



Glenelg Shire Council
Minutes of the Ordinary Council Meeting held on
Tuesday 17 December 2019 at 7.00pm at
Portland Customer Service Centre
Cliff Street, Portland

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TIME:

7.00pm

PRESENT:

Cr Anita Rank (Mayor), Cr Robert Halliday, Cr Chrissy Hawker, Cr Karen Stephens, Cr Geoff White and Cr Gilbert Wilson.

Also in attendance were the Chief Executive Officer (Mr Greg Burgoyne), Director Corporate Services (Ms Joan Lewis), Acting Director Community Services (Ms Ann Kirkham), Director Assets (outgoing) (Mr Robert Alexander), Acting Director Assets (Ms Edith Farrell), and Council Support Coordinator (Ms Kylie Walford).

OPENING PRAYER:

The Mayor opened the meeting with the Council Prayer.

ABORIGINAL ACKNOWLEDGEMENT:

The Mayor read the Aboriginal Acknowledgement.

RECEIPT OF APOLOGIES:

Cr Alistair McDonald

CONFIRMATION OF MINUTES:Recommendation

That the minutes of the Statutory Council Meeting held on Wednesday 6 November 2019, the Ordinary Council Meeting held on Tuesday 26 November 2019 and the Special Council Meeting held on 29 November 2019, as circulated, be confirmed.

MOTION

MOVED Cr Hawker

That the minutes of the Statutory Council Meeting held on Wednesday 6 November 2019, the Ordinary Council Meeting held on Tuesday 26 November 2019 and the Special Council Meeting held on 29 November 2019, as circulated, be confirmed.

SECONDED Cr Halliday

CARRIED

DECLARATIONS OF CONFLICT OF INTEREST:

Nil.

QUESTION TIME:

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN IN WRITING OR PREVIOUSLY TAKEN ON NOTICE:

Nil.

QUESTIONS FROM THE GALLERY:

Nil.

PRESENTATIONS:

1. Budj Bim Cultural Landscape – Certificate of Appreciation

The Mayor presented a framed certificate of appreciation from Budj Bim Cultural Landscape on the Unesco World Heritage List 6 July 2019, presented to Council at the Budj Bim World Heritage Community Celebration on 25 September 2019.

A. NOTICES OF MOTION:

Nil.

B. DEPUTATIONS:

Nil.

C. PETITIONS:

Nil.

D. COMMITTEE REPORTS:**D1. ABORIGINAL EDUCATION SCHOLARSHIP RECOMMENDATIONS FROM THE GLENELG MARA QUORIN ABORIGINAL ADVISORY COMMITTEE**

Director: Edith Farrell, Director Community Services

Executive Summary

This paper is to brief Council on a recommendation made by members of the Glenelg Mara Quorin Aboriginal Advisory Committee. The recommendation relates to awarding two Aboriginal Scholarships for an amount of \$3,000 each. The allocation of indigenous scholarships meets broad objectives within our Glenelg Aboriginal Partnership Agreement 2011 – 2020.

Recommendation

That both applicants 2 and 3 (as detailed in the attachments) be awarded the Glenelg Shire Council Aboriginal Education Scholarships of \$3,000 to undertake study in 2020.

MOTION**MOVED Cr Stephens**

That both applicants 2 and 3 (as detailed in the attachments) be awarded the Glenelg Shire Council Aboriginal Education Scholarships of \$3,000 to undertake study in 2020.

SECONDED Cr Wilson**CARRIED**Background/Key Information:

The purpose of the scholarships is to assist Aboriginal and or Torres Strait Islander people who reside in the Glenelg Shire to complete their tertiary education or undertake further studies.

Applications were publically advertised over the period 2 September 2019 – 18 October 2019 via the Your Say Glenelg platform with information also provided directly to all Aboriginal Partnership organisations, South West TAFE and secondary educational providers.

Five applications were received as noted in the first confidential attachment to this report.

The members of the Glenelg Mara Quorin Aboriginal Advisory Committee recommended awarding the scholarships to applicants numbered as 2 and 3 within the first attachment.

D1. ABORIGINAL SCHOLARSHIP RECOMMENDATIONS FROM THE GLENELG MARA QUORIN ABORIGINAL ADVISORY COMMITTEE

(continued)

a. Council Plan Linkage and Policy Context

Growing Glenelg – Sustaining and growing a diverse economy and social prosperity.

Liveable Glenelg – Embracing inclusive, health, sustainable and diverse cultures.

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative, Legal and Risk Management Considerations

In accordance with Section 3 (1) of the Local Government Act 1989 (the Act), Advisory Committee means any Committee established by the Council, other than a Special Committee, or member of staff whom has been delegated a power, duty or function under Section 98 (Delegations).

An Advisory Committee does not have any delegated authority to act for, and on behalf of Council, nor does it have any power to make decisions. An Advisory Committee provides advice and may make a recommendation to the Council.

Two committee members declared a conflict of interest in relation to two separate applicants.

c. Consultation and/or communication processes implemented or proposed

Applications for the scholarships were publically advertised via Your Say Glenelg, Mixx FM radio, the Portland Observer, Casterton Newspaper and social media. Aboriginal partnership organisations and relevant educational providers were also advised.

The recommendation process was passed through the Glenelg Mara Quorin Aboriginal Advisory Committee with recommendations being received from the following representatives:

- Dhauwurd-Wurrung Elderly and Community Health Service;
- Winda-Mara Aboriginal Corporation; and
- 5 Glenelg Shire Councillors.

No recommendation from Gunditj Mirring Traditional Owners Aboriginal Corporation was received.

D1. ABORIGINAL SCHOLARSHIP RECOMMENDATIONS FROM THE GLENELG MARA QUORIN ABORIGINAL ADVISORY COMMITTEE

(continued)

d. Financial and Resource Implications and Opportunities

The scholarships are funded from the annual operational Aboriginal Partnership budget.

Separate Circulations – Confidential

The separate circulations listed in the table below have been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>Relevant Grounds Under Section 89(2) of the Act</i>	<i>ECM</i>
1.	Overview of 2020 Aboriginal Education Scholarship Applicants	Personnel matters – section 89 (2) (a) of the <i>local government act 1989</i>	2622337
2.	Glenelg Shire Council Aboriginal Education Scholarship 2019 (Applicant 1)	Personnel matters – section 89 (2) (a) of the <i>local government act 1989</i>	2601299
3.	Glenelg Shire Council Aboriginal Education Scholarship 2019 (Applicant 2)	Personnel matters – section 89 (2) (a) of the <i>local government act 1989</i>	2612120
4.	Glenelg Shire Council Aboriginal Education Scholarship 2019 (Applicant 3)	Personnel matters – section 89 (2) (a) of the <i>local government act 1989</i>	2612121
5.	Glenelg Shire Council Aboriginal Education Scholarship 2019 (Applicant 4)	Personnel matters – section 89 (2) (a) of the <i>local government act 1989</i>	2612119
6.	Glenelg Shire Council Aboriginal Education Scholarship 2019 (Applicant 5)	Personnel matters – section 89 (2) (a) of the <i>local government act 1989</i>	2611755

D2. RECOMMENDATION FROM THE HERITAGE ADVISORY COMMITTEE MEETING HELD ON 18 NOVEMBER 2019

Director: Joan Lewis, Director Corporate Services

Executive Summary

The purpose of this report is to enable Council to consider the recommendation made by the Heritage Advisory Committee at a meeting held on 18 November 2019.

Recommendation

That Council increases heritage grants by \$5000 to a maximum amount of \$10000.

MOTION**MOVED Cr Wilson**

That Council increases heritage grants by \$5000 to a maximum amount of \$10000.

SECONDED Cr White**CARRIED****Background/Key Information:**

A review of the heritage loan and grant scheme was undertaken at the November 2019 Heritage Advisory Committee meeting. As a result, it is recommended to increase the application amount available under the heritage and loan scheme. The maximum amount available per application is currently \$5000. It is proposed to increase this amount to \$10000 per heritage grant application.

The aim of this increase in funding is to promote a greater uptake of the scheme and encourage conservation works of a greater value.

The existing eligibility criteria remain unchanged, including the requirement for a one-to-one co-contribution basis.

a. Council Plan Linkage and Policy Context

Growing Glenelg – Sustaining and growing a diverse economy and social prosperity.

b. Legislative, Legal and Risk Management Considerations

Nil

c. Consultation and/or communication processes implemented or proposed

Nil

D2. RECOMMENDATION FROM THE HERITAGE ADVISORY COMMITTEE MEETING HELD ON 18 NOVEMBER 2019

(continued)

d. Financial and Resource Implications and Opportunities

There is \$128,000 available as a co-contribution for heritage loans and grant applications. Each year an additional \$10000 is provided for grants under this fund.

Separate Circulation – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>ECM</i>
1.	Meeting Record of the Heritage Advisory Committee held on 18 November 2019	2627005

E. ASSEMBLY OF COUNCILLOR RECORDS:**E1. ASSEMBLY OF COUNCILLORS RECORDS 14 NOVEMBER 2019 – 5 DECEMBER 2019 (INCLUSIVE)**

Director: Joan Lewis, Director Corporate Services

Executive Summary

In accordance with the *Local Government Act 1989* Assembly of Councillors records (including records of those titled as committees) must be reported to the next 'practical' Ordinary Council meeting and recorded in the minutes of that meeting. The objective of submitting the Assembly of Councillors (including records of those titled as committees) records to Council meetings is to ensure public transparency in Council decision making processes.

Recommendation

That Council receives the report on Assembly of Councillors Records (including records of those titled as committees) for the period Thursday 14 November 2019 – Thursday 5 December 2019 (inclusive).

MOTION**MOVED Cr Hawker**

That Council receives the report on Assembly of Councillors Records (including records of those titled as committees) for the period Thursday 14 November 2019 – Thursday 5 December 2019 (inclusive).

SECONDED Cr Halliday**CARRIED***Background/Key Information:*

The Chief Executive Officer must ensure that a written record is kept of every Assembly of Councillors record (including records of those titled as committees).

Circular L97 advises that Assembly of Councillors records "*only needs to be a simple document that records:*

- *the names of all Councillors and staff at the meeting;*
- *a list of the matters considered;*
- *any conflict of interest disclosed by a Councillor; and*
- *whether a Councillor who disclosed a conflict left the room.*

The circular also advises that: "*The record is not required to be in the form of minutes. The recommended approach is to record the "matters" discussed, by listing the headings of the matters. In some cases, meetings may be considering a single matter...*"

E1. ASSEMBLY OF COUNCILLORS RECORDS 14 NOVEMBER 2019 – 5 DECEMBER 2019 (INCLUSIVE)

(continued)

The circular further advises that: *“This does not mean that the record cannot be reported to the Council in the form of minutes. In Councils where it is established practice for minutes of advisory committees to be tabled at Council meetings, the minutes will be sufficient for the purpose if they include the required information, including disclosures.*

The legislative requirement became effective from the 24 September 2010.

This report covers the period from Thursday 14 November 2019 – Thursday 5 December 2019 (inclusive). All Assembly of Councillors records (including records of those titled as committees) held during this period must be included.

The following assembly of Councillors records (including records of those titled as committees) held during the period specified above have been received from the relevant Departments/Units:

- Heritage Advisory Committee Meeting Record held on Monday 18 November 2019 (DocSetID:2627005);
- Municipal Fire Management Plan Committee Meeting record held on Thursday 21 November 2019 (DocSetID: 2627286);
- Municipal Emergency Management Planning Committee Meeting record held on Thursday 21 November 2019 (DocSetID: 2627279);
- Glenelg Mara Quorin Aboriginal Advisory Committee Meeting Record held on Monday 25 November 2019 (DocSetID:2626884);
- Australia Day Advisory Committee meeting held on Tuesday 26 November 2019 (DocSetID: 2625591);
- Assembly of Councillors - Governance Evaluator meeting held on Tuesday 26 November 2019 (DocSetID: 2624497);
- Assembly of Councillors - Councillor and CEO Briefing session held on Tuesday 26 November 2019 (DocSetID: 2624754); and
- Assembly of Councillors – Councillors Briefing session meeting held on Tuesday 26 November 2019 (DocSetID: 2627929).

a. Council Plan Linkage and Policy Context

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

E1. ASSEMBLY OF COUNCILLORS RECORDS 14 NOVEMBER 2019 – 5 DECEMBER 2019 (INCLUSIVE)

(continued)

b. Legislative, Legal and Risk Management Considerations

The purpose of this report is to ensure compliance with the *Local Government Act 1989*. References include:

- Section 3(1) – Definition of “Assembly of Councillors”;
- Section 80A – Requirements for an assembly of Councillors; and
- Section 3(1) – Definition of “advisory committee”.

c. Consultation and/or communication processes implemented or proposed

This report has considered the requirements of the Victorian Charter of Human Rights and Responsibilities.

d. Financial and Resource Implications and Opportunities

The cost of preparing the monthly reports on Assembly of Councillors records (including records of those titled as committees) is another compliance cost imposed by the state government and is an indirect cost within the corporate governance unit salaries and on cost budget.

Separate Circulations – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	ECM
1.	Heritage Advisory Committee Meeting Record held on Monday 18 November 2019	2627005
2.	Municipal Fire Management Plan Committee Meeting record held on Thursday 21 November 2019	2627286
3.	Municipal Emergency Management Planning Committee Meeting record held on Thursday 21 November 2019	2627279
4.	Glenelg Mara Quorin Aboriginal Advisory Committee Meeting Record held on Monday 25 November 2019	2626884
5.	Australia Day Advisory Committee meeting held on Tuesday 26 November 2019	2625591
6.	Assembly of Councillors - Councillor and CEO Briefing session held on Tuesday 26 November 2019	2624754
7.	Assembly of Councillors - Governance Evaluator meeting held on Tuesday 26 November 2019	2624497
8.	Assembly of Councillors – Councillors Briefing session meeting held on Tuesday 26 November 2019	2627929

F. MANAGEMENT REPORTS:**F1. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER**

CEO: Greg Burgoyne, Chief Executive Officer

Executive Summary

The purpose of this report is to enable Council to consider the Councillor and Chief Executive Officer Leave of Absence Register.

Recommendation

That Council approve the Councillor and Chief Executive Officer Leave of Absence Register presented as a confidential circulation under Section 89(2) of the *Local Government Act 1989*.

MOTION**MOVED Cr White**

That Council approve the Councillor and Chief Executive Officer Leave of Absence Register presented as a confidential circulation under Section 89(2) of the *Local Government Act 1989*.

SECONDED Cr Wilson**CARRIED**Background/Key Information:

In accordance with Section 66B of the *Local Government Act 1989* Councillors are entitled to take Leave of Absence.

Section 66B of the *Local Government Act 1989* states:

- (1) If a Councillor is required to take leave of absence under this Act, the Councillor:
 - a. may continue to be a Councillor but must not perform the duties of functions of a Councillor during the period of leave;
 - b. remains entitled to receive a Councillor allowance unless this Act otherwise provides;
 - c. is not entitled to be reimbursed for out-of-pocket expenses during the period of leave;
 - d. must return all Council equipment and materials to the Council for the period of leave if the Council requires.

F1. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER

(continued)

- (2) If a Mayor is required to take a leave of absence under this Act, the Mayor is, for the duration of the leave, to be considered as incapable of acting under section 73(3) and subsection (1) applies to the Mayor as if the Mayor were a Councillor only.

a. Council Plan Linkage and Policy Context

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative, Legal and Risk Management Considerations

Nil.

c. Consultation and/or communication processes implemented or proposed

Councillors are required to submit Leave of Absence requests in writing to the Chief Executive Officer.

The Chief Executive Officer is required to submit his Leave of Absence requests in writing to Council through the Councillor and Chief Executive Officer Leave of Absence Register.

A register will be held by the Chief Executive Officer and reported monthly to Council.

d. Financial and Resource Implications and Opportunities

Nil.

Separate Circulation – Confidential

The separate circulation listed in the table below have been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	Relevant Grounds Under Section 89(2) of the Act	ECM DocSetID
1.	Councillor and Chief Executive Officer Leave of Absence Register	(Security of Councillor's Property) Any other matter which the council or special committee considers would prejudice the council or any person - section 89 (2) (h)	2624868

F2. DRAFT COUNCIL POLICY - DEPUTY MAYOR

CEO: Greg Burgoyne, Chief Executive Officer

Executive Summary

Following the election of a Deputy Mayor at the Statutory Council Meeting held on 6 November 2019, a draft Council Policy for the position of Deputy Mayor has been developed for Council consideration.

Recommendation

That Council adopt the newly developed Council Policy - Deputy Mayor.

MOTION

MOVED Cr Wilson

That Council adopt the newly developed Council Policy - Deputy Mayor.

SECONDED Cr Halliday

CARRIED

Background/Key Information:

The position of Deputy Mayor is currently not recognised in the *Local Government Act 1989* (the Act) and is not a required position under the Act, or the Glenelg Shire Council Governance Local Law 2013.

On 13 November 2019 the *Local Government Bill 2019* was introduced to Parliament. The Bill is a result of four year's work on the *Local Government Act* review.

Upon enactment of the *Local Government Bill 2019* which is expected to be implemented in 2020, it will be mandatory for Councils to elect a Deputy Mayor.

Establishing a position of Deputy Mayor will formally assign responsibility for acting as Mayor when the Mayor is not available to perform the role. Such situations could include attending civic functions or conducting an Ordinary Council Meeting. It takes away the requirement for Councillors to appoint an acting Mayor each time an absence occurs.

The provision does not preclude the Mayor asking other Councillors to deputise for the Mayor on particular committees or forums in which that Councillor has particular expertise.

Council made a decision at its Statutory Council Meeting to elect a Deputy Mayor and a Policy has been developed to provide a consistent set of guidelines for Council in relation to the duties of the Deputy Mayor.

F2. DRAFT COUNCIL POLICY - DEPUTY MAYOR

(continued)

a. Council Plan Linkage and Policy Context

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative, Legal and Risk Management Considerations

Local Government Bill 2019 (second read in the Legislative Assembly 14 November 2019)

c. Consultation and/or communication processes implemented or proposed

Council Policy to be displayed on Council's Website.

d. Financial and Resource Implications and Opportunities

Nil - Remuneration will be paid at the Councillor Allowance.

Separate Circulation – Non-Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	Draft Council Policy – Deputy Mayor	2623323

F3. DELEGATION – S11A PLANNING AND ENVIRONMENT ACT 1987

Director: Joan Lewis, Director Corporate Services

Executive Summary

In accordance with the principles of good governance, continuous improvement and statutory compliance, a new Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* (S11A) has been created for the newly appointed Statutory Planner.

Recommendation**Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) (S11A)**

That Council adopt the Instrument of Appointment and Authorisation *Planning and Environment Act 1987* from Council to Sanket Gurikar dated Tuesday 17 December 2019:

- a. That the Instrument referred to above come into force immediately the common seal of Council is affixed to the Instruments.
- b. The duties and functions set out in the Instrument referred to above must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

MOTION

MOVED Cr Stephens

Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) (S11A)

That Council adopt the Instrument of Appointment and Authorisation *Planning and Environment Act 1987* from Council to Sanket Gurikar dated Tuesday 17 December 2019:

- a. **That the Instrument referred to above come into force immediately the common seal of Council is affixed to the Instruments.**
- b. **The duties and functions set out in the Instrument referred to above must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

SECONDED Cr White

CARRIED

F3. DELEGATION – S11A PLANNING AND ENVIRONMENT ACT 1987

(continued)

Background/Key Information:

Section 98 of the *Local Government Act 1989* enables Councils to delegate to Council Committees and Staff a diverse range of powers, duties or functions to facilitate the effective and efficient management and operation of municipalities.

As new staff are appointed these delegations are updated, reviewed and revoked as necessary.

a. **Council Plan Linkage and Policy Context**

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. **Legislative, Legal and Risk Management Considerations**

Section 98 of the *Local Government Act 1989* provides that a Council may by instrument of delegation delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act. However, there are six statutory limitations.

c. **Consultation and/or communication processes implemented or proposed**

Nil.

d. **Financial and Resource Implications and Opportunities**

Resources for preparation and coordination of regular delegation reviews are allowed for within the Corporate Services department.

F4. AMENDMENT C104gelg – 3013 HENTY HIGHWAY HEYWOOD, SERVICE STATION SIGNAGE

Director: Joan Lewis, Director Corporate Services

Executive Summary

This report is to brief Council on Amendment C104gelg to insert an Incorporated Document into the Glenelg Planning Scheme. The Incorporated Document will provide site specific planning controls to allow the installation and display of signage for a proposed service station development in the Farming Zone.

Recommendation

1. That Council seek authorisation from the Minister for Planning under Section 8A (3) of the *Planning and Environment Act 1987* to prepare and exhibit Glenelg Planning Scheme Amendment C104gelg.
2. Request an exemption from the notice requirements of Section 20 (2) of the *Planning and Environment Act 1987*.

MOTION**MOVED Cr Wilson**

1. That Council seek authorisation from the Minister for Planning under Section 8A (3) of the *Planning and Environment Act 1987* to prepare and exhibit Glenelg Planning Scheme Amendment C104gelg.
2. Request an exemption from the notice requirements of Section 20 (2) of the *Planning and Environment Act 1987*.

SECONDED Cr Halliday**CARRIED****Background/Key Information:**

Planning application P19158 was lodged on 13 November 2019 for the use and development of land for a service station, business identification signs, native vegetation removal, and to create access to Road Zone Category 1.

The subject land, 3013 Henty Highway, Heywood, is located in the Farming Zone (FZ).

Under the FZ, signage is a Category 4 'sensitive areas' classification which restricts the total display area of business identification signage to a maximum of 3 square metres. Advertising signage exceeding this area is prohibited in the FZ.

The proponent, BB Design Group Pty Ltd, has requested Council prepare an amendment to permit the installation and display of business identification signage greater than 3 square metres in area on the subject land.

F4. AMENDMENT C104gelg – 3013 HENTY HIGHWAY HEYWOOD, SERVICE STATION SIGNAGE

(continued)

The amendment is required to insert an Incorporated Document in the Schedules to Clause 51.01 and Clause 72.04 of the Glenelg Planning Scheme.

The Incorporated Document includes signage plans for the proposed service station and planning controls regulating the location, size, material of construction, colours, wording and degree of illumination of the proposed signs. Refer to Attachment 1.

Further details about the amendment can be found in the Explanatory Report at Attachment 2.

a. Council Plan Linkage and Policy Context

Growing Glenelg – Sustaining and growing a diverse economy and social prosperity.

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative, Legal and Risk Management Considerations

The Amendment supports the implementation of the following objectives under Section 4 (1) of the *Planning and Environment Act 1987*:

- *to provide for the fair, orderly, economic and sustainable use, and development of land;*
- *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- *to facilitate development in accordance with the objectives;*
- *to balance the present and future interests of all Victorians.*

c. Consultation and/or communication processes implemented or proposed

Authorisation from the Minister for Planning is required prior to exhibition of the amendment. A request to the Minister to consider an exemption from full exhibition is to be requested under Section 20(2) of the *Planning and Environment Act 1987* to forego public notice in newspapers.

Individual notification is to be given to prescribed Ministers, landowners and occupiers of affected land. Notice of the Amendment will appear in the State Government Gazette.

The assessment of planning permit application P19158 will also involve notification to affected parties and referral to Regional Roads Victoria.

F4. AMENDMENT C104 gelg – 3013 HENTY HIGHWAY HEYWOOD, SERVICE STATION SIGNAGE

(continued)

d. Financial and Resource Implications and Opportunities

The amendment fee set by the State Government will be paid by the applicant.

Combined permit applications attract a 50% reduction in the lower fee, with the amendment fee being the lower of the fees. The amendment is to be managed by the Planning Unit and is within the operational budget.

Separate Circulations – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>ECM</i>
1.	Incorporated document	2628936
2.	Explanatory Report	2628939

F5. GLENELG SHIRE MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2017 – 21 – YEAR THREE ACTION PLAN

Director: Edith Farrell, Director Community Services

Executive Summary

This report is to update Council on the development of Year Three Action Plan relating to the Glenelg Shire Municipal Public Health and Wellbeing Plan (2017 – 2021) adopted at OCM October 2017.

Recommendation

That Council endorse the Municipal Public Health and Wellbeing 2017 – 2021, Year Three Action Plan.

MOTION**MOVED Cr White**

That Council endorse the Municipal Public Health and Wellbeing 2017 – 2021, Year Three Action Plan.

SECONDED Cr Hawker**CARRIED****Background/Key Information:**

The purpose of the Glenelg Shire Municipal Public Health and Wellbeing Plan (2017 – 2021) is to provide clear local priorities, goals and strategies to drive the direction of health and wellbeing for the Shire over the next four years. A revised action plan is developed annually to support the overall delivery of the Municipal Public Health and Wellbeing Plan 2017 – 2021.

The Year Three Action Plan details a range of actions to be achieved between the period of November 2019 and October 2020. Priority actions have been identified in line with the top four priority areas of the Municipal Public Health and Wellbeing Plan 2017 – 2021.

The Year Three Action Plan recognises a wider spread of work occurring internally within the Glenelg Shire Council. Alongside an increased capture of work that partner organisations in Health and Wellbeing are also doing. These actions reflect current health and wellbeing focuses, policy changes and data relating to current and emerging trends.

This Action Plan outlines the broad commitment of organisations and services across the Shire, in delivering, supporting and advocating for health focused initiatives, by working in close collaboration to continue to grow better health and wellbeing outcomes for the Glenelg Shire.

F5. GLENELG SHIRE MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2017 – 21 – YEAR TWO ACTION PLAN

(continued)

a. Council Plan Linkage and Policy Context

Connecting Glenelg – Connecting people, places and spaces.

Liveable Glenelg – Embracing inclusive, health, sustainable and diverse cultures.

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative, Legal and Risk Management Considerations

Nil.

c. Consultation and/or communication processes implemented or proposed

All partners both internal and external were consulted in the Year Three Action development process. An external stakeholder workshop was held where all lead partners to the plan were invited to attend and provide input to the plan.

d. Financial and Resource Implications and Opportunities

The roll out of the Year Three Municipal Health and Wellbeing Action Plan is supported by the annual Health and Wellbeing budget.

Separate Circulation – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>ECM</i>
1.	Glenelg Shire Health and Wellbeing Plan 2017-2021 Year Three Action Plan	2622263

F6. CONTRACT 2019-20-15 BRIDGEWATER LAKES ROAD CAPE BRIDGEWATER AND HEATH ROAD CASHMORE – REHABILITATION STAGE 2

Director: Robert Alexander, Director Assets

Executive Summary

This report is to brief Council on the tender evaluation process for stage 2 of the rehabilitation works on Bridgewater Lakes Road Cape Bridgewater and Heath Road Cashmore, under Contract 2019-20-15 and provides recommendations regarding the awarding of this contract.

Recommendation

1. That Council award Contract 2019-20-15 for the Bridgewater Lakes Road Road Cape Bridgewater and Heath Road Cashmore - Rehabilitation Stage 2 to Mibus Bros (Aust) Pty Ltd.
2. That the Chief Executive Officer be authorised to execute all documents relating to this contract.
3. That the Director Assets be authorised to complete all financial payments and endorse variations as applicable relating to this contract.

MOTION**MOVED Cr Stephens**

1. **That Council award Contract 2019-20-15 for the Bridgewater Lakes Road Road Cape Bridgewater and Heath Road Cashmore - Rehabilitation Stage 2 to Mibus Bros (Aust) Pty Ltd.**
2. **That the Chief Executive Officer be authorised to execute all documents relating to this contract.**
3. **That the Director Assets be authorised to complete all financial payments and endorse variations as applicable relating to this contract.**

SECONDED Cr Halliday**CARRIED****Background/Key Information:**

This contract is to undertake stage two of the road rehabilitation works along Bridgewater Lakes Road, Cape Bridgewater and Heath Road, Cashmore as a part of Fixing Country Roads Program.

The Fixing Country Roads Program is the Victorian Government's commitment to regional Victorians to improve the condition of their local roads. Glenelg Shire Council has been successful in part two of the Country Roads Funding program for 2019-2020. Work involves upgrade of Heath Road and Bridgewater Lakes Road and is required to be completed by the end of the 2019-2020 financial year.

F6. CONTRACT 2019-20-15 BRIDGEWATER LAKES ROAD CAPE BRIDGEWATER AND HEATH ROAD CASHMORE – REHABILITATION STAGE 2

(continued)

Public tenders were called on Friday 11 October 2019 and closed at 3pm on Thursday 31 October 2019. A total of four (4) submissions were received for evaluation from the following tenderers:

- BITU-MILL (CIVIL) PTY LTD;
- Gambier Earth Movers Pty Ltd;
- Mibus Bros (Aust) Pty Ltd; and
- Porthaul Civil Pty Ltd.

The Tender Evaluation Panel has considered all submissions taking into account the selection criteria and applicable weighting.

Following the evaluation, the Tender Evaluation Panel has recommended that Council award Contract 2019-20-15 for Bridgewater Lakes Road Cape Bridgewater and Heath Road Cashmore Rehabilitation Stage 2 to Mibus Bros (Aust) Pty Ltd.

a. Council Plan Linkage and Policy Context

Growing Glenelg – Sustaining and growing a diverse economy and social prosperity.

Connecting Glenelg – Connecting people, places and spaces.

b. Legislative, Legal and Risk Management Considerations

All legal and legislative requirements have been considered.

c. Consultation and/or communication processes implemented or proposed

Tenders were called in accordance with Council's procurement policy and communication with prospective tenderers was via Council's Tenderlink website to ensure a fair and transparent platform for tendering.

Notification to the successful tenderer will also be provided following Council's resolution to award the contract.

d. Financial and Resource Implications and Opportunities

The contract will be managed by current Council resources and the required Council contribution as part of the Fixing Country Roads funding allocation is within the current Council budget.

F6. CONTRACT 2019-20-15 BRIDGEWATER LAKES ROAD CAPE BRIDGEWATER AND HEATH ROAD CASHMORE – REHABILITATION STAGE 2

(continued)

Separate Circulation – Confidential

The separate circulation listed in the table below has been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):

<i>No.</i>	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>Relevant Grounds Under Section 89(2) of the Act</i>	<i>ECM</i>
1.	Contract 2019-20-15 Bridgewater Lakes Road Cape Bridgewater and Heath Road Cashmore – Rehabilitation Stage 2 Tender Evaluation Matrix	Contains contractual matter - section 89 (2) (d) of the <i>Local Government Act 1989</i>	2620942

F7. CONTRACT 2019-20-11 HENTY EMPLOYMENT PRECINCT ROAD CONSTRUCTION WORKS

Director: Robert Alexander, Director Assets

Executive Summary

This report is to brief Council on the tender evaluation process for the Henty Employment Precinct Road Construction Works under Contract 2019-20-11 and provides recommendations regarding the award of this contract.

Recommendation

1. That Council award Contract 2018-19-11 for the Henty Employment Precinct Road Construction Works to Mibus Bros (Aust) Pty Ltd subject to the successful negotiation of contract terms and conditions.
2. That the Director Assets be authorised to negotiate contractual terms and conditions to be included in the contract.
3. That the Chief Executive Officer be authorised to execute all documents relating to this contract.
4. That the Director Assets be authorised to complete all financial payments and endorse variations as applicable relating to this contract.

MOTION**MOVED Cr Halliday**

1. That Council award Contract 2018-19-11 for the Henty Employment Precinct Road Construction Works to Mibus Bros (Aust) Pty Ltd subject to the successful negotiation of contract terms and conditions.
2. That the Director Assets be authorised to negotiate contractual terms and conditions to be included in the contract.
3. That the Chief Executive Officer be authorised to execute all documents relating to this contract.
4. That the Director Assets be authorised to complete all financial payments and endorse variations as applicable relating to this contract.

SECONDED Cr Hawker**CARRIED**

F7. CONTRACT 2019-20-11 HENTY EMPLOYMENT PRECINCT ROAD CONSTRUCTION WORKS

(continued)

Background/Key Information:

The first of the construction packages for the Henty Employment Precinct included the development of a drainage detention basin, upgrade of the existing drain under New Street and Hanlon Parade, and upgrading the ocean outfall drain.

The second package, contained within this tender, includes the construction of Browning Street between Henty Highway and Cashmore Road with associated stormwater drainage and water main replacement and the upgrade of the Browning Street and Henty Highway (Ring Road) intersection.

This contract is to undertake the Henty Employment Precinct Road Construction Works, as outlined above.

Public Tenders were called on Friday 1 November 2019 and closed at 3pm on Thursday 21 November 2019.

At the closure of the tender submission period a total of two (2) submissions were received. Tender submissions were received via Tenderlink from:

- Mibus Bros (Aust) Pty Ltd; and
- Porthaul Civil Pty Ltd.

The Tender Evaluation Panel considered the tender submissions taking into account the selection criteria and weighting which covers previous relevant experience, experience and capability of the nominated key personnel including subcontractors, management systems (quality, safety, environmental), proposed methodology, program, price, economic contribution to the Glenelg Shire Council region and the level of commitment demonstrated to maximize environmental sustainability.

a. Council Plan Linkage and Policy Context

Growing Glenelg – Sustaining and growing a diverse economy and social prosperity.

Connecting Glenelg – Connecting people, places and spaces.

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative, Legal and Risk Management Considerations

All legal and legislative requirements have been considered.

F7. CONTRACT 2019-20-11 HENTY EMPLOYMENT PRECINCT ROAD CONSTRUCTION WORKS

(continued)

c. Consultation and/or communication processes implemented or proposed

Tenders were called in accordance with Council's procurement policy and communication with prospective tenderers was via Council's Tenderlink website to ensure a fair and transparent platform for tendering.

Notification to the successful tenderer will also be provided following Council's resolution to award the contract.

d. Financial and Resource Implications and Opportunities

This contract is within Council's current budget, with the Henty Employment Precinct Project partially funded by the State Government.

Separate Circulation – Confidential

The separate circulation listed in the table below has been designated as confidential by the Chief Executive Officer under sections 77(2)(c) of the Local Government Act 1989 (the Act):

No.	Separate Circulation	Relevant Grounds Under Section 89(2) of the Act	ECM
1.	Henty Employment Precinct Road Construction Works, Contract 2019-20-11 Tender Evaluation Matrix	Contains contractual matters - section 89 (2) (d) of the Local Government Act 1989	2624032

F8. B-DOUBLE PERMIT APPLICATION FOR SCOTT STREET AND HUNTER STREET HEYWOOD

Director: Robert Alexander, Director Assets

Executive Summary

This report is to brief Council on a permit request received through the National Heavy Vehicle Regulator (NHVR) from the owner of a transport business located in Hunter Street, Heywood and provide a recommendation for temporary approval to allow existing use to continue.

Recommendation

That Council approves the National Heavy Vehicle Regulator permit application Case number 262250r1v1 for a twelve-month period, subject to complying with conditions relating to speed and direction of travel.

MOTION**MOVED Cr Wilson**

That Council approves the National Heavy Vehicle Regulator permit application Case number 262250r1v1 for a twelve-month period, subject to complying with conditions relating to speed and direction of travel.

SECONDED Cr Stephens**CARRIED****Background/Key Information:**

Council has received a permit request (Case number 262250r1v1) through the National Heavy Vehicle Regulator (NHVR) from the owner of a transport business located in Hunter Street, Heywood.

The existing business has been at this location for many years and the owner has requested permission for B-Double vehicles to continue to access the business from the Henty Highway in Heywood via Hunter Street and Best Street, and exit to the highway via Best Street and Scott Street.

It is expected that there will be no additional vehicle movements allowed under this permit than the existing usage pattern.

As this is an existing business, it is considered appropriate to provide a twelve (12) month permit with conditions including access direction and speed limits. Access is proposed to be allowed west along Hunter Street, south on Best Street and east along Scott Street with the speed restricted to 40 km per hour.

F8. B-DOUBLE PERMIT APPLICATION FOR SCOTT STREET AND HUNTER STREET HEYWOOD

(continued)

a. Council Plan Linkage and Policy Context

Growing Glenelg – Sustaining and growing a diverse economy and social prosperity.

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. Legislative, Legal and Risk Management Considerations

Council is the Responsible Road Authority under the *Heavy Vehicle National Law Application Act 2013*, which is administered by the NHVR.

There are two risks to be considered as part of this application which include:

- Community dissatisfaction with the large vehicles using local roads; and
- Economic loss to the community if the business is unable to operate.

As outlined within the report, speed and direction of travel restrictions are proposed to be put in place to minimise impact and to allow the existing use to continue.

c. Consultation and/or communication processes implemented or proposed

As this is an existing business no further consultation was required as part of the NHVR permit process.

d. Financial and Resource Implications and Opportunities

There are no financial implications for Council.

ANY OTHER PROCEDURAL MATTER:URGENT BUSINESS:

Council thanked Director Assets for his contribution over the past two years.

RECEIPT OF ITEMS SUBMITTED FOR INFORMATION:INDEX – SEPARATE CIRCULATIONS TO REPORTS*Separate Circulation to Councillors, CEO, Director and available to the Public*

- D2. (1) Meeting Record of the Heritage Advisory Committee held on 18 November 2019
- E1. (1) Heritage Advisory Committee Meeting Record held on Monday 18 November 2019
- E1. (2) Municipal Fire Management Plan Committee Meeting record held on Thursday 21 November 2019
- E1. (3) Municipal Emergency Management Planning Committee Meeting record held on Thursday 21 November 2019
- E1. (4) Glenelg Mara Quorin Aboriginal Advisory Committee Meeting Record held on Monday 25 November 2019
- E1. (5) Australia Day Advisory Committee meeting held on Tuesday 26 November 2019
- E1. (6) Assembly of Councillors - Governance Evaluator meeting held on Tuesday 26 November 2019
- E1. (7) Assembly of Councillors - Councillor and CEO Briefing session held on Tuesday 26 November 2019
- E1. (8) Assembly of Councillors – Councillors Briefing session meeting held on Tuesday 26 November 2019
- F2. (1) Draft Council Policy – Deputy Mayor
- F4. (1) Incorporated document
- F4. (2) Explanatory Report
- F5. (1) Glenelg Shire Health and Wellbeing Plan 2017-2021 Year Three Action Plan

Separate Circulation to Councillors, CEO and Directors

- D1. (1) Overview of 2020 Aboriginal Education Scholarship Applicants
- D1. (2) Glenelg Shire Council Aboriginal Education Scholarship 2019 (Applicant 1)
- D1. (3) Glenelg Shire Council Aboriginal Education Scholarship 2019 (Applicant 2)
- D1. (4) Glenelg Shire Council Aboriginal Education Scholarship 2019 (Applicant 3)
- D1. (5) Glenelg Shire Council Aboriginal Education Scholarship 2019 (Applicant 4)
- D1. (6) Glenelg Shire Council Aboriginal Education Scholarship 2019 (Applicant 5)
- F1. (1) Councillor and Chief Executive Officer Leave of Absence Register
- F6. (1) Contract 2019-20-15 Bridgewater Lakes Road Cape Bridgewater and Heath Road Cashmore – Rehabilitation Stage 2 Tender Evaluation Matrix
- F7. (1) Henty Employment Precinct Road Construction Works, Contract 2019-20-11 Tender Evaluation Matrix

Recommendation

The documents separately circulated to Councillors, CEO, Directors and to the Public, as listed above, be received.

MOTION**MOVED Cr Wilson**

The documents separately circulated to Councillors, CEO, Directors and to the Public, as listed above, be received.

SECONDED Cr White**CARRIED**CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC:Recommendation

That the Council Meeting be closed to members of the public pursuant to Section 89 (h) of the *Local Government Act 1989*, excluding the Chief Executive Officer, Director Corporate Services, Director Community Services, Director Assets and Council Support Coordinator to consider the following reports:

- G1. Independent Audit Committee Member Appointment
- G2. Australia Day Awards 2020

CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC:

(continued)

MOTION

MOVED Cr Stephens

That the Council Meeting be closed to members of the public pursuant to Section 89 (h) of the *Local Government Act 1989*, excluding the Chief Executive Officer, Director Corporate Services, Director Community Services, Director Assets and Council Support Coordinator to consider the following reports:

G1. Independent Audit Committee Member Appointment

G2. Australia Day Awards 2020

SECONDED Cr Wilson

CARRIED

OPENING OF COUNCIL MEETING TO MEMBERS OF THE PUBLIC:Recommendation

That the Council Meeting be opened to members of the public.

MOTION

MOVED Cr Stephens

That the Council Meeting be opened to members of the public.

SECONDED Cr Hawker

CARRIED

CLOSURE OF COUNCIL MEETING

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 7.13PM.

I HEREBY CERTIFY THAT PAGES 1 TO 42 INCLUDING PAGES 37 TO 41 (IN CAMERA) ARE A TRUE AND CORRECT RECORD.

CR ANITA RANK
MAYOR

28 JANUARY 2020

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