



Minutes

Ordinary Meeting of Council

Wednesday 26 October 2022 at 7:00pm

Queenscliff Town Hall

Distribution List

Councillors

Cr Ross Ebbels – Mayor
Cr Fleur Hewitt – Deputy Mayor
Cr Donnie Grigau
Cr Michael Grout
Cr Isabelle Tolhurst

Officers

Martin Gill – Chief Executive Officer
Tim Crawford – Manager Planning & Community Safety
Gihan Kohobange – Manager Finance and Corporate Services
Shannon Maloney – Manager Community
Stuart Hansen – Manager Infrastructure and Environment
Matt Gibbs – Acting Communications Coordinator
Jackie Fletcher – Executive Assistant to the CEO, Mayor & Councillors
Jenni Walker – HR & Governance Coordinator



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

Appendix	Title	Agenda Item	Distribution
Appendix 1	Quarterly Financial Report to 30 September 2022	16.2 2022–23 Quarterly Financial Report as at 30 September 2022	Under separate cover
Appendix 2	Annual Report 2021–2022	16.3 Annual Report 2021–2022	Under separate cover
Appendix 3	S6 Instrument of Delegation – Members to Staff	16.4 Instrument of Delegation	Under separate cover
Appendix 4a	CP002 Community Service Awards	16.5 Review of Council Policies	Under separate cover
Appendix 4b	CP029 Use of Council Facilities	16.5 Review of Council Policies	Under separate cover



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 Fleur Hewitt

Cr Michael Grout

Cr Isabelle Tolhurst

Martin Gill, Chief Executive Officer

Tim Crawford, Manager Planning & Community Safety

Shannon Maloney, Manager Community

Stuart Hansen, Manager Infrastructure and Environment

Matt Gibbs, Acting Communications Coordinator

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

Jodie Hunt, Financial Services Coordinator

Apologies:

Gihan Kohobange, Manager Finance and Corporate Services

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: Councillors: Cr Hewitt declared a conflict of interest in respect to item 15.1 Planning Permit Activity Report, for Planning Application 2022/098 for the alterations and extension to an existing dwelling at 48 Flinders Road, Queenscliff. Cr Hewitt declared that she resides and owns in close proximity to the subject property. There is no decision to be taken on this item.

Officers: Nil.



4. LEAVE OF ABSENCE OF COUNCILLOR

This morning, the CEO received advice from Cr Donnie Grigau indicating that he will be taking a leave of absence from Council, effective immediately, from today until Monday 28 November 2022.

Councillors Tolhurst / Hewitt

That Council grant a leave of absence to Cr Grigau from 26 October to 28 November 2022.

Carried

5. PUBLIC QUESTION TIME

5.1 Public Questions Status Update

No public questions are 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.

The Mayor advised Council that four public questions had been received by Council within the prescribed timelines.

Public Question 1 from Carmen Bell

I note that the quarterly governance report lists 2 pending planning scheme amendments, ie C37quen and C39quen. However, the Planning Report does not despite agreement in 2018 to do so (see attached excerpt of Council Minutes). Could this be corrected?

Response by the Mayor

As requested, Planning Scheme Amendments C37 and C39 will be included in the Planning Permit Activity Reports. Any future planning scheme amendments will be incorporated into the Planning Permit Activity Report once Council have resolved to seek permission from the Minister to exhibit.

Public Question 2 from Bob Ward

'Why wont the council open victoria park green zone area for campers of the qrr for week 1 feb to 7 feb 2023" ?



Spoken to various people including shop retailers regarding the Queenscliff Council situation and the matter of the extra week. It has been suggested to lodge question on line and attend Council meeting Wed 26 October to actually speak up in this regard.

It is only one extra week as that area is at present scheduled to close four (4) days prior to our event, specifically Fri 3- Sun 5 February. There is a need to accommodate our participants who have been attending for many years. It is paramount that we have disabled access and toilets within walking distance for those who have always used that site.

We believe an exception has been made for the Music Festival.

Response by the Mayor

The Policy adopted by Council at the 24 August 2022 Ordinary Meeting provides for camping in this area for 6 weeks each year. February falls out of this period. There are other sites across the Queenscliff Tourist parks that are available for camping during February.

Public Question 3 from Queenscliffe Community Association

It is understood Council has \$40,000 allocated to replanting Victoria Park from budgeted funds. Today a questionable series of treated pine posts are being dropped around the park some near tree roots of aged Moonah trees. It was understood fencing was to be minimal and low impact. It is generally understood design standards for a heritage park should be both consistent in traditional fence design and also aesthetically pleasing given the Parks noted importance and amenity.

The QCA has made numerous requests after the destruction to Victoria Park of the budget expended on tree removals and associated works. It has requested an updated and current works / Vic Park inspection spreadsheet detailing the full losses and works completed since receiving a spreadsheet in about June.

Can Councillors detail the timeline for replanting and when such reports will be made available for transparency and accountability purposes.

Councillors may wish to comment on the latest operational works in Victoria Park in the context of heritage and environmental outcomes and whether it meets their expectations.

Response by the CEO

Replanting of Victoria Park has commenced with the Queen's Jubilee planting project holding planting days on 9 October and 23 October this year. A planting plan is being developed for the central reserve areas detailing proposed species, planting densities and schedules for planting. A briefing on this plan will be presented to Council on 14 December 2022.

Planting will occur over a number of years to ensure a wider age distribution of trees is achieved. It is proposed that the plan for planting within the central reserves commences in April 2023 when seasonal conditions are favourable.



Public Question 4 from David Connoley

The Dry Moat at Fort Queenscliff has been subject to regular flooding thanks to the Council engineered drainage solution that has increased the impacts on this Commonwealth heritage asset. It is noted the ocean outfall is blocked adding increased volumes to the Dry Moat.

The Dry Moat has been considered to provide a unique heritage walkway opportunity as part of the celebration of the Shortland's Bluff vantage point and regeneration of this important public area. Regular flooding of this limits this potential.

In this context the in excess of over \$200,000 Government funded Deloitte Report has been promised to be made available some time ago and yet has not been disclosed or released.

Can a copy of the Deloitte report be tabled to the public and can Council also provide an update on the vegetation clearance being carried out by BCN on Shortland's Bluff?

Response by the CEO

Mr Connoley has asked two questions. I will answer the second question and take the first one on notice. The Bellarine Catchment Network has advised Council that they are not in a position to commence works until after the Australia Day weekend in 2023. Council has asked them to review this time frame and to let us know if there is anything Council can do to bring that forward.

6. CONFIRMATION OF COUNCIL MEETING MINUTES

6.1 Ordinary Meeting of Council – 28 September 2022

A copy of the previous Minutes of the Ordinary Meeting of Council held on 28 September 2022 was distributed to Councillors under separate cover.

Recommendation

That the Minutes of the Ordinary Meeting of Council of the Borough of Queenscliffe held on 28 September 2022, as distributed, be confirmed as an accurate record.

Councillors Tolhurst / Hewitt

That the Minutes of the Ordinary Meeting of Council of the Borough of Queenscliffe held on 28 September 2022, as amended, be confirmed as an accurate record.

Carried



7. RECORD OF INFORMAL MEETINGS OF COUNCILLORS

A Record of Informal Meetings of Councillors is included at Adjunct to Item 7:

- 21 September 2022 – Councillor Assembly Briefing
- 28 September 2022 – Councillor Assembly Briefing
- 5 October 2022 – Councillor Assembly Briefing
- 10 October 2022 – Coastal and Marine Management Plan Inception Meeting
- 11 October 2022 – Disability Lived Experience Meeting Inception Meeting
- 19 October 2022 – Councillor Assembly Briefing

Councillors Grout / Hewitt

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

Carried

8. NOTICE OF MOTION

8.1 Notice of Motion Status Update

Councillors Hewitt / Tolhurst

That the Notice of Motion Status Update, as presented in Adjunct to Item 8.1, be noted.

Carried

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 Letter from concerned citizens of Point Lonsdale

File: QS820

Council received a petition addressed to the Councillors and Executives of the 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:

Letter from concerned citizens of Point Lonsdale

We have read in the September newsletter of the Point Lonsdale Civic Association under the heading "Kirk Road Roundabout" that "the Borough of Queenscliff Council has advised the end of the 12-month trial for temporary roundabout at the corner of Kirk Road and Winterly Road."

The article then goes on to give the clear impression that the PLCA wishes to see the existing round about removed.

We, the undersigned, are residents in Kirk Road between the roundabout and Point Lonsdale Road and regular users of Kirk Road and especially the section of it between the round about and Point Lonsdale Road.

All of us have seen the benefits of restricting the speed of traffic in Kirk Road particularly that travelling in an easternly direction.

There is no doubt that some form of physical speed restriction is required in order to preserve the safety of pedestrians, young people on bikes, skateboards, scooters and especially cars entering and exiting properties at the eastern end of Kirk Road.

With the onset of school holidays, and the summer season we urge the Council to retain the existing roundabout until an alternative physical speed restriction structure can be approved and put in place.

There is no doubt in our minds that if there is no physical speed restriction in place there is a real danger of injury or even worse occurring at the eastern end of Kirk Road.

The petition was signed by 19 people all listed as residents of Kirk Road, Point Lonsdale.

Councillors Grout / Tolhurst

That Council receives the petition, and the petition lays on the table until 23 November 2022.

Carried



10. FUNCTIONS ATTENDED

Council was represented at the following meetings and functions between 21 September and 19 October 2022:

Date	Function Attended
23 September 2022	Australian Institute of Company Directors Course online (Cr Hewitt & Cr Tolhurst)
28 September 202	Barwon South West Climate Alliance Planning for a Safe Climate webinar (CEO, Cr Ebbels & Cr Tolhurst)
29 September 2022	Southeast Bellarine Coastal Project - Land Management Group via videoconference (CEO)
29 September 2022	Visit to the Searoad Ferry Terminal construction site (Cr Ebbels)
3 October 2022	Reconciliation Action Plan meeting with Wadawurrung via videoconference (CEO)
3 October 2022	Music for people on Wadawurrung Country VIP Launch (CEO, Cr Ebbels, Cr Hewitt, Cr Tolhurst & Cr Grout)
4 October 2022	Marine and Coastal Strategy Implementation Collaboration Network launch via videoconference (CEO)
4 October 2022	Barwon Regional Partnership Meeting via videoconference (CEO)
5 October 2022	Department of Jobs, Precincts and Regions, CEOs and Municipal Association of Victoria Forum via videoconference (CEO)
5 October 2022	Meeting with Minister Shaun Leane & Alison Marchant (CEO & Cr Ebbels)
6 October 2022	Heritage Collection Advisory Committee Meeting (Cr Ebbels)
7 October 2022	G21 Board Meeting (CEO & Cr Ebbels)
7 October 2022	Queenscliff Historical Museum Launch: Queenscliffe Revealed – Hidden Histories & New Narratives (Crs Ebbels, Tolhurst & Grout)
7 October 2022	Distinctive Areas and Landscapes launch in Ocean Grove (Cr Ebbels)
9 October 2022	Queenscliff Lonsdale Yacht Club Annual General Meeting (Cr Ebbels)
9 October 2022	Queen's Jubilee Commemorative Event (Crs Ebbels, Hewitt, Grout & Tolhurst)
11 October 2022	Local Government CEO meeting with DELWP and Recycling Victoria (CEO)
11 October 2022	Borough After 5 Event (CEO, Crs Ebbels, Hewitt, Grout & Tolhurst)
11 October 2022	Point Lonsdale Lighthouse Reserve site visit (Cr Ebbels)
12 October 2022	G21 Sustainability Pillar meeting via videoconference (Cr Hewitt)



Date	Function Attended
12 October 2022	Geelong Heritage Group Meeting (Cr Ebbels)
13 October 2022	Municipal Association of Victoria Annual Conference & Dinner (CEO & Cr Ebbels)
14 October 2022	Municipal Association of Victoria State Council Meeting (CEO & Cr Ebbels)
14 October 2022	Australian Institute of Company Directors Course online (Cr Hewitt & Cr Tolhurst)
14 October 2022	Point Lonsdale Bowls Club 90 Years Celebration (Cr Ebbels)
16 October 2022	Queenscliff Lonsdale Yacht Club 75th Opening Day (Cr Ebbels)
17 October 2022	Climate Emergency Response Plan Community Leaders Forum #4 (CEO, Crs Ebbels, Hewitt, Grout & Tolhurst)
18 October 2022	Association of Bayside Municipalities Councils Event: Victoria's Digital Twin – application in coastal planning and management via videoconference (Cr Grout)

Recommendation

That the Functions Attended report be received.

Councillors Tolhurst / Grout

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

Carried



11. CHIEF EXECUTIVE OFFICER

11.1 Chief Executive Officer Report

PURPOSE

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

REPORT

Wadawurrung Cultural Awareness Training

During October Council is facilitating Wadawurrung Cultural Awareness Training. Ashlee Skinner Ngarrwa Officer, Wadawurrung Man and traditional owner, is leading the sessions which begin at Wirng Wirng and take the participants around the Borough to walk on Country and learn more about Wadawurrung culture and connection to the land. The following topics are discussed at the Cultural Awareness sessions:

- Seasonal and coastal weather conditions and traditional camping areas
- Beach access looking out towards Palawa and Boonwurrung country
- Sand dunes and midden sites and the significance of heritage management
- Erosion control and management protection of sites – Pallert Djarra Dja
- Fishing tactics and language for fish and fire
- Moonah trees and tea tree country, the knowledge of how to care for our trees
- Warragul greens bush food and medicine
- Rabbits and invasive pest species

Reflect Reconciliation Action Plan

Tiamanno Consultants have been engaged by Council to help finalise our Reflect Reconciliation Action Plan (RAP). A RAP is a formal statement of the organisation's commitment to reconciliation, it is also a significant step in the journey to restoring equity and access for Australia's First Nations People.

The RAP will be developed in consultation with the Borough of Queenscliffe and First People stakeholders and will be tailored to the needs of the organisation and the local First People community. The RAP will be underpinned by the Reconciliation Australia template and framework; and other key relevant documents including Strategic Plans, and the Victorian State government and local government's frameworks for Aboriginal Health, Wellbeing and Safety.

Music for people on Wadawurrung Country

Council would like to acknowledge the Queenscliff Primary School, including the First Nations Studies teacher Kelly Caldwell, on the successful launch of the 'Songtimes' project at New Hall earlier this month.



Students performed a series of songs in traditional Wadawurrung language as part of a collaboration with the Wadawurrung Traditional Owners Aboriginal Corporation to increase knowledge of Wadawurrung language and culture.

The 'Songtimes' project was officially launched with eight children taking part in the performance of five songs that teach the Wadawurrung names of plants, birds, colours, body parts and phrases. The 'Songtimes' recordings and stories are sold as part of a songbook illustrated by Wadawurrung artist Billy-Jay O'Toole and can be purchased via songtimes.au.

Municipal Association of Victoria Annual Conference

On 13 October 2022, the CEO and Mayor attended the MAV conference held at the Arts Centre Melbourne with the key theme 'Transcending Boundaries – A Bold New Era'. The theme of the conference was the significant disruption faced by councils as they deal with a range of issues including population change, economic recovery, budget constraints, financial sustainability, climate action, circular economy, and rising demands and expectation on services.

Simon Kuestenmacher, Co-Founder of The Demographics Group, provided some great insights into the aging population in Australia and the ongoing importance of locating key working housing in proximity to where people are choosing to age in place.

He also spoke about the impact of the contemporary seamless transactions in the service industry, on organisations like Council, and the expectations that brings to the provision of services.

Professor Eleanor Bourke AM, Chair of the Yoorrook Justice Commission, spoke about the journey toward truth and treaty and the importance of meaningful transformation of systems and legal impediments that limit self-determination.

She also spoke about heritage and the public record which does not record the systematic injustice and is missing the first peoples 'side of the story.' And reminded us that in order to understand we must listen.

Finally, she spoke about the role of local government and the importance protecting and enhancing traditional lands.

Professor Eleanor Bourke AM was followed by the CEO of Merri-bek Council (formerly Moreland), Cathy Henderson, who spoke about the story and process that led to the name change and the relationship developed with the Wurundjeri Woi Wurrung traditional owners, which led to a better understanding about the importance of language and naming country.

Dr Stephen Rowley, a planning expert and adjunct Senior Lecturer, Monash University, provided some well received insights in the Victoria Planning System, and in addition to stating that regulation should involve the smallest imposition for the maximum benefit, he also left us with one of the lines of the conference – *the Victorian Planning system is a car built by people who don't drive*.



George Megalogenis, journalist, political & economic commentator and author provided a series of insights born out of the recent election results and the 2021 census data, and showed a country realigning itself around three majorities:

- City populations
- Professional women
- Migrants

He said that the data now tells us that the typical Australian might now be described as a professional woman living in Melbourne or Sydney whose parents are first generation migrants. He went on to speak about the impact of this new paradigm in politics and how we understand Australia. He finished with an idea to consider and challenged us to see that the underlying cohesive narrative in Australia is the story of the First Nations people.

MAV State Council Meeting

On 14 October, the CEO and Mayor attended the MAV State Council Meeting. Seventy of the seventy-nine member councils from across Victoria attended the meeting. David Clarke, MAV President, Anthony DeJong, Chief Financial Officer and Kerry Thompson, CEO, provided updates before the meeting considered thirty-four motions.

Motions for decision included items addressing affordable housing, flood inundation and coastal erosion and community batteries. The delegates also considered motions on the Commonwealth Home Support Program, mental health, jobs and employment pathways for youth, disaster recovery support for councils, and stronger cooperation between councils and Parks Victoria.

Queen's Jubilee Planting at Victoria Park

On Sunday 9 October 2022, the Queenscliffe Environment Forum and Friends of Victoria Park held a commemorative planting event at Victoria Park. Council assisted the local group to secure grant funding from the Federal Government and helped prepare the site. Libby Coker MP and Cr Hewitt were one of the first to plant a tree on site. Approximately 300 plants from local indigenous nurseries will be used to rejuvenate the Victoria Park as part of the Queen's Jubilee Tree Planting Grant.

Councillors Hewitt / Grout

That Council receives the Chief Executive Officer Report for October 2022.

Carried



12. HEALTH & WELLBEING

No reports to consider.



13. ENVIRONMENT

13.1 Environmental Health Update

File: QG1500102

Co-Authors: Environmental Health Coordinator
Manager Planning & Community Safety

Portfolio: Environment

Portfolio Holder: Cr Hewitt

PURPOSE

The purpose of this report is to provide Council with an update on the work undertaken in the Environmental Health department, specifically in relation to indirect impacts through natural or human systems affected by climate change. These include vector borne disease, zoonotic diseases, food borne illness, exposure to mycotoxins, nutritional values of food and exacerbation of existing chronic diseases.

EXECUTIVE SUMMARY

The Council Plan 2021–25 has five health and wellbeing priorities. Tackling climate change and its impact on health is one of these priorities.

This report links to the community vision *our community encourages an active and outdoor lifestyle and nurtures the welfare of all* and provides an update on the actions and status of the indirect impacts of climate change relevant to environmental health as per the health and wellbeing priorities in the Council Plan 2021–25.

Councillors Hewitt / Tolhurst

That Council notes the Environmental Health update.

Carried



REPORT

BACKGROUND

The Environmental and Public Health department at the Borough of Queenscliffe (BoQ) manages a range of issues including:

- Monitoring and educating registered businesses regarding public health matters;
- Mosquito management and vector borne disease;
- Complaints regarding wood smoke, noise, odour and asbestos;
- Infectious and communicable diseases; and
- Events (in relation to public health) and tobacco regulations.

The discussion section details actions and commentary relevant to disease, illness and food control including those linked to the indirect impacts of climate change within the Environmental Health Coordinator's responsibilities.

Council is taking a proactive approach regarding food borne illness, exposure to mycotoxins, vector borne disease, zoonotic diseases, exacerbating existing chronic diseases and nutritional values of food. Council has plans in place or in development to appropriately manage these issues in alignment to community health and wellbeing Council Plan priorities.

DISCUSSION

Vector borne disease

Vector borne disease in the Borough of Queenscliffe is an ongoing issue that is dependent on our climate and the changes that occur naturally. A Mosquito Management Plan is in place, managed by the City of Greater Geelong (COGG), and provides for the trapping, treating and monitoring of any mosquitos on both an ongoing and as needed basis. The main vector borne diseases in the area are Mycobacterium Ulcerans (Buruli ulcer) and Ross River virus. The emerging Japanese Encephalitis is yet to be found in the BoQ.

Mosquitoes found in the BoQ are being tested for Japanese Encephalitis to determine if they are carrying the virus. The Department of Health (DH) has requested all councils to assist with monitoring this disease and to be proactive in raising awareness of where this disease may be spreading.

There is evidence showing Mycobacterium Ulcerans (Buruli ulcer) is not caused by mosquitoes. It is an environmental infection whereby the mosquito bite is the direct entry point for other infections to enter the person's blood stream causing the ulcer whilst the person may be outside in contact with other natural matter.

There have been 227 Ross River virus infections across Surf Coast shire, City of Greater Geelong, and the Borough of Queenscliffe in 2021, with 21 cases (to date) across these regions in 2022.



An application for an ongoing permit to treat and trap in Ramsar wetlands has been made and is still under assessment by the state government. Whilst awaiting approval, Council can monitor, trap and treat in Lakers Cutting and the wetlands adjacent to Murray Road, but Swan Bay cannot be treated due to it being a Ramsar wetland.

Once the permit is granted, all Council areas will then be able to be monitored and treated as required on an ongoing basis, however contracts for aerial treatment will need to be let and tenders for an ecological study will be sought for Swan Bay.

As at 6 October 2022 Council is currently trapping approximately 500 mosquitoes on average with the predominant species being *Aedes Camptorhynchus* which love to breed in mud and low volumes or pockets of water. *Camptorhynchus* can fly anywhere between 15-50km at any point. This mosquito breed visually is small, fast and aggressive in nature. *Aedes notoscriptus* is the other main breed of mosquito found in the BoQ which visually have black and white stripes on their body, are large, slow and noisy and are found in freshwater containers like buckets, tyres, tins and ponds.

Mosquito increases in the Borough are more frequent in warmer weather; this is different to other regions where mosquitoes are predominant after heavy downpours of rain.

The *Public Health and Wellbeing Act 2008* is the enforceable legislation to issue directions and penalty infringement notices to individuals who fail to comply with directions to clean up their property to assist with mosquito management.

Zoonotic diseases

Zoonotic diseases are infectious diseases that can pass from animals to humans. Council runs education and prevention programs around these diseases depending on the current themes in our region, as well as visiting businesses, and providing signage and media information as needed. For instance, Council has recently educated food businesses that allow dogs to dine outside restaurants to ensure that business owners are aware the dogs cannot eat/drink off the plates and cups used for food and drinks and that adequate cleaning and sanitising methods are in place to prevent any risk of illness.

Food and water sampling is done on an annual basis in the BoQ. In June 2022 food samples from a variety of premises were tested against a standard set of measure that reveal basic cleanliness and hygiene. One of the reasons why bacteria levels in food may rise is due to the lack of staff knowledge in relation to food safety and the required standards of cleanliness.

Public health matters may also reach the BoQ upon notification by the DH. Once a notification is received from DH, Council ensures the business is fully investigated to determine the reason for the health breach. While education is always the first step, relevant enforcement is taken when appropriate.



Food Borne illness

Food borne illnesses occur for a variety of reasons. Food can be contaminated at any point from paddock to plate and it is important for our community and particularly registered food businesses to be aware of necessary food safety to prevent this from occurring.

Council takes a regular proactive approach regarding the prevention of food borne illnesses via the conducting of regular food inspections and providing educational information as required. A risk matrix is used to record what is required and what steps need to be taken to rectify an outstanding or potentially hazardous issue(s).

Regular food sampling is conducted at local businesses on a state legislative schedule or via complaint or notification from the DH to ensure that the overall health of our businesses represents what is being seen during annual inspections, and also to capture any issues needing attention.

Reactive measures are taken once notified from the DH of a food borne illness. Once a notification is received, Council conducts a thorough investigation to determine if the illness was obtained from either a place of residence or a registered business. If determined it occurred at a business, a follow up inspection occurs including outlining the necessary measures required of the registered business. If the illness was contracted in the home, education will be given around how to prevent this from happening again. Both faecal and food samples can also be taken during this time to help with determining if requested requirements are being met.

Exposure to mycotoxins

Mycotoxins are any toxic substance produced by a fungus. Whilst this is not prevalent in BoQ due to business trends, we do have a large amount of boutique agricultural products from small farms and items sold of an artisan nature. Council works on promoting discussion and education during inspections regarding this potential contamination issue in stocked products. Relevant quality assurance and appropriate record keeping is also conducted to assist with traceability if needed in the event of a food recall. Various communications are also frequently offered to relevant businesses of any updated or relevant information.

In light of recent floods and severe weather warnings for the state, new information has been distributed by the Department of Health regarding mould and its effects on health as well as how to clean up affected areas if needed. This information will be reinforced to our community as required.

Nutritional values of food

The Environmental Health Coordinator also conducts regular food sampling for accuracy of nutritional values and labels, as well as providing education visits to the businesses as required regarding food labelling regulatory requirements. Food from our Class 1 premises (high risk) was recently sampled to determine that allergens such as nuts, eggs, gluten and dairy were accurately labelled in accordance with food standard code requirements.



Currently no premises in the BoQ prepares food required to be of a hospital or paediatric standards.

Exacerbation of existing chronic diseases

Council implements plans, such as Council's Heat Health Plan, as required for prevention or awareness around health matters that may exacerbate existing chronic diseases.

Health information is regularly passed on or updated to our community via social media, signage, public education and media awareness for emerging issues such as thunderstorm asthma and vaping awareness.

Options

Option 1 – Note the Environmental Health update.

Option 2 – Request further information or make amendments to the Environmental Health update.

COMMUNICATIONS AND ENGAGEMENT

Community Engagement



The Council Plan 2021–2025 reflects a strong commitment to providing information regarding actions taken, outcomes achieved and challenges. This report provides details regarding actions taken by the Environmental Health department.

Collaboration

There is ongoing collaboration with regulatory authorities and stakeholders.

GOVERNANCE CONTEXT

Relevant Law

Public Health and Wellbeing Act 2008

Public Health Regulations 2019

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 is undertaken when the 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. This is an update on Council programs and services, but is not a program or service in its own right, and therefore a Gender Impact Assessment is not required.

Regional, State and National Plans and Policies

Not applicable.

Council Plan Alignment

This report provides an update to Council on the actions and status of the indirect impacts of climate change relevant to Environmental Health referenced on page 18 of the Council Plan 2021–2025. Tackling Climate Change and its impact on health:

Indirect impacts are through natural or human systems affected by climate change and include vector borne disease, zoonotic diseases, food borne illness, exposure to mycotoxins, nutritional values of food and exacerbation of existing chronic diseases.

Legal and Risk Implications

Council is required to manage and enforce Environmental and Public Health responsibilities within its authority.

Related Documents

Council Plan 2021–2025
Borough of Queenscliffe Climate Emergency Response Plan

Disclosure of Interest

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

CONSIDERATIONS

Environmental Sustainability

The report highlights that Council has completed or commenced several priority actions that have contributed to the environmental sustainability of the Borough and its declaration of a climate emergency.

Financial and Resource Implications

There are no unbudgeted implications in this report.

Innovation and Continuous Improvement

Not applicable.



IMPLEMENTATION

Operational Impacts

Not applicable.

Implementation Process

Not applicable.

ATTACHMENT

Nil.



14. LOCAL ECONOMY

No reports to consider.



Cr Hewitt left the chamber at 7:20pm.

15. HERITAGE, PLANNING & INFRASTRUCTURE

15.1 Planning Permit Activity Report

File: QG290.01.02

Author: Senior Planner

Portfolio: Heritage, Planning & Infrastructure

Portfolio Holder: Cr Grout

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	26
Applications finalised since last report	7
New applications received since last report	13
Total number of active permit applications	38
VCAT matters yet to be determined	1
Development Plan & Planning Scheme Amendment Summary Report	0

Councillors Grout / Tolhurst

That the Planning Permit Activity Report be received.

Carried

Councillors Grout / Tolhurst

That Council remove officer delegation, conferred under Section 47(1) of the *Local Government Act 2020*, in relation to Planning Application 2022/044 at 6 McDonald Road, Queenscliff for use of the land for a helicopter landing site.

Carried



(a) Current applications

App. No	Date Received	Address	Proposal	No. of objections	Status
2021/018	25/02/2021	134 Hesse Street Queenscliff	Installation of Telstra telecommunication tower in a Heritage Overlay (Queenscliff Recreation Reserve)	19	Applicant investigating alternative site on southern side of subject land
2021/048	27/05/2021	200-204 Point Lonsdale Road Point Lonsdale	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	9	Application on hold (at the request of the applicant)
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)	6	Application on hold (at the request of the applicant)
2021/129	17/12/2021 (Amended 11/07/2022)	6 Alexander Crescent Point Lonsdale	Alterations and extensions (two storey) to an existing dwelling, variation to the site coverage requirements of Design and Development Overlay Schedule 4 and construction of an outbuilding	1	Under consideration
2021/130	17/12/2021 (Amended 06/09/2022)	2 Nicholas Court Point Lonsdale	Alterations and extensions to an existing three storey dwelling	3	Under consideration



App. No	Date Received	Address	Proposal	No. of objections	Status
2022/014	18/02/2022	66 King Street Queenscliff	Construction of two dwellings on a lot and variation to the site coverage requirements of Design and Development Overlay – Schedule 1	17	Under consideration
2022/031	07/04/2022 (Amended 22/04/2022)	14 Douglas Court 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	8	Under consideration
2022/044	02/05/2022 Amended 03/06/2022)	6 McDonald Road Queenscliff	Use of the land for a helicopter landing site	28	Under consideration
2022/059	09/06/2022	20-26 Hesse Street Queenscliff	Use and development of the site for ten (10) dwellings in a Heritage Overlay area, subdivision of the land into ten (10) lots with common property, access to a Transport Zone 2 and variation to easements	7	Under consideration
2022/060	09/06/2022	49 Stevens Street Queenscliff	Part demolition, alterations and extensions to a dwelling in a Heritage Overlay area and removal of trees	1	Under consideration
2022/068	27/06/2022	6 Beach Street Queenscliff	Demolition of an existing dwelling and outbuildings, construction of a dwelling in a Heritage Overlay area and variation to the site coverage requirements of Design and Development Overlay – Schedule 6	0	Under consideration
2022/079	29/07/2022 (Amended 26/09/2022)	3 Swan Island Queenscliff	Display signage (yacht club)	0	Under consideration



App. No	Date Received	Address	Proposal	No. of objections	Status
2022/080	01/08/2022	36 Mercer Street Queenscliff	Part demolition, alterations and extensions to a dwelling individually listed in a Heritage Overlay, demolition of outbuildings, variation to the side setback requirements of Design and Development Overlay – Schedule 1	0	Under consideration
2022/081	02/08/2022	16 Bedggood Avenue Point Lonsdale	Alterations and extensions to an existing dwelling and variation to the site coverage requirements of Design and Development Overlay – Schedule 4	0	Public notification
2022/082	04/08/2022	16 Stokes Street Queenscliff	Part demolition, alterations and extensions (two storey) to a dwelling in a Heritage Overlay, demolition and construction of a carport, variation to the side setback requirements of Design and Development Overlay – Schedule 1	0	Under consideration
2022/083	04/08/2022	5 Beach Street Queenscliff	Part demolition, alterations and extensions and relocation on site of an existing dwelling in a Heritage Overlay area, construction of fences and variation to the site coverage requirements of Design and Development Overlay – Schedule 6	5	Under consideration
2022/084	18/08/2022	61 Point Lonsdale Road Point Lonsdale	Development of the site with a three storey building containing one (1) dwelling and one (1) retail premise	10	Public notification
2022/086	23/08/2022	25 Symonds Street Queenscliff	Demolition of a dwelling and outbuildings in a Heritage Overlay area, construction of a dwelling and front fence and variation to the site coverage requirements of Design and Development Overlay – Schedule 6	2	Under consideration



App. No	Date Received	Address	Proposal	No. of objections	Status
2022/088	25/08/2022	24 Flinders Street Queenscliff	Alterations to an existing dwelling, construction of a second dwelling (two storey) and front fences, subdivision of the land into two (2) lots and variation to the site coverage requirements of Design and Development Overlay – Schedule 1	0	Under consideration
2022/090	01/09/2022	34 Baillieu Street Point Lonsdale	Construction of a two storey dwelling	0	Public notification
2022/091	02/09/2022	2 Stokes Street Queenscliff	Alterations and extensions (two storey) to an existing dwelling	0	Public notification
2022/094	08/09/2022	61-63 Stokes Street Queenscliff	Construction of a two storey dwelling and outbuilding	0	Public notification
2022/096	09/09/2022	6 Ethel Court Point Lonsdale	Construction of a two storey dwelling	0	Further information requested 19 September 2022
2022/097	14/09/2022	3 Sara Street Point Lonsdale	Alterations and extensions (two storey) to an existing dwelling	0	Public notification
2022/098	16/09/2022	48 Flinders Street Queenscliff	Alterations and extensions (two storey) to an existing dwelling	0	Public notification
2022/099	16/09/2022	1 Wharf Street East Queenscliff	Permission under Clause 52.27 of the Queenscliffe Planning Scheme to use the land to sell and consume alcohol (Restaurant and Café Licence)	1	Public notification



(b) Applications Finalised Since Last Report

App. No	Date Received	Address	Proposal	Status
S 2021/105	16/09/2022	34-36 Gellibrand Street & 61 Hesse Street Queenscliff	AMENDMENT: 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	Amended permit issued
2022/076	20/07/2022	77 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)	Permit issued
2022/077	25/07/2022	101 Glaneuse Road Point Lonsdale	Construction of a building, removal of native vegetation and variation to the front setback requirements of Design and Development Overlay – Schedule 4	Permit issued
2022/085	18/08/2022	26 Wharf Street Queenscliff	Part demolition, alterations and extensions to a dwelling in a Heritage Overlay area and variation to the site coverage requirements of Design and Development Overlay - Schedule 6	Permit issued
2022/089	26/08/2022	94 Glaneuse Road Point Lonsdale	Construction of a dwelling and removal of native vegetation	Permit issued
V 2022/095	08/09/2022	73 Hesse Street Queenscliff	Display business identification signage in a Heritage Overlay area	Permit issued
V 2022/100	19/09/2022	9 Pentland Road Point Lonsdale	Alterations to an existing outbuilding	Permit issued



(c) New Applications Received Since Last Report

App. No	Date Received	Address	Proposal	No. of objections	Status
V 2022/100	19/09/2022	9 Pentland Road Point Lonsdale	Alterations to an existing outbuilding	N/A	Permit issued
2022/101	20/09/2022	18 Qu'Appelle Street Point Lonsdale	Construction of a two storey dwelling	0	Public notification
2022/102	28/09/2022	28 Swanston Street Queenscliff	Alterations to an existing dwelling	0	Further information requested 17 October 2022
2022/103	06/10/2022	32 Gellibrand Street Queenscliff	Alterations and extensions to an existing dwelling individually listed in a Heritage Overlay	0	Under consideration
2022/104	06/10/2022	2 Golightly Street Point Lonsdale	Construction of a dwelling, variation to the site coverage requirements of Design and development Overlay – Schedule 4 and removal of native vegetation	0	Further information requested 17 October 2022
2022/105	05/10/2022	70 Mercer Street Queenscliff	Demolition of a dwelling, outbuilding and fence and removal of trees in a Heritage Overlay area, construction of two dwellings (two storey) and subdivision of the land into two (2) lots	0	Further information requested 17 October 2022
2022/106	03/10/2022	126 Fellows Road Point Lonsdale	Alterations and extensions to an existing dwelling	0	Further information requested 17 October 2022



App. No	Date Received	Address	Proposal	No. of objections	Status
2022/107	10/10/2022	4 Loch Street Point Lonsdale	Alterations to an existing dwelling	0	Public notification
2022/108	11/10/2022	5 Brookes Street Point Lonsdale	Construction of a dwelling and removal of native vegetation	0	Public notification
2022/109	10/10/2022	2 Werry Road Point Lonsdale	Alterations and extensions (two storey) to an existing dwelling	0	Further information requested 17 October 2022
V 2022/110	11/10/2022	40 King Street Queenscliff	Installation of a swimming pool and associated equipment in a Heritage Overlay area	N/A	Under consideration
2022/111	13/10/2022	16 Flinders Street Queenscliff	Subdivision of the land into two (2) lots and construction of an outbuilding	0	Initial review
V 2022/112	12/10/2022	2 Gellibrand Street Queenscliff	Demolition of outbuildings on a site individually listed in a Heritage Overlay	N/A	Initial review



(d) VCAT matters yet to be determined

App. No	Date Received	Address	Proposal	Status
2021/123	03/12/2021 (Amended 07/03/2022)	40 Gellibrand Street Queenscliff	Part demolition, alterations and extensions to an existing dwelling on a lot less than 300m ² , demolition of an outbuilding in a Heritage Overlay and variation to the site coverage and setback requirements of Design and Development Overlay Schedule 1	Notice of decision to grant a permit issued VCAT application for review lodged by objector VCAT hearing 19 December 2022

(e) Development Plan & Planning Scheme Amendment Summary Report

No applications to report.

LEGEND

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



Cr Hewitt returned to the chamber at 7:23pm.

16. GOVERNANCE & FINANCE

16.1 First Quarter Report for the Annual Plan 2022–23

File: QG054-01-01
Author: Chief Executive Officer
Portfolio: Governance & Finance
Portfolio Holder: Cr Tolhurst

PURPOSE

The purpose of this report is to provide Council with an update on the work undertaken to further the strategic objectives and strategies outlined in the Annual Plan 2022–23 for the period 1 July to 30 September 2022.

EXECUTIVE SUMMARY

The quarterly report furthers the objectives of Portfolio 5, Governance and Finance in the Council Plan 2021 – 2025, in particular *Priority 3 – Accountable and Transparent Governance*.

At the Ordinary Meeting of Council held on 28 September 2022, Council adopted the Annual Plan 2022–23. The Annual Plan sets out the programs and projects Council plans to deliver over the 2022–23 financial year.

The Annual Plan sits with the 2022–2023 budget as part of the resource allocation and management section of the Integrated Strategic Planning Framework. It outlines the actions Council intends to undertake to further the objectives and address the priorities of the Borough of Queenscliffe Council Plan 2021–2025 and Municipal Health and Wellbeing Plan which is integrated into the Council Plan.

This report outlines the projects in the Annual Plan 2022–23 that Council worked on during the first quarter of the 2022–2023 financial year.

Councillors Tolhurst / Grout

That Council note the Quarterly Report update for the period 1 July to 30 September 2022.

Carried



REPORT

BACKGROUND

The actions in the Annual Plan reflect work Council undertakes in addition to the many 'business as usual' activities conducted to ensure services are delivered and Council meets its statutory responsibilities.

The Annual Plan complements the annual budget, which are developed in parallel to provide consistency between Council's work program and the resourcing allocations determined in the budget.

The Annual Budget and Annual Plan are components of the Integrated Strategic Planning Framework prescribed by the *Local Government Act 2020*.

This Annual Plan covers the period that corresponds with the financial year commencing on 1 July 2022 and ending on 30 June 2023.

DISCUSSION

The table below provides an update on the activities that were identified as first quarter milestones in the Annual Plan. The actions included in the Annual Plan are organised under a portfolio. The portfolios correspond to the portfolios in the Council Plan 2021–2025.

In summary, excluding the quarterly financial reporting, there were 15 milestones across the five portfolios in Quarter 1. Eight were completed and the remaining seven were in progress on 30 September 2022. An explanation outlining why a milestone was not achieved is set out under each action in the table below.

See table on the following page:



Portfolio 1 - Health and wellbeing

Action	Responsibility	Role	Q1 Milestone	Status
Develop Bike Park Concept	Infrastructure and Environment	Provider	Finalise Concept Design	In progress
Comments <ul style="list-style-type: none">• A high level concept design for the bike park has been drafted based on the consultation session held with community stakeholder groups• Discussions with DELWP and the CFA continue and Council has received advice that the CFA satellite station can remain. This information will now be used to review the concept design.• These discussions coupled with staff vacancies have slowed the progress of the project.• A tender process will now be undertaken to engage a suitable consultant to progress a detailed design with further consultation with stakeholders to be undertaken through the detailed design process				

Action	Responsibility	Role	Q1 Milestone	Status
Establish a Disability Inclusion Reference Group	CEO Office	Provide & Partner	Council to Consider Notice of Motion to establish Disability Inclusion Reference Group	Completed
Comments <ul style="list-style-type: none">• Council considered and approved the Notice of Motion at the Ordinary Council meeting August 2022• A meeting was held on 11 October 2022 with representative groups to assist in determining the Expression of Interest (EOI) criteria				



Portfolio 2 – Environment

Action	Responsibility	Role	Q1 Milestone	Status
Prepare Vegetation Management Strategy	Planning and Community Safety	Provide	Draft Strategy workshopped with Council	Completed
Comments <ul style="list-style-type: none">• Work continues on the draft Vegetation Management Strategy including incorporation of feedback from Councillors• A draft strategy was presented to Council at the Council Assembly on 24 August 2022				

Action	Responsibility	Role	Q1 Milestone	Status
CERP 2 Electric vehicle charging stations installed	Infrastructure and Environment	Provide	Tenders let for Installation of EV Chargers	Completed
Comments <ul style="list-style-type: none">• A tender process has been completed for the installation of EV chargers• A contract has been finalised for the installation of the chargers with the preferred contractor• The electric charging units are expected to be available in January 2023• Installation is anticipated for completion in February 2023				



Action	Responsibility	Role	Q1 Milestone	Status
CERP 3 Food Organics Garden Organics (FOGO) roll out	Infrastructure and Environment	Provide	FOGO bin collection commences	Completed
Comments <ul style="list-style-type: none">• Kitchen caddies and new large yellow lidded comingled recycling bins were issued to all residential properties in July to support the transition to the new FOGO service• A waste education program was delivered in the lead up to the introduction of the service. The education program will continue post commencement with a focus on correct use of the service.• The new FOGO service commenced in August 2023				

Action	Responsibility	Role	Q1 Milestone	Status
Development of a Victoria Park Policy	Infrastructure and Environment	Provide	Complete community consultation on Policy and Policy endorsed by Council	Completed
Comments <ul style="list-style-type: none">• On 22 July 2022 Council endorsed the draft policy and placed in on public notice, inviting feedback for a period of 14 days• Council adopted CP054 Victoria Park Policy on 24 August 2022				



Action	Responsibility	Role	Q1 Milestone	Status
Create Environmental Advisory Group	Councillors	Provide	Endorse Advisory Group Framework	Completed
Comments <ul style="list-style-type: none">Council adopted the Environmental Advisory Group Operating Framework on 28 September 2022				

Portfolio 3: Local Economy

Action	Responsibility	Role	Q1 Milestone	Status
Work with Tourism Greater Geelong and The Bellarine to market the Borough of Queenscliffe and its tourism point of difference	Community	Partner	Participate in Sustainable Destination Master Plan project with Greater Geelong	Complete
Comments <ul style="list-style-type: none">In September, Council participated in a workshop to discuss the Draft Sustainable Destination Master Plan with the Project ConsultantCouncil assisted Tourism Greater Geelong and The Bellarine to arrange a drop-in session at the Town Hall for wider business and community to provide feedback on the Draft Sustainable Destination Master Plan				



Portfolio 4 – Heritage, planning and infrastructure

Action	Responsibility	Role	Q1 Milestone	Status
Development of a Coastal and Marine Management Plan (CMMP)	CEO Office	Provide	Engage Project Manager and set up Steering Committee	In progress
Comments <ul style="list-style-type: none">• The project manager has been engaged• Council undertook a tender for contract 2022-13 and appointed Blue Sense Consulting Pty Ltd• A project inception meeting took place on 10 October 2022				

Action	Responsibility	Role	Q1 Milestone	Status
Review of Fisherman’s Flat Heritage Overlay	Planning and Community Safety	Provide	Investigation period and community engagement	In Progress
Comments <ul style="list-style-type: none">• Consultants have completed the assessment (literature and on-ground) of Fisherman’s Flats• Council officers are awaiting a draft copy of the report for review prior to commencing community engagement• Availability of the consultant has delayed the completion of the milestone				



Action	Responsibility	Role	Q1 Milestone	Status
Install new public toilet facility in Hobson Street	Infrastructure and Environment	Provide	Finalise design	In Progress
Comments <ul style="list-style-type: none">• The site selection for the new toilet facility is progressing however it is yet to be finalised• Finalisation of the toilet facility design is subject to completion of the site selection process.				

Action	Responsibility	Role	Q1 Milestone	Status
Planning Scheme Amendment – Avenue of Honour (C37quen)	Planning and Community Safety	Provide	Preparation of amendments to the Queenscliffe Planning Scheme	In Progress
Comments <ul style="list-style-type: none">• Discussions are being held with the regional planning team at DELWP to determine the most efficient and relevant mechanism for protection of those trees that are not currently protected by an Overlay (or Overlays) in the Queenscliffe Planning Scheme.				



Action	Responsibility	Role	Q1 Milestone	Status
Planning Scheme Amendment – State legislative changes (C39quen)	Planning and Community Safety	Provide	Preparation of amendments to the Queenscliffe Planning Scheme	In Progress
Comments <ul style="list-style-type: none">Discussions being undertaken with the regional planning team at DELWP to facilitate minor corrections to the Queenscliffe Planning Scheme				

Action	Responsibility	Role	Q1 Milestone	Status
Develop a new masterplan for Golightly Park	CEO Office	Provide	Develop project scope	In Progress
Comments <ul style="list-style-type: none">The project scope was discussed at and assembly briefing on 14 SeptemberThe draft project brief is under development				



Portfolio 5 – Governance and finance

Action	Responsibility	Role	Q1 Milestone	Status
BoQ ICT transformation	Finance and Corporate Services	Provide	Complete phase 1 of ICT transformation – M365	Completed
<p>Comments</p> <ul style="list-style-type: none">• Council officers now have access to the full capability of the Microsoft 365 ecosystem – communicating via Teams, working simultaneously on documents via SharePoint, and hosting large email attachments via OneDrive.• BoQ together with other partnering Councils has started phase two (EDRM system) and phase 3 (new corporate system) of the ICT transformation project				



Options

Option 1 – Note the quarterly report update.

Option 2 – Request further information or make amendments to the quarterly report update.

COMMUNICATIONS AND ENGAGEMENT

Community Engagement



The Council Plan 2021–2025 reflects a strong commitment to providing information regarding actions taken, outcomes achieved and challenges. This report provides details regarding actions taken between 1 April 2022 to 30 June 2022.

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 the 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, this is an update on Council programs and services but is not a program or service in its own right and therefore a Gender Impact Assessment is not required.

Regional, State and National Plans and Policies

Not applicable.

Council Plan Alignment

This report provides an update on the intended actions outlined in the Borough of Queenscliffe Council Plan 2021–2025.



Legal and Risk Implications

Not applicable.

Related Documents

10 year Financial Plan
Council Plan 2021–2025
Climate Emergency Response Plan

Disclosure of Interest

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

CONSIDERATIONS

Environmental Sustainability

The Annual Plan 2022–23 provides information in relation to Council's commitment to Environmental Sustainability.

Financial and resource implications

There are no financial implications associated with this report.

Innovation and Continuous Improvement

Not applicable.

IMPLEMENTATION

Operational Impacts

The Borough of Queenscliffe Annual Plan 2022–23 directs and informs Council's operational activities.

Implementation Process

Capital works and operational works programs will be developed and implemented in line with the Council Plan and Financial Plans.

ATTACHMENT

Nil.



16.2 2022–23 Quarterly Financial Report as at 30 September 2022

File:	QG085-01-08
Authors:	Manager Finance and Corporate Services
Portfolio:	Governance & Finance
Portfolio Holder:	Cr Tolhurst

PURPOSE

The purpose of this report is for Council to consider and note the 2022–23 Quarterly Financial Report as of 30 September 2022, and to approve allocations of funding for the Queenscliffe Cultural Hub project and asset renewal work for the public toilet facility at Point Lonsdale Lighthouse Reserve.

EXECUTIVE SUMMARY

This report aligns with Strategic Objective 5 Governance and Finance in the Council Plan 2021–2025, specifically *to provide a financially viable Council that is accountable, transparent and practices good governance*. It links to the Community Vision by demonstrating informed and consultative leadership.

This report provides information on Council’s forecasted operating and capital work performance for the 2022–23 financial year and explains key variances against the adopted budget for 2022–23.

The forecasted year-end result meets all financial sustainability indicators specified in the Council Plan 2021–2025 except for the adjusted underlying result. The forecasted accumulated cash surplus for the 2022–23 year is \$336,000, after allocating additional funding detailed in this agenda item.

Councillors Tolhurst / Hewitt

That Council:

- 1. Notes the Quarterly Finance Report as of 30 September 2022**
- 2. Approves an additional funding allocation of \$200,000 for the Queenscliffe Cultural Hub project; and**
- 3. Approves an allocation of \$160,000 for asset renewal work of the public toilet facility at Point Lonsdale Lighthouse Reserve.**

Carried



REPORT

BACKGROUND

At its Ordinary Meeting on 29 June 2022, Council adopted the 2022–23 Budget. This budget was based on a set of key assumptions, including the projected completion of major projects and capital works at 30 June 2022.

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. The review updates Council on changes from original estimates to forecast outcomes, and it identifies any efficiency savings achieved and/or emerging issues to be addressed.

DISCUSSION

The forecasted **accumulated cash result** at year-end is a **surplus of \$336,000** against the budgeted breakeven accumulated cash surplus.

An additional surplus of \$783,000 was carried forward from the 2021–22 financial year. The additional cash surplus and the additional operating grant income recognised in the forecast, have been used to fund the additional budget allocations summarised below.

Description	Value (\$)
Surplus as per the 2022-23 adopted budget	0.00
Add:	
Additional cash surplus c/f from the 2021-22 financial year	783,000
Recurrent operating grant from Better Boating Victoria	120,000
Less: additional income losses due to the closure of sites at Victoria Park	(53,000)
Total funds available for allocations	850,000
Less: new budget allocations included in the quarter 1 forecast	
Additional funding allocation for Queenscliffe Cultural Hub, <i>refer to the section 2.5 for more details</i>	(200,000)
Asset renewal - Public toilet facility at Point Lonsdale Lighthouse Reserve	(160,000)
Provision of financial assistance for community organisations impacted by COVID	(20,000)
Council contribution for Boat ramp asphalting work	(17,000)
Less: cost of capital and operating projects carried over from the 2021-22 financial year (projects for which c/f reserves were not created in the 2021-22 financial year)	(117,000)
Balance funds available for future allocations (accumulated cash surplus)	336,000



Council has forecasted an underlying deficit of \$1.5 million based on the Local Government Performance Reporting Framework definition (LGPRF measure) for the 2022–23 financial year which is mainly driven by the timing of Financial Assistance Grant (FAG) and non-recurrent operating projects.

The forecasted adjusted underlying result based on the Council Plan definition (Council Plan measure) for the year 2022–23 is a deficit of \$318,000 (-3.05%). There is a slight improvement in the forecasted underlying result against the budgeted result, mainly due to the recognition of a recurrent grant from Better Boating Victoria, which has outweighed the negative impact on the underlying result due to the forecasted loss of income from tourist parks.

A reconciliation between the underlying result as per the LGPRF measure and the Council Plan measure is provided on page 9 of **(Appendix 1)**.

The final settlement in relation to the sale of Murray Road land is expected to be finalised by February 2023. Necessary accounting adjustments about the sale of Murray Road land will be considered in the quarter 2 forecast.

*Council will continue to have a **debt free balance sheet**.*

Explanations for key variances against the previous forecast are included at **(Appendix 1)**.

Forecasted year-end result **meets all financial sustainability indicators specified in the Council Plan 2021–2025 except for the adjusted underlying result** as summarised below.

Policy Statement	Measure	Target	Adopted Budget	Yearend Forecast
Sustainable operating result				
Consistent operating results (in \$'000).	Our adjusted underlying result: The difference between recurrent income and recurrent expenses.	> \$0	-\$382	-\$318
Working capital				
Ensure Council maintains sufficient working capital to meet its obligations as they fall due.	Current assets vs current liabilities: The value of our current assets divided by our current liabilities.	> 1.0	3.80	2.66
Council maintains sufficient unrestricted cash to ensure ongoing liquidity as well as to address unforeseen cash imposts if required.	Level of unrestricted cash reserve against current liabilities: Our current liabilities as a percentage of our unrestricted cash reserves (based on the remaining maturity).	> 100%	357%	249%
Borrowings				
That Council applies loan funding to new capital and maintains total borrowings in line with rate income and growth of the municipality.	Total borrowings against rate revenue: Our total borrowings as a percentage of our rate revenue.	< 15%	0%	0%



Policy Statement	Measure	Target	Adopted Budget	Yearend Forecast
Commitment for asset renewals				
Allocate adequate funds towards renewal capital in order to replace assets and infrastructure as they reach the end of their service life.	Asset renewal and upgrade expenses against depreciation: The financial investment in asset renewal and upgrade work divided by the cost of depreciation (based on a three year rolling average).	> 100%	300%	309%
Council generates sufficient revenue from rates plus fees and charges to ensure a consistent funding for renewal capital.	Council's contribution to asset renewal and upgrade: Council's contribution to asset renewal and upgrade expenses as a percentage of Own Source Revenue.	> 10%	19%	28%

Queenscliffe Cultural Hub

The 2022–23 budget was finalised based on a total budget of \$6,086,000 for the QHub project (the total end cost of this multi-year project).

However, the total end cost of the project is now estimated to be \$6,286,000 with additional \$200,000 contribution from the Council.

After this additional contribution, the total cost overrun of the project is estimated to be \$471,000 (8% of the original budget of the project). The **cost overrun of \$471,000** is made up of the following:

- Design changes or omissions¹ \$310,000
- Mechanical screen for A/C noise moderation (estimated) \$80,000
- Southern boundary fence replacement \$21,000
- Stair alterations \$15,600
- Client Changes \$33,400
- Minor variations (e.g toilet swap, strengthen shelving for QHM) \$11,000

1. there were a number of design changes that were caused by supply delays and availability of materials, e.g roof structure redesign.

The additional cash surplus carried over from the 2021–22 financial year will be used to allocate additional funding for the QHub project.

Public Toilet Facility at Point Lonsdale Lighthouse Reserve

Council has decided to bring forward asset renewal work of the public toilet facility at Point Lonsdale lighthouse reserve, considering the dilapidated condition of the current facility. The total



cost of the project (design and construction) is estimated to be \$180,000. Council has already allocated \$20,000 in the 2021–22 budget and the additional cash surplus carried over from the 2021–22 financial year will be used to fund the remaining \$160,000.

Options

Option 1 – note the Quarterly Finance Report to 30 September 2022 as presented.

Option 2 – request Officers to make further amendments to the Quarterly Finance Report to 30 September 2022.

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 were reviewed and considered in developing the format of the quarterly finance report.

GOVERNANCE CONTEXT

Relevant Law

Section 97 of the *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, this is an update on Council finances but is not a program or service in its own right and therefore a Gender Impact Assessment is not required.



Regional, State and National Plans and Policies

Not applicable.

Council Plan Alignment

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

Priority 1: *Maintain and build the financial sustainability of the Borough.*

Priority 3: *Accountable and transparent governance.*

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

2022–23 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 quarterly financial report 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 with the inclusion of the following additional information.

- Disclosure of recurrent and non-recurrent income and non-recurrent materials and services expenses separately on the Statement of Income and Expenditure
- A reconciliation between the underlying result as per the LGPRF measure and the Council Plan measure
- Disclosure of capital expenditure, capital project wise on the Statement of Capital Works

IMPLEMENTATION

Operational Impacts

The report provides financial information about Council's operational activities.



Implementation Process

Not applicable.

ATTACHMENTS

1. Quarterly Financial Report to 30 September 2022 (Appendix 1)



16.3 Borough of Queenscliffe 2021–22 Annual Report

File: QG085-13-03

Author: Acting Communications Coordinator

Portfolio: Governance & Finance

Portfolio Holder: Cr Tolhurst

PURPOSE

This report presents the Borough of Queenscliffe Annual Report for the financial year ended 30 June 2022 for Council's endorsement.

EXECUTIVE SUMMARY

The Annual Report furthers the objectives of Portfolio 5, Governance and Finance in the Council Plan 2021 – 2025, in particular *Priority 3 – Accountable and Transparent Governance*.

The *Local Government Act 2020* requires Council to prepare an annual report and provides a description of its required contents. In accordance with the Act, Council officers have prepared an annual report for the 2021–22 financial year.

The annual report must include:

- Report of operations: information about the operations of the council
- Performance statement: audited results achieved against the prescribed performance indicators and measures
- Financial statements: audited financial statements prepared in accordance with the Australian Accounting Standards.

The report provides an account of Council's operations over the 2021–22 financial year as well as the achievements, disappointments, challenges and directions for the year ahead. It is presented to Councillors for endorsement.

Councillors Tolhurst / Hewitt

That Council endorses the Borough of Queenscliffe Annual Report 2021–2022.

Carried



REPORT

BACKGROUND

The *Local Government Act 2020* (Act) requires Council to prepare an annual report in respect of each financial year. Subsection 98(2) of the Act states that the report must contain the following:

- a) a report of operations of the Council;
- b) an audited performance statement;
- c) audited financial statements;
- d) a copy of the auditor's report on the performance statement
- e) a copy of the auditor's report on the financial statements under Part 3 of the *Audit Act 1994*;
- f) any other matters prescribed by the regulations.

The 2021–22 report is Council's first annual report prepared in line with the requirements of the new Act. In continuing with our standard of high-quality publications, these requirements are supplemented with an in-depth report of operations that addresses Council's performance against the strategic objectives listed in our Council Plan. The transition to a new Act and set of reporting guidelines, namely the *Local Government (Planning and Reporting) Regulations 2020*, provided the impetus for Council officers to explore a new structure and design for this year's report. Officers engaged the services of Martlette Graphic Design who have again meticulously produced an eye-catching document for public display.

In preparing this report, the Audit and Risk Committee reviewed the financial statements, performance statement and government and management checklist included in this report at its meeting held on 5 September 2022 prior to completion of the 2021–22 audit and Council adoption of the statements 'in principle' at its Ordinary Meeting held on 28 September 2022. Council received unqualified audit opinions on the performance statement and financial statements from the Victorian Auditor-General's Office dated 6 October 2022. These documents were subsequently included in the Annual Report.

The new Act no longer requires Council to submit a copy of the Annual Report to the Minister for Local Government. However, subsection 99(1) of the Act still requires Council, as soon as practicable after the end of the financial year, to prepare the performance statement and financial statements of the Council for the financial year. Section 100 of the Act requires that Council present the Annual Report at an open meeting of the Council within four months of the end of the financial year. This section of the Act is the reason Council is considering the report at this Ordinary Meeting of Council.

DISCUSSION

The annual report complies with the legislative requirements of the Act, detailing the achievements of Council during the 2021–22 financial year. The structure of the annual report reflects the first year of the Borough's Council Plan 2021–2025.

While the effects of the coronavirus pandemic were still felt for much of the financial year, Council continued to achieve numerous successes, which have been documented in the publication. These



highlights include:

- Winning the Community Choice Award for our Climate Emergency Response Plan
- Raising the rainbow flag at Council offices for IDAHOBIT
- Producing our first Gender Equality Action Plan
- Installing multiple pedestrian crossings and refuges across the Borough
- Upgrading our internal ICT systems to better support collaboration
- Starting work on our Reconciliation Action Plan alongside the Wadawurrung
- Continuing to support our local businesses through the pandemic
- Completing and opening the upgraded tennis facility in Point Lonsdale
- Developing a community-led Community Vision and Council Plan
- Being the first LGA to reach an 80% full COVID-19 vaccination rate

This year, Council’s chapter heading photography focuses on the stunning architecture seen across Queenscliff and Point Lonsdale. The tightly cropped imagery highlights aspects of the town’s historic built form from a perspective rarely seen in any promotional publications. To complete this task, Council officers engaged the services of photographer Alan Barber of Barefoot Media, who produced a desirable suite of high-quality shots.

Options

- Option 1 – Endorse the Annual Report as presented.
- Option 2 – Choose not to endorse the Annual report.

COMMUNICATIONS AND ENGAGEMENT

Community Engagement



The annual report is a report and is not subject to any community engagement requirements.

Collaboration

Not applicable.

GOVERNANCE CONTEXT

Relevant Law

The Annual Report complies with the reporting requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 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, this is an update on Council programs and services but is not a program or service in its own right and therefore a Gender Impact Assessment is not required.

Regional, State and National Plans and Policies

Not applicable.

Council Plan Alignment

The annual report responds to several priorities in *Portfolio 5: Governance and finance*, including:

- Maintain and build the financial sustainability of the Borough
- Accountable and transparent governance
- Focus on continuous improvement, innovation and the adoption of new technologies that improve customer service.

Legal and Risk Implications

Not applicable.

Related Documents

Queenscliffe Council Plan 2021 – 2025

Climate Emergency Response Plan

Disclosure of Interest

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

CONSIDERATIONS

Environmental Sustainability

The Annual Report provides information in relation to Council's commitment to Environmental Sustainability.

Financial and Resource Implications

There are no financial implications associated with this report.

Innovation and Continuous Improvement

Not applicable.



IMPLEMENTATION

Operational Impacts

There are no operational impacts associated with this report.

Implementation Process

Not applicable.

ATTACHMENTS

1. Borough of Queenscliffe Annual Report 2021–2022 (Attachment 2)
-



16.4 Instrument of Delegation

File:	QG065.01.01
Author:	Executive Projects Officer
Portfolio:	Governance & Performance
Portfolio Holder:	Cr Tolhurst

PURPOSE

The purpose of this report is to enable Councillors to reconsider resolving the delegation of certain powers to members of Council staff under various legislation which were presented in error at the September Council meeting, namely in relation to the *Planning and Environment Act 1987*.

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*. Delegation by Council of powers to the Chief Executive Officer and members of staff is formalised via written 'instruments of delegation' and this meets the good governance objectives of that element of the Council Plan.

Delegation to Members of Council Staff

This report presents to Council its existing Instrument of Delegation to Members of Council staff. It takes into account all legislative changes which were assented to, or made, since the last update which affect councils' powers, duties and functions.

Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

The *Planning and Environment Act 1987* prohibits Council from delegating its power to the Chief Executive Officer to appoint officers under this Act. Therefore, Council officers appointed for the purposes of the *Planning and Environment Act* must be appointed through a resolution of Council.

Council considered the delegations and instruments at its September 2022 Ordinary Council Meeting, but a small number of errors were inadvertently presented as part of that Council agenda. The purpose of this report is to address these errors and correct delegations.

Councillors Tolhurst / Grout

- 1. That Council, in the exercise of the powers conferred by legislation referred to in the attached Instrument of Delegation, resolves that:**
 - 1.1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument. (Appendix 3)**
-



-
- 1.2 The instrument comes into force immediately the common seal of Council is affixed to the instrument.**
 - 1.3 On the coming into force of the instrument all previous delegations to members of Council staff are revoked.**
 - 1.4 The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

Carried



REPORT

BACKGROUND

Specifically in response to the commencement of the *Local Government Act 2020 (2020 Act)*, Council’s Delegation to Members of Council staff has been reviewed and updated accordingly. The last review was undertaken in September 2021.

In accordance with Section 11 of the *Local Government Act 2020 (7)*, a Council must review, within the period of 12 months after a general election, all delegations which have been made under this section and are still in force.

DISCUSSION

Maddocks (Lawyers) provide Council with legal services which include provision of a Delegations and Authorisations Service. This service has been utilised to review the following Instrument of Delegation, which has been prepared using a best practice model and includes the following amendments:

S6 Instrument of Delegation – Council to Members of Council Staff

Upon further review the following are the changes that have been recommended to be made to the Delegation from Council to Council Staff since the update in September 2022:

- *Planning and Environment Act 1987*
- Add SP & SP1 to the following clauses:

s 73	Power to decide to grant amendment subject to conditions	MPCS	
s 84AB	Power to agree to confining a review by the Tribunal	MPCS	

- *Planning and Environment Regulations 2015*
- In each clause below replace MIE with MPCS in the following:

r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	MIE	Where Council is not the planning authority and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	MIE	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available for inspection free of charge	MIE	Where Council is the responsible authority



r 25(b))	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	MIE	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	MIE	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

- *Planning and Environment (Fees) Regulations 2016*
- In each clause below replace MIE with MPCS in the following:

r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	MIE	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	MIE	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	MIE	

Options

Option 1 – support the recommendation in the report.

Option 2 – elect not to support the recommendations in the report and revert all decision making under delegation back to Council.

COMMUNICATIONS AND ENGAGEMENT

Community Engagement



Council must keep a public register of all Delegations made under section 11 of *the Local Government Act 2020*. It is recommended that this register be published on Council's website.

Collaboration

Not applicable.

GOVERNANCE CONTEXT



Relevant Laws

Local Government Act 2020

Domestic Animals Act 1994

Food Act 1984

Heritage Act 2017

Local Government Act 1989

Planning And Environment Act 1987

Residential Tenancies Act 1997

Road Management Act 2004

Planning And Environment Regulations 2015

Planning And Environment (Fees) Regulations 2016

Residential Tenancies (Caravan Parks And Movable Dwellings Registration And Standards) Regulations 2020

Residential Tenancies Regulations 2021

Road Management (General) Regulations 2016

Road Management (Works And Infrastructure) Regulations 2015

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, not required; while the policy 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

To achieve Strategic Objective 5: Governance and Performance, that is, to *provide transparent and accountable governance and meet all legislative requirements*, Council needs clear delegations in place to enable day-to-day operations to be carried out in accordance with relevant legislation.

Legal and Risk Implications

Under the *Local Government Act 2020*, Delegations must be reviewed within 12 months of a general election.

Related Documents

Not Applicable.



Disclosure of Interest

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

CONSIDERATIONS

Environmental Sustainability

This report does not raise any sustainability implications.

Financial and resource implications

The retainer fee for the Maddocks delegations and authorisations subscription service is budgeted for annually.

Innovation and Continuous Improvement

Continuous improvement is achieved by regular review of delegations via the professional Maddocks Delegations service, which is undertaken at the Borough at least annually, and in accordance with section 11 (7) of the *Local Government Act 2020*, within 12 months of a general election.

IMPLEMENTATION

Operational Impacts

Delegation of powers is considered essential to enable day-to-day decisions to be made and there are several reasons why delegations should be reviewed regularly. In particular:

- accountability and responsibility for decisions is possible only if decision-makers are identified;
- in delegating responsibility, Council can set conditions, limitations and guidelines for decision-makers, including reporting requirements;
- Council decisions are often subject to legal scrutiny in courts and tribunals. This calls for precision about what decision was made, who made it and when it was made.

Implementation Process

Delegations are to be signed and sealed following resolution and the Delegations Register will be updated and maintained by the Chief Executive Officer in accordance with Section 11(8) of the *Local Government Act 2020*.

ATTACHMENTS

1. S6 Instrument of Delegation – Council to Members of Council staff (Appendix 3)
-



16.5 Review of Council Policies

File:	Q055.01.12
Co-Authors:	Executive Project Officer
Portfolio:	Governance & Finance
Portfolio Holder:	Cr Tolhurst

PURPOSE

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

1. CP002 Community Service Awards
2. CP029 Commercial, Community & Mixed Use Leases – Revised (Renamed Use of Council Facilities)

EXECUTIVE SUMMARY

This report responds to a number of objectives and strategies contained in the Council Plan 2021–2025, particularly Strategic Objective 5: Governance and Finance: *To provide a financially viable Council that is accountable, transparent and practices good governance.*

CP002 Community Service Awards – Revised

In August 2021, resolved to review and rename the CP002 Australia Day policy to CP002 Community Service Awards, which was to be held during the Volunteers' Celebration in May each year. After a trial period and consultation with Councillors the policy has been updated to reflect the awards ceremony and the award categories.

CP029 Use of Council Facilities – Revised

Council officers have now reviewed this policy and recommend its name change to CP029 Use of Council Facilities. The policy has been extensively workshopped and subsequently significantly rewritten to better outline the aspects of developing agreements for the use of Council facilities.

Recommendation

That Council adopts the following revised Council policies as presented:

- a. CP002 Community Service Awards
- b. CP029 Use of Council Facilities

Councillors Grout / Hewitt

That Council adopts the following revised Council policies as presented:

- a. CP002 Community Service Awards
-



Carried

Councillors Grout / Tolhurst

That Council adopts the following revised Council policies as presented:

b. CP029 Use of Council Facilities

Carried

Cr Tolhurst requested a division:

For: Crs Grout, Tolhurst, Hewitt

Against: Cr Ebbels



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

CP002 Community Service Awards – Revised

During the COVID pandemic Council resolved to review and rename the CP002 Australia Day policy to CP002 Community Service Awards which was to be held during the Volunteers' celebration in May each year.

The reframing of the policy was largely based on shifting the focus of the awards being held on the culturally sensitive Australia Day to the more inclusive community celebration at large. Thus far this has proved quite successful.

As a result of an initial briefing on 3 August 2022, requesting informal feedback, officers have now finalised the review of the Community Service Awards policy.

The current policy prescribes that the awards are presented during the annual Volunteers' celebrations.

The last awards event attracted approximately 80 attendees, mainly representatives of the nominated community organisations and family and friends of nominees. After review of the most recent event Officers recommend the announcement of the awards be held at the very popular and well attended Volunteer Recognition event.

It is also recommended that CP002 Community Service Awards be amended as follows so that the current prescribed 5 award categories: Citizen of the Year, Young Citizen of the Year, Community Organisation of the Year, Event of the Year and Environment Project of the Year be abolished and that one Community Group award and two Citizen of the Year awards, with no age criteria, be implemented.



CP029 Use of Council Facilities – Revised

CP029 Commercial, Community and Mixed Use Leases was last reviewed on 23 August 2018. The purpose of this policy is to provide a consistent framework for the use of Council owned and managed land and facilities by setting out principles applying to such use. It is not intended to be a rigid set of rules, but rather a framework that assists Council in participating in fair and equitable discussions with all types of users.

Council officers have now reviewed this policy and recommend its name change to CP029 Use of Council Facilities. The policy has been extensively workshopped and subsequently rewritten to better outline the aspects of developing agreements for the use of Council facilities.

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. Targeted communication will be undertaken with those staff who hold responsibilities in each policy presented.

It is intended that all current and future users of Council facilities will be notified directly of the amended CP029 Use of Council Facilities policy.

Collaboration

Not Applicable.

GOVERNANCE CONTEXT

Relevant Law

Local Government Act 2020

Retail Leases Act 2003

Crown Land (Reserves) Act 1978

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

Leasing Policy for Crown Land in Victoria 2010, Department of Sustainability and Environment

Council Plan Alignment

This report responds to the following strategic objectives contained in the 2021–2025 Council Plan:

Strategic Objective 1 Health and Wellbeing: To support community wellbeing and an active lifestyle.

The strategic directions set out in this portfolio link to the following pillars in the Community Vision:

- Enhancing health and wellbeing. Our community encourages an active and outdoor lifestyle and nurtures the welfare of all.
- Encouraging an inclusive and engaged community. We have a welcoming, connected and diverse community that is supported by informed and consultative leadership

Strategic Objective 3: Local economy: To support a prosperous and diverse local economy.

The strategic directions set out in this portfolio link to the following pillar in the Community Vision:

- Supporting business and community prosperity. We have a thriving local economy and community that is underpinned by high quality infrastructure and services

Strategic Objective 4: Heritage, planning and infrastructure: To protect our distinctive coastal, cultural and built environment, and provide sustainable, suitable infrastructure.

The strategic directions set out in this portfolio link to the following pillar in the Community Vision:

- Supporting business and community prosperity. We have a thriving local economy and community that is underpinned by high quality infrastructure and services

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

The strategic directions set out in this portfolio link to the following pillar in the Community Vision:

- Encouraging an inclusive and engaged community. We have a welcoming, connected and diverse community that is supported by informed and consultative leadership.
-



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

CP002 Community Service Awards will be promoted to the wider community during the relevant application/nomination period.

CP029 Use of Council Facilities policy will apply to any agreements that are due for review and any new arrangements.

ATTACHMENTS

1. CP002 Community Services Award (Appendix 4a)
 2. CP029 Use of Council Facilities (Appendix 4b)
-



17. AUTHORISATION OF SIGNING & SEALING OF DOCUMENTS

No reports to consider.

18. QUESTIONS WITHOUT NOTICE

18.1 Questions Without Notice Status Update

At the Ordinary Meeting of Council on 28 September 2022, two questions without notice were taken on notice. The response is provided at adjunct to 18.1.

No Questions Without Notice are outstanding.

18.2 Questions Without Notice

Cr Tolhurst

My question is regarding the current survey about dogs on beaches. I understand that the survey forms only one part of Council's broad consideration on improving a range of issues including enforcement, equitable access to beaches, animal management, environmental protection, and community wellbeing across our Borough. Councillors received a briefing on 7 September, which included data around compliance with existing rules, breaches, capacity to enforce and monitor changes. Further, I understand the process for determining allowances for dogs or no dogs will also include discussion with external agencies like DEWLP, Parks Victoria and reference the Waddawrung Health Country Plan. Have I understood this correctly, is that the case?

CEO

I think you have provided a fantastic summary of where we are. The survey is one part of bigger engagement process; the data we receive from the survey will guide the next steps and conversations that we may need to have with other agencies and stakeholders.

19. LIST OF COUNCIL MEETINGS

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

PLANNING REVIEW MEETING

Wednesday 9 November 2022 at 7:00pm (if required)

COUNCIL MEETING

Wednesday 23 November 2022 at 7:00pm



20. CLOSED SESSION OF MEETING

Time: 7:50pm

Councillors Hewitt / Tolhurst

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:

20.1 Confirmation of 28 September 2022 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: 7:53pm

Councillors Hewitt / Grout

That Council reopen the meeting and resume standing orders.

Carried

21. RATIFICATION OF CONFIDENTIAL ITEMS

Councillors Tolhurst / Grout

That the decisions made in camera be ratified by Council.

Carried

22. CLOSE OF MEETING

The meeting closed at 7:54pm.



ADJUNCT TO 7 – RECORD OF INFORMAL MEETINGS OF COUNCILLORS

The Borough of Queenscliffe Governance Rules (rule 11) require tabling of records of informal meetings of Councillors at the next convenient Council meeting and that their record be included in the minutes of that Council Meeting. If there is a meeting of Councillors that:

- 11.1 is scheduled or planned outside of an Ordinary Meeting of Council for the purpose of discussing the business of Council or briefing Councillors; and
- 11.2 is attended by at least one senior member of Council staff; and
- 11.3 all Councillors have been invited by the Chief Executive Officer; and
- 11.4 a majority of Councillors are present; and
- 11.5 is not a Delegated Committee meeting or Community Asset Committee meeting.

Informal Meeting	Councillors	Officers	Agenda items	Conflict of interest disclosures
Assembly Briefing 21 September 2022 2:30pm – 5:15pm Queenscliff Town Hall	Cr Ross Ebbels, Mayor Cr Fleur Hewitt Cr Donnie Grigau Cr Isabelle Tolhurst	Martin Gill, CEO Tim Crawford, MPCS Shannon Maloney, MC Gihan Kohobange, MFS Matt Gibbs, ACC	1. Review of the Community Engagement Policy 2. Quarterly Financial Report 3. Annual Financial Report 2021/22	Nil.



Informal Meeting Details	Councillors	Officers	Agenda items	Conflict of interest disclosures
Assembly Briefing 28 September 2022 3:00pm – 5:08pm Queenscliff Town Hall	Cr Ross Ebbels, Mayor Cr Fleur Hewitt Cr Donnie Grigau Cr Isabelle Tolhurst Cr Michael Grout	Martin Gill, CEO Tim Crawford, MPCS Shannon Maloney, MC Gihan Kohobange, MFS Stuart Hansen, MIE	1. Point Lonsdale Lighthouse Reserve Master Plan 2. Queenscliff Tourist Park Review	Nil.
Assembly Briefing 5 October 2022 2:30pm – 5:00pm Queenscliff Town Hall	Cr Ross Ebbels, Mayor Cr Fleur Hewitt Cr Donnie Grigau Cr Isabelle Tolhurst Cr Michael Grout	Martin Gill, CEO Tim Crawford, MPCS Shannon Maloney, MC Gihan Kohobange, MFS Stuart Hansen, MIE	1. Sarah Fenton, Independent candidate for the Bellarine, State Election 2022 2. Department of Environment, Land, Water and Planning Presentation 3. Proposed Risk Management Policy & Framework 4. Queenscliffe Hub proposed hire fees	Nil.
Coastal and Marine Management Plan Inception Meeting 10 October 2022 12:30pm – 1:30pm Queenscliff Town Hall	Cr Fleur Hewitt, Chair Cr Michael Grout Cr Ross Ebbels Cr Tolhurst (via videoconference)	Tim Crawford, MPCS Dinah O'Brien, SP	1. Acknowledgement to Country 2. Introductions 3. Project scope & timing 4. Governance 5. Establishing a Steering Committee 6. Next steps	Nil.



Informal Meeting Details	Councillors	Officers	Agenda items	Conflict of interest disclosures
Disability Lived Experience Meeting Inception Meeting 11 October 2022 4:00pm – 5:10pm Queenscliff Town Hall	Cr Isabelle Tolhurst, Chair Cr Donnie Grigau	Martin Gill, CEO	1. Acknowledgement to Country 2. Introductions 3. Review of Council resolution 4. Process to establish the reference group 5. Administration & timeframes	Nil.
Assembly Briefing 19 October 2022 2:30pm – 5:10pm Queenscliffe Hub	Cr Ross Ebbels, Mayor Cr Fleur Hewitt Cr Isabelle Tolhurst Cr Michael Grout	Martin Gill, CEO Tim Crawford, MPCS Shannon Maloney, MC Gihan Kohobange, MFS Stuart Hansen, MIE Dinah O’Brien, SP	1. Department of Environment, Land, Water and Planning: Dog Beach Presentation 2. Queenscliff Bowling, Tennis Croquet Club presentation 3. Review of Council Policies: a. CP029 Use of Council Facilities b. CP002 Community Service Awards 4. Annual Report 2021–22 5. Kirk Road petition & community feedback	Nil.

AO – Arts officer	BSA – Business Services Accountant	BOC – Business Operations Coordinator
ACC –Acting Communications Coordinator	CEO – Chief Executive Officer	CERP – Project Officer, Climate Emergency Response Plan
COVID BSO – COVID Business Support Officer	CSC – Community Services Coordinator	CSP – Contract Senior Planner
CSRO – Community Stakeholder Relations Officer	MPCS – Manager Planning & Community Safety	EA – Executive Assistant to the CEO, Mayor and Councillors



EPO – Executive Project Officer	HR&GC – HR & Governance Coordinator	MC – Manager Community
MFS – Manager Finance and Corporate Services	MIE – Manager Infrastructure & Environment	RC – Rates Coordinator
SLEO – Senior Law Enforcement Officer	SP – Strategic Planner	ESO – Events Support Officer
ASLEO – Acting Senior Law Enforcement Officer	BS&ICT – Business Systems & ICT Coordinator	ASLFO – Acting Senior Law Enforcement Officer



ADJUNCT TO 5.1 – PUBLIC QUESTIONS STATUS UPDATE

No public questions outstanding.



ADJUNCT TO 8.1 – NOTICE OF MOTION STATUS UPDATE

Date	Notice of Motion	Action	Status
23 March 2022	<p>Number 2022/584: Tree Management in Victoria Park</p> <p><i>That Council directs Council officers to:</i></p> <ol style="list-style-type: none"><i>1. cease the post 29 October 2021 storm tree management program currently underway in Victoria Park;</i><i>2. restrict all public access to the Closed Areas, as shown on the attached plan, using appropriate fencing, signage and other measures as continued access may pose a public safety risk in accordance with advice received from Council's arborist;</i><i>3. ensure for all future bookings that no double-axle or big rigs are permitted to camp on the western side of Victoria Park's main roadway;</i><i>4. ensure that a handout is given to all camping users at the Borough Tourist Parks in relation to protecting the vegetation, noting the repercussions for not complying; and</i><i>5. prepare and provide to Council, for approval, a tree management and planting schedule for the whole of Victoria Park including the Closed Areas within 5 months from the date of this motion.</i>	<p>At the Ordinary Meeting of Council on 24 August 2022, Council adopted CP054 Victoria Park Policy.</p> <p>Council has allocated \$40,000 in the 2022–23 Budget for planting.</p> <p>Council provided support and sponsorship for the Queen's Jubilee Tree Planting and attended a commemorated event held on 9 October 2022.</p> <p>The development of a planting schedule at Victoria Park has been adopted as part of the Annual Plan 2022–23. The planting plan will be completed and presented to Councillors in the second quarter of this year.</p>	Complete



24 August 2022	<p>Number 2022/585: Disability Lived Experience Reference Group</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"><i>1. Directs Council officers to undertake an Expression of Interest process inviting diverse community members to be part of a new Disability Lived Experience Reference Group.</i><i>2. Directs Council officers to Commence the Expression of Interest process in the second quarter of the 2022-23 Financial Year.</i><i>3. Establish a Terms of Reference with the Group, with the key objectives of:</i><ol style="list-style-type: none"><i>a) Undertaking benchmarking to establish the number of people who identify as having a disability in the Borough and key access issues</i><i>b) Reviewing all Council disability and access inclusion documentation, notably Council's Disability Access and Inclusion Policy</i><i>c) Reviewing major Council projects to ensure they meet the needs and ambitions of disabled people in the Borough</i>	<p>A meeting was held on 11 October 2022 with representative groups to assist in determining the Expression of Interest (EOI) criteria.</p> <p>The group is now considering the draft EOI criteria.</p>	In progress
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24 August 2022	<p>Number 2022/586: Environmental Reference Group</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"><i>1. Establishes an Environmental Advisory Group which compromises members of the community and at least one Councillor and Council Officer with the purpose of:</i><ol style="list-style-type: none"><i>a) providing strategic advice on the development, implementation and integration of policies, strategies and action plans relating to the environment;</i><i>b) assisting Council in identifying, making recommendations to, and taking advocacy action on issues of environment and sustainability affecting the Borough of Queenscliffe; and</i><i>c) encouraging and supporting activities and events which further environmental and sustainability outcomes in the Borough of Queenscliffe.</i><i>2. Considers a framework for the Environmental Advisory Group at the Ordinary Meeting to be held on 28 September 2022; and</i><i>3. Directs Council officers to commence an Expression of Intertest process by 30 November 2022, inviting community members to join an Environmental Advisory Group.</i>	Council adopted the Environmental Advisory Group Operating Framework at the Ordinary Meeting of Council on 28 September 2022.	In Progress
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ADJUNCT TO 18.1 – QUESTIONS WITHOUT NOTICE STATUS UPDATE

Date	Question	Action	Status
28 September 2022	Cr Tolhurst With regard to Planning Application 2021/048 for 200-204 Point Lonsdale Rd. Do we know how long the application is likely to remain on hold?	Nil	In progress
	Response from the Manager Planning & Community Safety An approved cultural heritage management plan (CHMP) is required for the application under the <i>Aboriginal Heritage Act 2006</i> before a decision on the application can be made. The approval of the CHMP for the land has taken some time. Recent discussions with the applicant have confirmed it is anticipated a CHMP will be finalised in November 2022 which will provide certainty for the further review and consideration of the application.		
28 September 2022	Cr Tolhurst Further to Cr Hewitt's question from the August Council meeting, I appreciate that Council takes vegetation vandalism seriously. Can we commence an education program for all rate payers across the Borough about the consequences of vegetation vandalism, and the requirement to protect our environment.	Engagement proposal pending	In progress
	Response from the CEO Officers are in the process of preparing an engagement proposal for Council's consideration. Officers will come back to Council seeking clarification about the extent and content, and a budget amendment in order to resource an education campaign.		
