021/095	17/09/2021	101 King Street Queenscliff	Construction of a two storey dwelling and removal of native vegetation	Further information requested 1 October 2021
**2021/096	20/09/2021	33-35 Flinders Street Queenscliff	Subdivision of the land into ten (10) lots (re-subdivision), removal of native vegetation and alterations to access to a Road Zone Category 1 (RDZ1)	Referrals to Dept. of Transport (VicRoads), Downer (gas), Barwon Water
2021/100	28/09/2021	11 Swanston Street Queenscliff	Alterations and extensions to an existing dwelling	Public notification
2021/102	04/10/2021 (Amended 28/10/2021)	149 Point Lonsdale Road Point Lonsdale	Demolition of an outbuilding on a site individually listed in a Heritage Overlay, construction of an outbuilding (studio) and alteration to access to a Road Zone Category 1 (RDZ1)	Public notification Referral to Dept. of Transport (VicRoads)
2021/104	08/10/2021	95 Glaneuse Road Point Lonsdale	Construction of a two storey dwelling and removal of native vegetation	Public notification Referral to Borough Engineer
2021/105	14/10/2021 (Amended 20/10/2021)	34-36 Gellibrand Street & 61 Hesse Street Queenscliff	Demolition of two existing dwellings in a Heritage Overlay and construction of a two new single storey dwellings and front fences in a Heritage Overlay (at 34-36 Gellibrand Street), re-subdivision of the lot boundaries and variation of a carriageway easement	Public notification Referral to Borough Engineer
2021/106	15/10/2021	20 Golightly Street Point Lonsdale	Removal of easement E-1	Referral to Borough Engineer



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

App. No	Date Received	Address	Proposal	Status
S 2012/048	13/10/2021	44 Gellibrand Street Queenscliff	Amendment: Alterations and extensions to an existing building, construction of an outbuilding and variation to the side setback requirements of Design and Development Overlay – Schedule 1	Amended permit issued
**2018/079	23/08/2018 (Amended 8/05/2019)	81 Nelson Road Queenscliff	Subdivision of land into seven (7) lots, removal of vegetation and works associated with the subdivision	Permit issued
S 2019/073	17/09/2021	2/14 Bellarine Highway Queenscliff	Amendment: Construction of a two storey dwelling and variation to the site coverage requirements of Design and Development Overlay Schedule 5	Amended permit issued
S 2020/042	28/09/2021	73 Hesse Street Queenscliff	Amendment: Demolition of a building (unit), alterations and extensions to an existing building (supermarket) in a Heritage overlay area and reduction of the car parking requirements of Clause 52.06 of the Queenscliffe Planning Scheme (associated with the existing use of the site)	Amended permit issued
S 2020/061	22/10/2021	11 Jacqueline Court Point Lonsdale	Amendment: Construction of two dwellings (two storey) and subdivision of the land into two (2) lots	Amended permit issued
S 2020/065	28/10/2021	4 Queen Street Queenscliff	Amendment: Construction of a two storey dwelling and variation to the site coverage and front setback requirements of Design and Development Overlay – Schedule 1	Amended permit issued
**2021/059	22/06/2021	14 The Esplanade Queenscliff	Alterations and extensions to an existing three storey dwelling	Notice of decision to grant a permit issued



App. No	Date Received	Address	Proposal	Status
**2021/065	08/07/2021	13 Williams Road Point Lonsdale	Construction of a two storey dwelling	Notice of decision to grant a permit issued
2021/085	02/09/2021	53 Glaneuse Road Point Lonsdale	Construction of a habitable outbuilding	Permit issued
2021/090	07/09/2021	28 Swanston Street Queenscliff	Alterations and extensions to an existing dwelling and construction of a front fence	Permit issued
2021/092	13/09/2021 (Amended 29/09/2021)	34-38 King Street Queenscliff	Use of the heritage building as a place of assembly (gallery) and waiver of car parking	Permit issued
2021/101	04/10/2021	1 Admans Street Point Lonsdale	Alterations and extensions to an existing dwelling	Permit issued
V 2021/108	25/10/2021	49 Point Lonsdale Road Point Lonsdale	Alterations (awning) to an existing dwelling individually listed in a Heritage Overlay	Permit issued
V 2021/109	26/10/2021	25 Flinders Street Queenscliff	Alterations to an existing carport	Permit issued



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

App. No	Date Received	Address	Proposal	Status
2021/107	20/10/2021	9 Bowen Road Point Lonsdale	Construction of two double storey dwellings, subdivision of the land into two (2) lots, removal of native vegetation and variation to the site coverage requirements of Design and Development Overlay – Schedule 3	Further information requested 9 November 2021
V 2021/108	25/10/2021	49 Point Lonsdale Road Point Lonsdale	Alterations (awning) to an existing dwelling individually listed in a Heritage Overlay	Permit issued
V 2021/109	26/10/2021	25 Flinders Street Queenscliff	Alterations to an existing carport and construction of a front fence	Permit issued
2021/110	26/10/2021	150 Fellows Road Point Lonsdale	Alterations and extensions to an existing dwelling	Under consideration
2021/111	28/10/2021	19 Cheshunt Street Point Lonsdale	Construction of a two storey dwelling and removal of native vegetation	Public notification
2021/112	28/10/2021	68 Stevens Street Queenscliff	Demolition of an outbuilding and fence, alterations to an existing dwelling individually listed in a Heritage Overlay, construction of fences and an outbuilding and variation to the site coverage requirements of Design and Development Overlay – Schedule 3	Public notification Referrals to Borough Engineer & Heritage Advisor
2021/113	04/11/2021	98 Hesse Street Queenscliff	Alterations to an existing dwelling and outbuilding in a Heritage Overlay	Under consideration
2021/114	04/11/2021	74 Fellows Road Point Lonsdale	Alterations and extensions to an existing dwelling and alterations to an outbuilding	Public notification



App. No	Date Received	Address	Proposal	Status
2021/115	08/11/2021	61-75 Murray Road Queenscliff	Subdivision of the land into thirteen (13) lots	Initial assessment
2021/116	08/11/2021	13 Baillieu Street Point Lonsdale	Alterations and extensions to an existing dwelling and alterations to an outbuilding	Initial assessment
V 2021/117	15/11/2021	37 Grimes Road Point Lonsdale	Subdivision of the land into two (2) lots	Initial assessment

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**(d) Decisions awaiting review by VCAT**

<b>App. No</b>	<b>Date Received</b>	<b>Address</b>	<b>Proposal</b>	<b>Status</b>
<b>**2020/077</b>	<b>16/12/2020</b>	<b>18 Cheshunt Street Point Lonsdale</b>	<b>Construction of a two storey dwelling, removal of native vegetation and variation to the site coverage requirements of Design and Development Overlay – Schedule 4</b>	<b>Permit issued (as per Council resolution 28 April 2021) VCAT application for review lodged by objector VCAT compulsory conference 25 November 2021 and hearing 27 January 2022</b>
<b>**2021/024</b>	<b>19/03/2021 (Amended 21/06/2021)</b>	<b>69 Stokes Street Queenscliff</b>	<b>Construction of a two storey dwelling and front fence</b>	<b>Notice of decision to grant a permit issued (as per Council resolution 28 July 2021) VCAT application for review lodged by objectors VCAT compulsory conference 1 March 2022 and hearing 3 May 2022</b>
<b>**2021/053</b>	<b>04/06/2021</b>	<b>2/22 Bellarine Highway Queenscliff</b>	<b>Construction of a two storey dwelling</b>	<b>Notice of decision to grant a permit issued VCAT application for review lodged by objector VCAT compulsory conference 1 April 2022 and hearing 7 June 2022</b>

**CEO**

This afternoon, Council signed consent orders regarding planning application 2020/77 for 18 Cheshunt Street, Point Lonsdale. A notice of decision will be issued and this item will be removed from the VCAT schedule.



**(e) Development Plan & Planning Scheme Amendment Summary Report**

No applications to report.

**LEGEND**

\*\* Objections received

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

**Bold Officer delegation removed**

V VicSmart application

S Secondary consent approval issued

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## 17.2 Borough of Queenscliffe Draft Coastal and Marine Management Plan

<b>File:</b>	<b>QG090-02-09</b>
<b>Author:</b>	<b>Strategic Planner</b>
<b>Portfolio:</b>	<b>Heritage, Planning and Infrastructure</b>
<b>Portfolio Holder:</b>	<b>Vacant</b>

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### **PURPOSE**

The purpose of this report is to seek Council endorsement of the draft Borough of Queenscliffe Coastal and Marine Management Plan (CMMP) for the purposes of seeking additional community feedback.

### **EXECUTIVE SUMMARY**

This recommendation in this report furthers the objectives of Portfolio 4: Heritage, planning and infrastructure in the Council Plan 2021 – 2025, in particular, Priority 3: Identify and protect the Borough's distinctive coastal characteristics and intended action: *adopt a Coastal and Marine Management Plan*.

It links to the community vision *Protecting Country and our natural environment. We mitigate and adapt to the risks of climate change and preserve our ecosystems and biodiversity*.

The draft Coastal and Marine Management Plan documents current knowledge of the marine and coastal Crown land for which the Borough of Queenscliffe is the nominated Committee of Management.

The document is an expansion on the themes, issues and risks identified in the *Borough of Queenscliffe Coastal and Marine Management Plan, Issues Paper – June 2020*. The draft CMMP also:

- includes aspirations and concerns identified by the community during the first phase of public consultation undertaken in January 2021, and;
- nominates a series of actions relevant to the ten (10) marine and coastal precincts identified in the Borough.

The draft document is now ready for a second stage of community and stakeholder consultation.

### **Councillors Grout / Grigau**

**That Council endorse the draft Coastal and Marine Management Plan for the purposes of community consultation.**

**Carried**





## REPORT

### BACKGROUND

At its Ordinary Meeting on 17 September 2020, Council resolved to endorse the *Borough of Queenscliffe Coastal and Marine Management Plan Issues Paper – June 2020*.

The Issues Paper identified visitor numbers, infrastructure development, climate change and coastal hazard risk, environment and indigenous and post-contact history and governance as key issues to be addressed in the CMMP.

Council endorsed the Issues Paper for the purposes of community consultation, which was undertaken in January 2021. The consultation confirmed that the Issues Paper provided a solid basis upon which the current CMMP could be drafted.

### DISCUSSION

The draft Coastal and Marine Management Plan is attached at **(Appendix 2)**.

The CMMP expands on the Issues Paper content and draws a more detailed picture of the marine and coastal Crown land for which the Borough of Queenscliff is the nominated Committee of Management.

Specifically, the CMMP nominates a number of actions in the short, medium and long term that relate to the entire area of Borough managed marine and coastal Crown land or specifically to one of ten (10) precincts.

The precincts have been identified based on topography, primary use, consistency of vegetation or existing property boundaries. The precincts have been defined as a method of dividing the larger management area into smaller units for the purposes of focused actions and forward planning. The boundaries are not statutory boundaries or recognised formally for any other reason than Borough and community management of the spaces within them.

The consultation also sought specific answers to the following questions:

- What does the community value about coastal Crown land?
- What are the key challenges for the next five (5) years?
- Identification of priority action areas.

Answers to these questions have also been incorporated into the draft CMMP, specifically in each of the ten (10) precincts.

The Issues Paper outlined three (3) stages of development of the draft CMMP prior to Stage 4 consultation.

Stage 1 required an audit of the existing 2006 Coastal Management Plan, development of precincts within the coastal areas, identification of other Crown land managers in the Borough,



development of a baseline infrastructure inventory for the precincts and preparation of the Issues Paper.

Stage 2 was the January 2021 consultation on the Issues Paper.

Stage 3 was the utilisation of the data collected in Stage 1 and Stage 2 to prepare the draft CMMP that is the subject of this report.

Stage 4, subject to Council endorsement of the draft CMMP, is the seeking of further community feedback on the draft CMMP including the ten (10) precincts and nominated actions. Once feedback is received and reviewed and, where appropriate, incorporated into the draft CMMP, the document will be brought back to Council for adoption.

It is anticipated that the draft CMMP, incorporating any relevant changes as a result of the Stage 4 consultation, will be presented to Council in March 2022 depending on the number of submissions provided by stakeholders.

#### Post adoption of the CMMP by Council

Post the adoption of the CMMP by Council, officers will be progressing the document in two ways.

Firstly, the actions outlined will be implemented as resourcing becomes available within the organisation.

Secondly, work will commence on satisfying the statutory requirements of the *Marine and Coastal Act 2018*.

This includes:

- consulting with:
  - Ministers responsible for any Act applicable to Crown land
  - Aboriginal parties affected
  - License and lessee holders of crown land
- Undertaking further public consultation through the publishing of a notice in the Government Gazette
- Formal consideration of any submission by Council as land manager as part of this process
- Submission of the plan to the Minister for approval

In light of this, the work done to date, while considerable, amounts to only the initial steps prior to a final CMMP for the Borough.

#### **Options**

Option 1 – Council resolves to adopt the officer recommendation as presented.

Option 2 – Council resolves to vary the recommendation as presented.

Option 3 – Council may request further information before it makes a decision.

#### **COMMUNICATIONS AND ENGAGEMENT**



## Community Engagement



Community engagement is a requirement of the *Marine and Coastal Act 2018*.

The draft CMMP will be placed on public exhibition from 25 November 2021 until midnight on 23 January 2022. A notice will be published in the Queenscliffe Herald and the draft CMMP can be accessed via the Council website. Feedback can be provided in writing to [info@queenscliffe.vic.gov.au](mailto:info@queenscliffe.vic.gov.au) or PO Box 93, Queenscliff VIC 3225.

## GOVERNANCE CONTEXT

### Relevant Law

The primary legislative reference for the preparation of the CMMP is the *Marine and Coastal Act 2018*.

Other legislation relevant to the preparation of the CMMP includes, but is not necessarily limited to the:

- *Planning and Environment Act 1987*
- *Aboriginal Heritage Act 2006*
- *Native Title Act 1993*
- *Victorian Heritage Register*
- *Victorian Planning Provisions*
- *Queenscliffe Planning Scheme*
- *Flora and Fauna Guarantee Act 1988*

### Charter of Human Rights

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

### Gender Equality Act 2020

The *Gender Equality Act 2020* requires a Gender Impact Assessment to be undertaken when Council develops or reviews any Council policy, program or service that has a direct and significant impact on the public.

No, a Gender Impact Assessment has not been completed on the draft plan.

### Regional, State and National Plans and Policies

Relevant regional, state and national plans and policies were considered in the preparation of the draft CMMP.



### **Council Plan Alignment**

The preparation of the CMMP aligns with two (2) portfolios identified in the *Council Plan – 2021 – 2025*. Both portfolios nominate the CMMP as a plan related to the achievement of relevant priorities as follows:

#### Portfolio 2: Environment

The Strategic Objective for Portfolio 2 is *to protect our environment and address climate change issues*.

The relevant priority within the Environment portfolio is:

Priority 3: Protect our coastal and public areas including their ecosystems and biodiversity.

The intended actions for Priority 3 are: Implement the short-term actions in the *Borough of Queenscliffe Coastal and Marine Management Plan*.

#### Portfolio 4: Heritage, planning and infrastructure

The Strategic Objective for Portfolio 4 is *to protect our distinctive coastal, cultural and built environment, and provide sustainable, suitable infrastructure*.

The relevant priority within the Heritage, planning and infrastructure portfolio is:

Priority 3: Identify and protect the Borough's distinctive coastal characteristics.

The intended action for Priority 3 is: Adopt a Coastal and Marine Management Plan

### **Legal and Risk Implications**

Council must develop a Coastal and Marine Management Plan for the municipality under the provisions of the *Marine and Coastal Act 2018*. As such there are no legal or risk issues associated with the adoption of the draft plan for consultation.

### **Related Documents**

The preparation of the draft CMMP has been undertaken with consideration of the *Marine and Coastal Policy 2020*, the draft *Marine and Coastal Strategy* and the *Siting and design guidelines for structures on the Victorian Coast*.

### **Disclosure of Interest**

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

## **CONSIDERATIONS**

### **Environmental Sustainability**

The coastal environment surrounding the Borough of Queenscliffe is valued by residents and visitors to the municipality.



The draft CMMP acknowledges that protecting and enhancing key areas of environmental significance will ensure continued enjoyment for future generations. The draft CMMP contains actions that will enhance the indigenous flora located within our marine and coastal environments. This work will enhance the coast's ability to withstand the increased pressures associated with population growth, increased visitation and climate change.

#### **Financial and resource implications**

All actions identified in the Coastal and Marine Management Plan will be subject to budget availability.

A proportion of the actions identified in the Coastal and Marine Management Plan consist of works that are already funded as part of the 20/21 budget or historic grant funding.

Future actions will be subject to Council's annual budget priorities and processes as well as grant funding opportunities.

#### **Innovation and Continuous Improvement**

Not applicable.

### **IMPLEMENTATION**

#### **Operational Impacts**

The draft CMMP will require investment in the management of marine and coastal Crown land that the Borough manages. The draft CMMP identifies where further studies and works will be required and approximates a timeframe for delivery. This will inform work plans for a number of existing and future staff who are and will be charged with the responsibility of managing different elements of marine and coastal Crown land.

#### **Implementation Process**

The next steps associated with finalising the CMMP will involve ensuring the statutory requirements outlined in the *Marine and Coastal Act 2018* are complied with.

### **ATTACHMENTS**

1. Draft Borough of Queenscliffe Coastal and Marine Management Plan (Appendix 2)



## **18. GOVERNANCE & FINANCE**

### **18.1 Appointment of Council Portfolios and Delegates**

<b>File:</b>	<b>QG045-01-01</b>
<b>Author:</b>	<b>Chief Executive Officer</b>
<b>Portfolio:</b>	<b>Governance &amp; Finance</b>
<b>Portfolio Holder:</b>	<b>Vacant</b>

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#### **PURPOSE**

This report provides information to enable Council to allocate portfolio responsibilities and appoint Council delegates to various Committees, representative bodies and Community Reference Groups.

#### **EXECUTIVE SUMMARY**

This recommendation in this report furthers the objectives of Council Plan 2021 – 2025, Portfolio 5: Governance and Portfolio to provide a financially viable council that is accountable, transparent and practices good governance. It links to the community vision by encouraging an inclusive and engaged community.

The Council Plan 2021 – 2025 is structured around five Strategic Objectives:

- Health & Wellbeing
- Environment
- Local Economy
- Heritage, Planning & Infrastructure
- Governance & Finance

It is considered good practice for Council to consider representation, on an annual basis, to allow opportunities to affirm Council involvement and individual Councillor's participation on various Committees and representative bodies for the forthcoming 12 month period of office.

#### **RECOMMENDATION**

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

- determine the Councillor appointments to Portfolios for the next 12 month period;**
- determine its Councillor representatives on Council's Audit & Risk Committee;**
- determine its representatives on the CEO Performance Review Committee;**
- determine its Council Delegates for state, regional and local organisations as outlined in this report; and**
- determine its Councillor representation on the various Reference Groups outlined in this report.**



## **Councillors Hewitt / Grout**

### **That Council:**

- a) **Appoint the Councillor Portfolios for the next 12 month period as follows:**
  - **Health & Wellbeing – Cr Grigau**
  - **Environment – Cr Hewitt**
  - **Local Economy – Cr Ebbels**
  - **Heritage, Planning & Infrastructure – Cr Grout**
  - **Governance & Finance – Cr Salter**
- b) **Appoint Crs Ebbels, Salter and Hewitt as the Councillor representatives on Council’s Audit & Risk Committee.**
- c) **Appoint Crs Ebbels, Grigau and Grout as the Councillor representatives on the CEO Performance Review Committee.**
- d) **Appoint its Council Delegates for state, regional and local organisations as follows:**
  - **Association of Bayside Municipalities – Crs Hewitt and Grout**
  - **Barwon South West Government Waste Forum – Cr Hewitt**
  - **Geelong Queenscliffe Coastal Adaption Planning Project – Cr Grout**
  - **Geelong Regional Library Corporation Board – Crs Ebbels and Grigau**
  - **Geelong Heritage Centre Collection Advisory Committee – Cr Ebbels**
  - **Municipal Association of Victoria – Crs Ebbels and Hewitt**
  - **Rural Council of Victoria – Cr Ebbels**
  - **Tourism Greater Geelong & the Bellarine Board – Cr Ebbels**
  - **Bellarine Community Safety Group – Cr Grigau**
  - **G21 Regional Alliance Board – Cr Ebbels**
  - **G21 Arts, Culture & Heritage Pillar – Cr Grigau**
  - **G21 Economic Development Pillar – Cr Ebbels**
  - **G21 Education & Training Pillar – Cr Salter**
  - **G21 Environment Pillar – Cr Hewitt**
  - **G21 Health & Wellbeing Pillar – Cr Grigau**
  - **G21 Planning Pillar – Cr Grout**
  - **G21 Sports & Recreation Pillar – Cr Grigau**
  - **G21 Transport Pillar – Cr Grout**
- e) **Appoint its Councillor representation on the Reference Groups as follows:**
  - **Community Excellence Awards Reference Group – Crs Salter & Hewitt**
  - **Community Grants Advisory Reference Group – Grigau & Grout**
  - **Memorials & Plaques Reference Group – Salter & Ebbels**

**Carried**



## REPORT

### BACKGROUND

While there is no legislative or formal requirement to review Council Committees and delegates each year, it is regarded as good practice for Council to consider representation on an annual basis to allow opportunities to affirm Council involvement and individual Councillor's participation on various Committees and representative bodies for the forthcoming 12 month period of office.

The Council Plan 2021 – 2025 is structured around five Strategic Objectives.

Portfolio
Health & Wellbeing
Environment
Local Economy
Heritage Planning & Infrastructure
Governance & Finance

### DISCUSSION

#### ***Audit & Risk Committee***

In accordance with *Division 8 of the Local Government Act 2020*, Council must establish an Audit and Risk Committee. It is not a delegated committee and must include members both Councillors and non-councillors who have expertise in financial management and risk and experience in public sector management.

Council's Audit and Risk Committee membership comprises up to 3 Councillors and up to 4 independent members.

The four independent members (Roland 'Barney' Orchard, Richard Bull, Helen Butteriss and Graeme Phipps) have been appointed to ensure continuity of independent expertise over the remaining term of the Council.

Council's Chief Executive Officer and the Manager Finance and Corporate Services attend these meetings to provide information and advice in an ex-officio capacity. The Council appointed Internal Auditor and Victorian Auditor General appointed external auditor also attend these meetings to provide formal reports as required.

- Council's current representatives on the Audit and Risk Committee are Crs Ebbels and Salter.





### **CEO Performance Review Committee**

Council's CEO Performance Review Committee has comprised of the Mayor and one other Councillor. The *Local Government Act 2020* requires Council to review the performance of the CEO at least once each year. Section 18(1)(g) of the Act requires the Mayor to take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer. The Chief Executive Officer Employment and Remuneration Policy will be considered for adoption at this meeting.

- Council's current representatives on the CEO Performance Review Committee are Crs Ebbels and Salter.

### **Council Delegates**

Council is currently represented on a number of state, regional and local organisations. The current delegates are as follows:

<b>Organisation</b>	<b>2020/21 Councillor +/- Officer</b>
Association of Bayside Municipalities	Crs Hewitt / Grout
Barwon South West Local Government Waste Forum	Cr Hewitt
Geelong Queenscliffe Coastal Adaptation Planning Project (Our Coast)	Cr Grout
Geelong Regional Library Corporation Board	Cr Salter Cr Ebbels (Sub Representative)
Geelong Heritage Centre Collection Advisory Committee	Cr Grout
Municipal Association of Victoria	Cr Ebbels
Rural Council of Victoria	Cr Ebbels
Tourism Greater Geelong & the Bellarine Board	Cr Ebbels
Bellarine Community Safety Group	Cr Grigau
G21 Region Alliance Board	Cr Ebbels & CEO
G21 Arts, Culture & Heritage Pillar	Cr Grigau
G21 Economic Development Pillar	Cr Ebbels
G21 Education & Training Pillar	Cr Salter
G21 Environment Pillar	Cr Hewitt & Director Place
G21 Health & Wellbeing Pillar	Cr Grigau
G21 Planning Pillar	Cr Grout



Organisation	2020/21 Councillor +/- Officer
G21 Sport & Recreation Pillar	Cr Grigau
G21 Transport Pillar	Cr Grout

### ***Council Reference Groups***

The 2017–2021 Council Plan underlines Council’s commitment to valuing and drawing on the skills, knowledge and views of the local community through Community Reference Groups. Councillor representatives on Reference Groups have been typically appointed based on ‘portfolio’ responsibilities. The current reference groups and Council representatives are as follows:

Reference Groups	2020/21 Councillor representative/s
<i>Australia Day Awards Reference Group</i> renamed as Community Excellence Awards Reference Group	Crs Salter & Hewitt
Community Grants Advisory Reference Group	Crs Grigau & Grout
Memorials & Plaques Reference Group	Cr Salter

### **Options**

Option 1 – Allocate the portfolio responsibilities and appoint Council’s delegates to various Committees, representative bodies and Reference Groups.

Option 2 – request additional information or more time to allocate these responsibilities and delegations.

## **COMMUNICATIONS AND ENGAGEMENT**

### **Community Engagement**



There is no statutory requirement for community consultation associated with this report.

### **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.

### **Gender Equality Act 2020**

The *Gender Equality Act 2020* requires a Gender Impact Assessment to be undertaken when Council develops or reviews any Council policy, program or service that has a direct and significant impact on the public.

Has a Gender Impact Assessment been undertaken in respect of the matters in this Council Report?

No, as it is not considered the appointment of Councillors to portfolios and committees has a direct and significant impact on the public.

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

Not applicable.

### **Council Plan Alignment**

This report responds to Portfolio 5: Governance and Finance in the Council Plan 2021 – 2025, Priority 3 to provide *accountable and transparent governance*, specifically:

- Council is operating in an open and transparent matter
- Regular reporting to the community on Council performance and accountability
- Meet all legislative requirements of the *Local Government Act 2020*
- Limit the number of Council decision made *in camera*
- Ensure Council documents not subject to confidentiality or privacy law are publically available on the website and upon request.

### **Legal and Risk Implications**

There are no relevant legal or risk implications associated this report.

### **Related Documents**

Nil.

### **Disclosure of Interest**

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

## **CONSIDERATIONS**

### **Environmental Sustainability**

There are not economic, social, environmental and climate change implications associated with this report.



**Financial and resource implications**

There are no budget or resource implications associated with this report.

**Innovation and Continuous Improvement**

Not applicable.

**IMPLEMENTATION**

**Operational Impacts**

Not applicable.

**Implementation Process**

The Executive Assistant to the CEO, Mayor and Councillors will write to the various organisations informing them of the appointments.

**ATTACHMENTS**

Nil.



## 18.2 Council Meeting Schedule for 2022

<b>File:</b>	<b>QG0550108</b>
<b>Author:</b>	<b>Chief Executive Officer</b>
<b>Portfolio:</b>	<b>Governance and Finance</b>
<b>Portfolio Holder:</b>	<b>Vacant</b>

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### **PURPOSE**

This report seeks Council endorsement of its schedule of Ordinary Meetings of Council and Planning Review Meetings for the 2022 calendar year.

### **EXECUTIVE SUMMARY**

This report links to the community vision by *encouraging an inclusive and engaged community*. It responds to Portfolio 5: Governance and Finance in the Council Plan 2021 – 2025, specifically Priority 3, to provide *accountable and transparent governance*.

The fundamental purpose of Council meetings is to enable Council to fulfil the functions of a Council as detailed in section *Part 3 of the Local Government Act 2020*. Council practice has been to conduct Ordinary Meetings on a monthly basis.

The fundamental purpose of Planning Review Meetings is to review specific statutory planning applications. These meetings are designed to provide an opportunity for applicants and submitters to review information and to gain an increased understanding of those statutory planning applications where Council has formally removed officers' delegation in accordance with the *Planning & Environment Act 1987*.

Council is required to determine and publicly advertise the time and date for the holding of Ordinary Meetings of Council.

### **Councillors Grigau / Grout**

#### **That Council:**

- a) **That Council approve the schedule of Ordinary Meetings and Planning Review Meetings (when necessary) for 2022 as presented; and**
- b) **Publish the 2022 Council meeting dates in the local media and on the Council website**

**Carried**



## REPORT

### BACKGROUND

Council is required to determine and publicly advertise the time and date for the holding of Ordinary Meetings of Council. The fundamental purpose of Council meetings is to enable Council to fulfil the functions of a Council as detailed in Part 3 – Council Decision Making of the *Local Government Act 2020*. Council practice has been to conduct Ordinary Meetings on a monthly basis.

Council may hold a Planning Review Meetings to review specific statutory planning applications. These meetings are designed to provide an opportunity for applicants and submitters to present information to Council and for Council to gain an increased understanding of those statutory planning applications where Council has formally removed officers' delegation in accordance with the *Planning & Environment Act 1987*. These meetings have been scheduled on the second Wednesday of the month as required. It is important to note that Council has no delegated authority to make decisions at Planning Review Meetings.

Council may from time to time, hold Special Meetings at which extraordinary items may be considered. Special Meetings of Council can be called by the Mayor or at least 3 Councillors and may only deal with the business specified in the public notice regarding the meeting. Special meetings are conducted on an as needs basis and will be published in accordance with the *Local Government Act 2020*.

### DISCUSSION

The table below details the dates and time for Ordinary Meetings of Council and Planning Review Meetings for 2022.

<b>Ordinary Meetings of Council</b>	<b>Planning Review Meetings</b>
<b>Wednesday 23 February 2022 at 7:00pm</b>	<b>* Wednesday 9 February 2022 at 7:00pm</b>
<b>Wednesday 23 March 2022 at 7:00pm</b>	<b>* Wednesday 9 March 2022 at 7:00pm</b>
<b>Wednesday 27 April 2022 at 7:00pm</b>	<b>* Wednesday 13 April 2022 at 7:00pm</b>
<b>Wednesday 25 May 2022 at 7:00pm</b>	<b>* Wednesday 11 May 2022 at 7:00pm</b>
<b>Wednesday 22 June 2022 at 7:00pm</b>	<b>* Wednesday 8 June 2022 at 7:00pm</b>
<b>Wednesday 27 July 2022 at 7:00pm</b>	<b>* Wednesday 13 July 2022 at 7:00pm</b>
<b>Wednesday 24 August 2022 at 7:00pm</b>	<b>* Wednesday 10 August 2022 at 7:00pm</b>
<b>Wednesday 28 September 2022 at 7:00pm</b>	<b>* Wednesday 14 September 2022 at 7:00pm</b>
<b>Wednesday 26 October 2022 at 7:00pm</b>	<b>* Wednesday 12 October 2022 at 7:00pm</b>
<b>Wednesday 23 November 2022 at 7:00pm</b>	<b>* Wednesday 9 November 2022 at 7:00pm</b>
<b>+ Wednesday 14 December 2022 at 7:00pm</b>	<b>* Wednesday 7 December 2022 at 7:00pm</b>

*Ordinary Meetings of Council will typically be scheduled on the 4<sup>th</sup> Wednesday of the month unless otherwise indicated.*



\**Planning Review Meetings will only be held when required*

+ *This meeting will be held on the 3 Wednesday*

## Options

Option 1 – approve the Council meeting schedule for 2022 as presented.

Option 2 – request officers make changes to the proposed schedule before publishing.

## COMMUNICATIONS AND ENGAGEMENT

### Community Engagement



There is no statutory requirement for community consultation associated with this report. Council will publish a list of dates in the local media and on the public website.

### Collaboration

Collaboration with other councils is not required, however the proposed schedule is in line with other surrounding councils.

## 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*.

### Gender Equality Act 2020

The *Gender Equality Act 2020* requires a Gender Impact Assessment to be undertaken when Council develops or reviews any Council policy, program or service that has a direct and significant impact on the public.

Has a Gender Impact Assessment been undertaken in respect of the matters in this Council Report? No.

### Regional, State and National Plans and Policies

Not applicable.



### **Council Plan Alignment**

This report responds to Portfolio 5: Governance and Finance in the Council Plan 2021 – 2025, Priority 3 to provide *accountable and transparent governance*, specifically:

- Council is operating in an open and transparent matter
- Regular reporting to the community on Council performance and accountability
- Meet all legislative requirements of the *Local Government Act 2020*
- Limit the number of Council decision made *in camera*
- Ensure Council documents not subject to confidentiality or privacy law are publically available on the website and upon request.

### **Legal and Risk Implications**

There are no relevant legal or risk implications associated this report.

### **Related Documents**

Nil.

### **Disclosure of Interest**

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

## **CONSIDERATIONS**

### **Environmental Sustainability**

There are no economic, social, environmental and climate change implications associated with this report.

### **Financial and resource implications**

There are no budget or resource implications associated with this report.

### **Innovation and Continuous Improvement**

Council will continue to stream and record Council meetings for access via the website.

## **IMPLEMENTATION**

### **Operational Impacts**

The Council meeting schedule will be delivered in accordance with this schedule.

### **Implementation Process**

The Council meeting and Planning Review meetings will be conducted in accordance with the Governance Rules.

## **ATTACHMENTS**

Nil.





### 18.3 Review of Council Policies

<b>File:</b>	<b>Q055.01.12</b>
<b>Co-Authors:</b>	<b>Executive Project Officer Manager Finance &amp; Corporate Services</b>
<b>Portfolio:</b>	<b>Governance &amp; Finance</b>
<b>Portfolio Holder:</b>	<b>Vacant</b>

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#### **PURPOSE**

The purpose of this report is to consider one new Council policy and four revised Council policies:

1. CP053: Chief Executive Officer Employment and Remuneration
2. CP035: Complaint Handling
3. CP047: User Fees and Charges
4. CP019: Conservation Covenant Incentive
5. CP032: Local Government Performance Reporting Framework – To be revoked

#### **EXECUTIVE SUMMARY**

This recommendation in this report furthers the objectives of Council Plan 2021 – 2025, Portfolio 5, Governance and Finance: *To provide a financially viable Council that is accountable, transparent and practices good governance.* It links to the community vision *we have a welcoming, connected and diverse community that is supported by informed and consultative leadership.*

CP053: Chief Executive Officer Employment and Remuneration and CP035: Complaint Handling have been developed in accordance with the requirements contained in the *Local Government Act 2020*.

CP047: User Fees and Charges, CP019: Conservation Covenant Incentive CP032: Local Government Performance Reporting Framework have been presented to the Audit and Risk Committee for feedback and validation.

All the policies presented in this report are intended to heavily mitigate risk to Council by providing clear guidance.

#### **Councillors Grigau / Hewitt**

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

1. **adopts the following revised Council policies as presented:**
  - a) **CP053: Chief Executive Officer Employment and Remuneration**
  - b) **CP035: Complaint Handling**
  - c) **CP047: User Fees and Charges**
  - d) **CP019: Conservation Covenant Incentive**
2. **Revokes Council Policy CP032: Local Government Performance Reporting Framework**

**Carried**



## REPORT

### 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

#### **CP053: Chief Executive Officer's Employment and Remuneration – New (in accordance with the *Local Government Act 2020*)**

The *Local Government Act 2020* (the Act) requires Council to have a Chief Executive Officer (CEO) Employment and Remuneration policy in place by 31 December 2021.

The purpose of the policy is to outline the way in which Council will manage the recruitment and appointment of its Chief Executive Officer. The Chief Executive Officer Employment and Remuneration Policy must provide for Council to obtain independent professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration Policy. The policy also must provide for the following:

- the recruitment and appointment process;
- provisions to be included in the contract of employment;
- performance monitoring;
- an annual review; and
- include any other matters prescribed by any Local Government regulations.

#### **CP035 Complaints – Revised (in accordance with the *Local Government Act 2020*)**

This policy was first adopted by Council in December 2016. The purpose of this policy is to ensure that the community can raise their complaints with Council easily and with confidence that Council will listen to their concerns and handle their complaints fairly and objectively.

The *Local Government Act 2020* (the Act) requires Council to have a complaints policy that has been developed in accordance with the Act, in place by 31 December 2021.



Key amendments to the existing policy are:

- Update to the definition of 'Complaint' to be in accordance with definition in the *Local Government Act 2020*
- Update to title of and reference to *Public Interest Disclosures Act 2012*
- Update to position titles of Council officers where necessary
- Inclusion of a paragraph to affirm Council's commitment to ensure the complaints process is accessible to everyone

#### **CP047: User Fees and Charges – Revised**

This policy was first adopted by Council in March 2019. The purpose of this policy is to supplement Council's Revenue and Rating Plan, for the setting of fees and charges, which is applied consistently across the Borough in order to enhance accountability and provide transparency to the community in Council's decision making process.

Officers have reviewed this policy and have taken into consideration recommendations from internal audits and feedback from Council's Audit and Risk Committee.

Key amendments to the policy are:

- Updated to legislative requirement in accordance with the requirements of the *Local Government Act 2020*
- Change to wording to refer to the new revenue and rating plan
- Include clarification that fees and charges will be developed as part of the annual budget process, allowing the community and key stakeholders to provide feedback prior to adopting the fees and charges

#### **CP019: Conservation Covenant Incentive – Revised**

This policy was first adopted by Council in August 2006, and was last reviewed in January 2019. The purpose of this policy is to determine circumstances when Council will offer a rate incentive via a Conservation and Land Management Rebate. The aim of this rate incentive is not to compensate landholders for lost land use opportunities, but rather to provide a contribution to the costs of managing and protecting the conservation values of their land.

Officers have reviewed this policy and have taken into consideration recommendations from internal audits and feedback from Council's Audit and Risk Committee.

Key amendments to the policy are:

- Inserted sentence to make it clear that an agreement with an approved Covenant Scheme Provider is a prerequisite for Council to consider any application under this policy.



### **CP032: Local Government Performance Reporting Framework (LGPRF) – To be revoked**

This policy was first adopted by Council in April 2015, and last reviewed in March 2018. The purpose of this policy was to affirm Council’s commitment to achieving the LGPRF statutory reporting requirements, and to keeping its community continually informed of its performance.

Now that the framework has been in place for a significant period of time, it has become evident that there is no requirement and it is not necessary for Council to have a separate policy for the following reasons:

- It is a statutory requirement in the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*
- Local Government Victoria issue an annual better practice guide with the latest up to date information regarding the LGPRF to assist Councils in meeting their requirements.

Officers therefore recommend that CP032 LGPRF be revoked.

#### **Options**

Option 1 – adopt the officer recommendation as presented.

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

## **COMMUNICATIONS AND ENGAGEMENT**

### **Community Engagement**



Council’s Audit and Risk Committee have been engaged in the review process of the finance related policies presented in this report.

All Council polices are published on Council’s website under the ‘council – publications, strategies and reports’ tab and are communicated internally to all staff. Targeted communication will be undertaken with those staff who hold responsibilities in each policy presented.

#### **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.



### **Gender Equality Act 2020**

The *Gender Equality Act 2020* requires a Gender Impact Assessment to be undertaken when Council develops or reviews any Council policy, program or service that has a direct and significant impact on the public.

Has a Gender Impact Assessment been undertaken in respect of the matters in this Council Report? No; while the policies presented in this report may have an impact on the public, it is not considered sufficiently significant to require a Gender Impact Assessment.

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

Not applicable.

### **Council Plan Alignment**

Strategic Objective 5 Governance and Finance: To provide a financially viable Council that is accountable, transparent and practices good governance.

- Maintain and build the financial sustainability of the Borough
- Accountable and transparent governance

### **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.

### **Related Documents**

As referenced 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. Tasks associated with both policies presented in this report fall within current responsibilities of existing officers.

### **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.

## **ATTACHMENTS**

1. CP053: Chief Executive Officer Employment and Remuneration (Appendix 3a)
2. CP035: Complaint Handling (Appendix 3b)
3. CP047: User Fees and Charges (Appendix 3c)
4. CP019: Conservation Covenant Incentive (Appendix 3d)
5. CP032: Local Government Performance Reporting Framework (Appendix 3e)



## **19. AUTHORISATION OF SIGNING & SEALING OF DOCUMENTS**

No reports to consider.

## **20. QUESTIONS WITHOUT NOTICE**

### **20.1 Questions Without Notice Status Update**

No Questions Without Notice outstanding.

### **20.2 Questions Without Notice**

Nil.

## **21. LIST OF COUNCIL MEETINGS**

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

PLANNING REVIEW MEETING

Wednesday 8 December 2021 at 7:00pm (if required)

COUNCIL MEETING

Wednesday 15 December 2021 at 7:00pm



## **22. CLOSED SESSION OF MEETING**

**Time: 7:40pm**

**Councillors Hewitt / Grout**

**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:**

### **22.1 Confirmation of 27 October 2021 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.**

**Carried**

**Time: 7:42pm**

**Councillors Grout / Hewitt**

**That Council reopen the meeting and resume standing orders.**

**Carried**

## **23. RATIFICATION OF CONFIDENTIAL ITEMS**

**Councillors Hewitt / Grigau**

**That the decisions made in camera be ratified by Council.**

**Carried**

## **24. CLOSE OF MEETING**

The meeting closed at 7:43pm.





## ADJUNCT TO 9 – RECORD OF ASSEMBLY OF COUNCILLORS

An Assembly of Councillors is a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:

- the subject of a decision of the Council; or
- subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

An Assembly of Councillors does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139 of the *Local Government Act 1989* a club, association, peak body, political party or other organisation.

Attendees	Apologies	Time	Matters discussed	Conflict of interest disclosures
<b>Assembly Meeting – 27 October 2021</b>				
Via videoconference (Zoom)				
Cr Ross Ebbels, Mayor Cr Donnie Grigau Cr Michael Grout Cr Fleur Hewitt Cr Susan Salter Martin Gill, CEO Johann Rajaratnam, DP Shannon Maloney, MC  Phil Shanahan, Consultant Bridie Ogle, EPO Brydon King, CSP	Nil	2:30pm – 5:10pm  2:30pm – 5:00pm  2:30pm – 3:30pm & 4:15pm – 5:10pm 2:30pm – 2:55pm  2:30pm – 3:10pm 3:15pm – 4:00pm	1. Review of Council Policies <ul style="list-style-type: none"> <li>• CP053 CEO Employment &amp; Remuneration</li> <li>• CP035 Complain Handling</li> </ul> 2. Planning Briefing: <ul style="list-style-type: none"> <li>• 2021/065 – 13 Williams Road, Point Lonsdale</li> <li>• 2021/078 – 8 Beach Street, Queenscliff</li> <li>• 2021/083 – 43 Hesse Street, Queenscliff</li> </ul>	Nil



Attendees	Apologies	Time	Matters discussed	Conflict of interest disclosures
<b>Assembly Meeting – 3 November 2021</b>				
Via videoconference (Zoom)				
Cr Ross Ebbels - Mayor Cr Donnie Grigau Cr Michael Grout Cr Fleur Hewitt Cr Susan Salter Martin Gill, CEO Johann Rajaratnam, DP Gihan Kohobange, MFS  Peter McLean, RIE Ben Krastin, & Aaron Walley, Ratio Consultants Stuart Hansen, MIE	Nil	2:30pm– 3:10pm & 3:30pm – 5:00pm 3:30pm – 5:00pm 3:30pm – 4:30pm 3:30pm – 4:30pm 3:30pm – 5:00pm	<ol style="list-style-type: none"> <li>1. Review of Council Policies <ul style="list-style-type: none"> <li>• CP047: User Fees and Charges</li> <li>• CP019: Conservation Covenant Incentive</li> <li>• CP017: Local Government Performance Reporting Framework to be revoked</li> </ul> </li> <li>2. Hesse Street public toilet update</li> <li>3. Active transport strategy</li> <li>4. Ocean Road footpath proposal</li> </ol>	Nil
<b>Assembly Meeting – 17 November 2021</b>				
Queenscliff Town Hall				
Cr Ross Ebbels - Mayor Cr Donnie Grigau Cr Michael Grout Cr Fleur Hewitt Cr Susan Salter Martin Gill, CEO Johann Rajaratnam, DP Stuart Hansen, MIE	Shannon Maloney, MC	2:30pm – 5:25pm  2:30pm – 5:03pm  2:30pm – 4:00pm	<ol style="list-style-type: none"> <li>1. Coastal &amp; Marine Management Plan</li> <li>2. Queenscliff Town Hall project update</li> <li>3. Conflicts of interest</li> <li>4. Council meeting dates 2022</li> <li>5. Queenscliffe Management and operation review</li> </ol>	Nil



Dinah O'Brien, SP		2:30pm – 4:00pm		
Jenni Walker, HRGC		4:15pm – 5:05pm		
Jackie Fletcher, EA		4:15pm – 5:05pm		

ADO – Arts Development officer	BSA – Business Services Accountant	CC – Coordinator Communications
CEO – Chief Executive Officer	CERP – Projects Officer, Climate Emergency Response Plan	CO – Communications Officer
COVID BSO – COVID Business Support Officer	CSC – Community Services Coordinator	CSP – Contract Senior Planner
CSRO – Community Stakeholder Relations Officer	DP – Director Place	EA – Executive Assistant to the CEO, Mayor and Councillors
EAGMPI – Executive Assistant General Manager Planning & Infrastructure	EPO – Executive Project Officer	EPO – Executive Projects Officer
HRGC – Human Resources & Governance Coordinator	MC – Manager Community	MFS – Manager Finance and Corporate Services
MIE – Manager Infrastructure & Environment	ODCS – Organisational Development Customer Service & ICT services	PPL – Planning Program Leader
RC – Rates Coordinator	RIE – Roads & Infrastructure Engineer	SLEO – Senior Law Enforcement Officer
SP – Strategic Planner	TPTL – Tourist Park Team Leader	



**ADJUNCT TO 7.1 – PUBLIC QUESTIONS STATUS UPDATE**

No public questions outstanding.

**ADJUNCT TO 10.1 – NOTICE OF MOTION STATUS UPDATE**

No Motions on Notice outstanding.

**ADJUNCT TO 20.1 – QUESTIONS WITHOUT NOTICE STATUS UPDATE**

No Questions Without Notice outstanding.