



Glenelg Shire Council

Minutes of the Ordinary Council Meeting held on

Tuesday 26 November 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 Alistair McDonald, Cr Karen Stephens, Cr Geoff White and Cr Gilbert Wilson.

Also in attendance were the Chief Executive Officer (Mr Greg Burgoyne), Director Community Services (Ms Edith Farrell), Director Assets (Mr Robert Alexander), Director Corporate Services (Ms Joan Lewis), Senior Administration Officer Corporate Services (Ms Rachael Fellows) and Media and Communications Officer (Ms Courtney Hoggan).

OPENING PRAYER:

The Mayor opened the meeting with the Council Prayer.

ABORIGINAL ACKNOWLEDGEMENT:

The Mayor read the Aboriginal Acknowledgement.

RECEIPT OF APOLOGIES:CONFIRMATION OF MINUTES:Recommendation

That the minutes of the Ordinary Council Meeting held on Tuesday 22 October 2019, as circulated, be confirmed.

MOTION**MOVED Cr Stephens**

That the minutes of the Ordinary Council Meeting held on Tuesday 22 October 2019, as circulated, be confirmed.

SECONDED Cr Halliday**CARRIED**DECLARATIONS OF CONFLICT OF INTEREST:

Nil.

QUESTION TIME:

Nil.

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

Nil.

QUESTIONS FROM THE GALLERY:

Nil.

PRESENTATIONS:

Nil.

A. NOTICES OF MOTION:**A1. NOTICE OF MOTION – 1-2019-20 CLOSURE OF PORTLAND COURT HEARINGS**

In accordance with the Council's Governance Local Law and associated Meeting Procedure, I give notice of my intention to move the following Motion at the Council meeting to be held on Tuesday, 26 November 2019:

1. That the Glenelg Shire request the Minister for Corrections to intervene with the relocation of Portland Court hearings to the Warrnambool Court; and
2. The Glenelg Shire strongly requests that the Portland Court hearings be held within a temporary Portland location while upgrades and maintenance are being conducted on the Portland Court facility.

Comments

Reasons for the request include the safety of Public Transport Users and persons required to attend the Court.

Public transport from Portland to Warrnambool is via Vline bus.

1st bus leaves Portland at 7:40am and arrives in Warrnambool at the train station at 9:05am.

2nd bus leaves Portland at 10:20am and arrives in Warrnambool at the train station at 11:45am.

Return trip buses are as follows:

1st Bus leaves Warrnambool train station at 11:30am to arrive in Portland at 1:02pm.

2nd Bus leaves Warrnambool at 5:00pm to arrive in Portland at 6:32pm.

Attendees for Court may be faced with travelling on the Public Bus along with the opposing party. This poses issues with people who have or are requesting Protection Orders against them. Public users may be exposed to unfavourable actions within the Bus stops and the bus, with little to no security being available to assist.

The time the attendees need to get to the Court may mean having to walk the number of blocks, also exposing the ability of verbal or physical attacks. A Court hearing that concludes say at 11:30am means the person will need to wait until the next bus leaves at 5pm. A significant amount of time for potential exposure without the required security and assistance.

It is common for persons with a low income to attend Court and the trip means an added expense to their budget. The requirement to travel to Warrnambool may also build up extra anxiety because of the trip.

A1. NOTICE OF MOTION – 1-2019-20 CLOSURE OF PORTLAND COURT HEARINGS

(continued)

Court hearings have been held in a temporary location on previous occasions. There is no reason why the necessary security checks and processes cannot be performed in a location in Portland.

Signed: Cr Gilbert Wilson

Date: 8 November 2019

MOTION**MOVED Cr Wilson**

1. That the Glenelg Shire request the Minister for Corrections Ben Carrol to intervene with the relocation of Portland Court hearings to the Warrnambool Court;
2. The Glenelg Shire strongly requests that the Portland Court hearings be held within a temporary Portland location while upgrades and maintenance are being conducted on the Portland Court facility; and
3. That the Glenelg Shire Council writes to Police Emergency Minister Lisa Neville and Attorney General and Workplace Safety Minister Hon. Gill Hennessy.

SECONDED Cr Stephens**CARRIED**

Separate Circulation – Non-Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	Notice of Motion – Portland Court Hearings Cr Wilson 8 November 2019	2619055

B. DEPUTATIONS:

C. PETITIONS:

D. COMMITTEE REPORTS:**D1. MINUTES AND RECOMMENDATIONS OF THE AUDIT COMMITTEE MEETING HELD ON 10 SEPTEMBER 2019**

CEO: Greg Burgoyne, Chief Executive Officer

Executive Summary

The purpose of this report is to enable the Council to receive the Minutes of the Audit Committee Meeting held on 10 September 2019. A recommendation made by the Committee was considered by Council at its meeting on 24 September 2019.

Recommendation

That Council receives the minutes of the Audit Committee meeting held on Tuesday 10 September 2019.

MOTION

MOVED Cr Stephens

That Council receives the minutes of the Audit Committee meeting held on Tuesday 10 September 2019.

SECONDED Cr McDonald

CARRIED

Background/Key Information:

The role of the Audit Committee is to monitor and advise Council on the corporate governance, financial management, and risk management of the Glenelg Shire.

The Audit Committee Charter requires that the Committee's Minutes be presented to Council to ensure that an effective communication mechanism between the Committee and Council occurs and to ensure that the Council is fully informed on the Committee's activities.

D1. MINUTES AND RECOMMENDATIONS OF THE AUDIT COMMITTEE MEETING HELD ON 10 SEPTEMBER 2019

The Audit Committee Meeting held on Tuesday 10 September 2019 considered the following items:

Item No.	Description
1.	Draft Annual Financial Report – As At 30 June 2019
2.	Local Government Performance Report 2018/19 (Unaudited)
3.	Glenelg Shire Council Plan – Full Year Performance Report 2018/19
4.	Internal Audit - Review of Council's Contract Management Processes and Practices
5.	OHS Self Insurance Audit Overview
6.	Risk Management Report May 2019 to July 2019
7.	Business Continuity Plan Update July 2019
8.	Outstanding Debtors (Rates and General) – As at 30 June 2019
9.	Aged Care Reforms Update
10.	Digital Glenelg Presentation
11.	Information Technology Security and Penetration Test Update
12.	Glenelg Municipal Emergency Management Plan 2019-2022 Audit
13.	Audit Register Review
14.	Review of Council's Procurement Policy 2019-2020
15.	VAGO Report: Fraud and Corruption Control – Local Government
16.	Audit Committee Self-Assessment Results 2018/19
17.	Audit Committee Annual Report 2018/2019
18.	Meeting Allowances for Independent Members of the Audit Committee
19.	Council Policies not in line with State Government

The following recommendation from the meeting was considered by Council at its meeting on 24 September 2019 under item F2.

Item 1 Draft Annual Financial Report – As At 30 June 2019

That the Audit Committee recommends to Council that the Draft Annual Financial Report for the year ended 30 June 2019 be approved 'in principle', subject to any material changes being communicated to the Audit Committee Chairperson.

MOVED: Member Paris

SECONDED: Member Green
CARRIED

a. Council Plan Linkage and Policy Context

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

Audit Committee Charter.

**D1. MINUTES AND RECOMMENDATIONS OF THE AUDIT COMMITTEE
MEETING HELD ON 10 SEPTEMBER 2019**

(continued)

b. Legislative, Legal and Risk Management Considerations

Under section 139 of the *Local Government Act 1989* (the "Act") Council is required to establish an audit committee and operate this committee under specific guidelines. The Audit Committee's role also links to and supports a range of Glenelg Shire policies, procedures and guidelines including the Fraud Prevention Policy; Investment Policy; Procurement Policy; Councillor Code of Conduct and Staff Code of Conduct.

A key element of the internal audit function is to assist with the mitigation of risk.

c. Consultation and/or communication processes implemented or proposed

The minutes from each meeting are provided to Audit Committee members for review.

d. Financial and Resource Implications and Opportunities

The 2019/20 Council budget contains a provision to support the Audit Committee and to undertake an internal audit program during the financial year. Management and staff time to support the Committee and internal audit projects is an indirect cost.

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
1.	Minutes of the Audit Committee Meeting held on Tuesday 10 September 2019.	The document contains information that would prejudice the Council or any person - section 89(2)(h) of the Act.	2610952

E. ASSEMBLY OF COUNCILLOR RECORDS:**E1. ASSEMBLY OF COUNCILLORS RECORDS 10 OCTOBER 2019 – 14 NOVEMBER 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 10 October 2019 – Thursday 14 November 2019 (inclusive).

MOTION**MOVED Cr Wilson**

That Council receives the report on Assembly of Councillors Records (including records of those titled as committees) for the period Thursday 10 October 2019 – Thursday 14 November 2019 (inclusive).

SECONDED Cr White**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.*

E1. ASSEMBLY OF COUNCILLORS RECORDS 10 OCTOBER 2019 – 14 NOVEMBER 2019 (INCLUSIVE)

(continued)

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...”*

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 10 October 2019 – Thursday 14 November 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:

- Assembly of Councillors meeting record of the Casterton Saleyards Advisory Committee held on Thursday 26 September 2019 (DocSetID: 2617935);
- Assembly of Councillors Volunteering and Wellbeing Advisory Committee meeting held on Wednesday 30 October 2019 (DocSetID: 2542052);
- Assembly of Councillors – Councillor and Acting Chief Executive Officer meeting held on Tuesday 22 October 2019 (DocSetID:2614279);
- Assembly of Councillors – Councillors Briefing session meeting record held on Tuesday 22 October 2019 (DocSetID: 2614219);
- Assembly of Councillors – Deputation by South West Academy of Sports Inc – Athletes presentation held on Tuesday 12 November 2019 (DocSetID: 2621023);
- Assembly of Councillors – Councillors Workshop meeting held on Tuesday 12 November 2019 (DocSetID: 2620627);
- Assembly of Councillors - Councillor and Chief Executive Officer meeting held on Tuesday 12 November 2019 (DocSetID:2620552); and
- Confidential Meeting Record of the Australia Day Advisory Committee held on Tuesday 12 November 2019.

a. Council Plan Linkage and Policy Context

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

E1. ASSEMBLY OF COUNCILLORS RECORDS 10 OCTOBER 2019 – 14 NOVEMBER 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>	<i>ECM</i>
1.	Assembly of Councillors meeting record of the Casterton Saleyards Advisory Committee held on Thursday 26 September 2019	2617935
2.	Assembly of Councillors Volunteering and Wellbeing Advisory Committee meeting held on Wednesday 30 October 2019	2542052
3.	Assembly of Councillors – Councillor and Acting Chief Executive Officer meeting held on Tuesday 22 October 2019	2614279
4.	Assembly of Councillors – Councillors Briefing session meeting record held on Tuesday 22 October 2019	2614219
5.	Assembly of Councillors – Deputation by South West Academy of Sports Inc – Athletes presentation held on Tuesday 12 November 2019	2621023
6.	Assembly of Councillors – Councillors Workshop meeting held on Tuesday 12 November 2019	2620627
7.	Assembly of Councillors - Councillor and Chief Executive Officer meeting held on Tuesday 12 November 2019	2620552

E1. ASSEMBLY OF COUNCILLORS RECORDS 10 OCTOBER 2019 – 14 NOVEMBER 2019 (INCLUSIVE)

(continued)

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.	<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.	Meeting Record of the Australia Day Advisory Committee held on Tuesday 12 November 2019	The document contains information that would prejudice the Council or any person - section 89(2)(h) of the Act.	2620762

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 McDonald

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 Halliday

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)	2620780

F2. AUDIT COMMITTEE ANNUAL REPORT 2018/19

CEO: Greg Burgoyne, Chief Executive Officer

Executive Summary

The purpose of this report is to present the Glenelg Shire Council Audit Committee's Annual Report for 2018/19 to Council.

Recommendation

That the Audit Committee's Annual Report for 2018/19 be received.

MOTION

MOVED Cr Stephens

That the Audit Committee's Annual Report for 2018/19 be received.

SECONDED Cr McDonald

CARRIED

Background/Key Information:

The Audit Committee is an independent advisory Committee to Council. The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's corporate governance and ethical development.

The Audit Committee Charter requires the Audit Committee to provide an annual report and will be presented to Council at the next available Council meeting.

The Audit Committee Annual Report is a summary of the Committee's operation and activities during the financial year 2018/19 and includes the following sections:

- Overview;
- Audit Committee's Charter;
- Authority;
- Accountability;
- Membership;
- Meetings and Attendance;
- External Audit;
- Internal Audit;

F2. AUDIT COMMITTEE ANNUAL REPORT 2018/19

(continued)

- Key Activities of the Committee (including, internal audits, monthly financial reports, risk management, fraud and corruption and other matters considered throughout the year);
- Self-assessment of Committee's Effectiveness; and
- Concluding remarks.

A copy of the Annual Report for 2018/19 has been circulated with the Council Meeting agenda.

a. Council Plan Linkage and Policy Context

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

Audit Committee Charter.

b. Legislative, Legal and Risk Management Considerations

Nil.

c. Consultation and/or communication processes implemented or proposed

The annual report was approved by the Audit Committee at a meeting held on 10 September 2019.

d. Financial and Resource Implications and Opportunities

The Council Budget for 2018/19 contained a budget allocation for the direct costs of operating and supporting the Audit Committee.

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.	Audit Committee Annual Report 2018/19	2584964

F3. GLENELG SHIRE EVENTS STRATEGY

Director: Edith Farrell, Director Community Services

Executive Summary

This paper is to seek Council endorsement of the draft Glenelg Shire Events Strategy.

Recommendation

1. That Council endorses the draft 2019–2026 Glenelg Shire Events Strategy.
2. That Officers develop two supporting documents namely an Events Policy and Events Management Guidelines and present the documents to a future Councillor Workshop.

MOTION**MOVED Cr Hawker**

1. That Council endorses the draft 2019–2026 Glenelg Shire Events Strategy.
2. That Officers develop two supporting documents namely an Events Policy and Events Management Guidelines and present the documents to a future Councillor Workshop.

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

In May 2019, Council endorsed the 2019 – 2026 Glenelg Tourism Strategy. The Tourism Advisory Committee reviewed the 2015-2018 Tourism Strategy to develop the framework for the Glenelg Tourism Strategy (2019-2026).

A high priority action of the 2019 - 2026 Tourism Strategy implementation plan was to develop a suite of event management documents that now includes an events strategy, events policy and event management guidelines. The Tourism Advisory Committee participated in a series of workshops to identify key focus areas to form an Events Strategy that would guide the development of the two supporting documents.

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.

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

F3. GLENELG SHIRE EVENTS STRATEGY

(continued)

Creative Glenelg – Creative, forward thinking and action-orientated.

Leading Glenelg – Creating shared vision with the community, ensuring agreed outcomes.

b. Legislative, Legal and Risk Management Considerations

There are no legal, legislative or risk management considerations in relation to the development of this Strategy.

c. Consultation and/or communication processes implemented or proposed

A project scope was developed, and Tourism Advisory Committee members were engaged to assist in the preparation of the draft Glenelg Shire Events Strategy. The draft Event Strategy provides a concise overview of the current event industry and identifies linkages with key stakeholders and other relevant Council Strategies.

d. Financial and Resource Implications and Opportunities

The Glenelg Shire Events Strategy development has been undertaken within operational budget.

Separate Circulation – Non-Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	Glenelg Events Strategy 2019-2026	2619388

F4. LOCAL PORT OF PORTLAND BAY TRAWLER WHARF AMENITIES BLOCK

Director: Robert Alexander, Director Assets

Executive Summary

This report provides the outcome of the Local Port of Portland Bay Trawler Wharf amenities block business case that was submitted to the Department of Transport for consideration and approval and recommends that Council endorse the project proposal.

Recommendation

1. That Council approves the implementation of an amenities block on the Trawler Wharf within the Local Port of Portland Bay in accordance with the business case as separately circulated.
2. That Council endorse the use of the amenities block exclusively for Trawler Wharf occupants only.
3. That Local Port Management provide a letter to the Department of Transport acknowledging their support for the amenities block on the Trawler Wharf.

MOTION

MOVED Cr Wilson

That the item Local Port of Portland Bay Trawler Wharf Amenities Block lay on the table.

SECONDED Cr White

CARRIED

Background/Key Information:

The Glenelg Shire Council is manager of the Local Port of Portland Bay and operates the Local Port under a Management Agreement with the Victorian Governments Department of Economic Development, Jobs, Transport and Resources (DEDJTR). The management agreement was entered from 1 July 2017 and extends until the 30 June 2022.

At the Ordinary Council Meeting held on 26 March 2019, Council made the following resolution:

That Council notes the recommendation made by the Local Port of Portland Bay Advisory Committee and advises that Local Port Management is to prepare a business case for a proposed amenity block on the Trawler Wharf for consideration by the Department of Transport.

F4. LOCAL PORT OF PORTLAND BAY TRAWLER WHARF AMENITIES BLOCK

(continued)

Council made this resolution following receipt of a recommendation from the Local Port of Portland Bay Advisory Committee meeting held on 13 February 2019, recommending that Council consider the implementation of an amenities block sited on the Trawler Wharf with provision of public use.

Consultation with local port users outlined infrastructure deficiencies for the growing demand of commercial fishing vessels operators. Vessels are operating with several crews to ensure greater economic viability of their businesses. The Vessels crews have limited facilities available prior to travelling back to their residences.

As vessels do not have holding tanks for their onboard ablutions, there are concerns of potential sewage discharge from vessels directly into the ocean. Although this activity is banned within the local port boundary, it is difficult to enforce and poses both human and environmental health risks within the local port boundary.

This issue has been identified as a significant risk in the Local Ports Safety and Environmental Management Plan Risk Assessment with the proposed amenities block being a key mitigation measure to ensure ongoing environmental protection.

Due to complexities and potential risks of implementing an amenities block on the Trawler Wharf with the provision of public use, Council Officers recommend that the use of the amenities block only be for use by authorised Trawler Wharf occupants. It is proposed to issue keys for the amenities to Trawler Wharf occupants, which is in line with other facilities within the Trawler Wharf boundary.

The business case for the Trawler Wharf amenities block sought permission from the State Government's Department of Transport (DoT) to utilise previous financial years' unspent operational budget on the proposed Trawler Wharf amenities block. Approval has now been granted by the DoT to proceed with the project.

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

Council has obligations as Manager of the Local Port and all facility use under the Guidelines for Port Safety and Environmental Management Plans (2009), *Port Management Act 1995* and the Local Port Safety and Environmental Management Plan (SEMP).

c. Consultation and/or communication processes implemented or proposed

The Local Port Management team undertakes regular community and user consultation sessions, which are a requirement of the DoT and the Local Port's Safety and Environmental Management Plan (SEMP).

F4. LOCAL PORT OF PORTLAND BAY TRAWLER WHARF AMENITIES BLOCK

(continued)

d. Financial and Resource Implications and Opportunities

DoT has accepted the proposed allocation of unspent operational funding from the previous financial year (which is supplied by DoT) be utilised to develop the proposed Trawler Wharf amenities block. The approved funding allocation also allows for adequate residual funds to be retained for future ongoing maintenance of the facility by the Local Port.

Separate Circulation – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	ECM
1.	Local Port of Portland Bay Advisory Committee Meeting Record of 13 February 2019	2535775
2.	Business Case - Trawler Wharf amenities block 17 July 2019 V.1	2612924

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.	<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>	ECM
1.	Letter from Department of Transport - Local Port of Portland Bay 2019-2020 Funding	As requested by Department of Transport as contains contractual matter - section 89 (2) (d)	2613897

F5. CONTRACT 2019-20-09 BRIDGEWATER LAKES ROAD AND KNIGHTS AND PARKERS ROAD CAPE BRIDGEWATER, AND HEATH ROAD CASHMORE REHABILITATION

Director: Robert Alexander, Director Assets

Executive Summary

This report is to brief Council on the tender evaluation process for the Bridgewater Lakes Road and Knights and Parkers Road Cape Bridgewater, and Heath Road Cashmore Rehabilitation, under Contract 2019-20-09 and provides recommendations regarding the awarding of this contract.

Recommendation

1. That Council award Contract 2019-20-09 for the Bridgewater Lakes Road and Knights and Parkers Road Cape Bridgewater, and Heath Road Cashmore Rehabilitation 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 McDonald**

1. That Council award Contract 2019-20-09 for the Bridgewater Lakes Road and Knights and Parkers Road Cape Bridgewater, and Heath Road Cashmore Rehabilitation 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 road rehabilitation works along Bridgewater Lakes Road and Knights and Parkers 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.

F5. CONTRACT 2019-20-09 BRIDGEWATER LAKES ROAD AND KNIGHTS AND PARKERS ROAD CAPE BRIDGEWATER, AND HEATH ROAD CASHMORE REHABILITATION

(continued)

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.

Public tenders were called on Friday 23 August 2019 and closed at 3pm on Thursday 26 September 2019. A total of two (2) submissions were received for evaluation from the following tenderers:

- 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 2019-20-09 for Bridgewater Lakes Road and Knights and Parkers Road Cape Bridgewater, and Heath Road Cashmore Rehabilitation 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.

F5. CONTRACT 2019-20-09 BRIDGEWATER LAKES ROAD AND KNIGHTS AND PARKERS ROAD CAPE BRIDGEWATER, AND HEATH ROAD CASHMORE REHABILITATION

(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):

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.	Contract 2019-20-09 Bridgewater Lakes Road and Knights and Parkers Road Cape Bridgewater, and Heath Road Cashmore Rehabilitation Tender Evaluation Matrix	Contains contractual matter - section 89 (2) (d) of the <i>Local Government Act 1989</i>	2609195

F6. CASTERTON LIVESTOCK SALEYARDS 2018-2019 PERFORMANCE UPDATE

Director: Robert Alexander, Director Assets

Executive Summary

This report is to provide Council with a summary of the annual performance for the Casterton Livestock Saleyards during the 2018-2019 financial year.

Recommendation

That Council note the 2018-2019 Casterton Livestock Saleyards Annual Performance update as outlined within this report.

MOTION**MOVED Cr Stephens**

That Council note the 2018-2019 Casterton Livestock Saleyards Annual Performance update as outlined within this report.

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

The Casterton Livestock Saleyards ('the saleyards') provide an important service for local farmers and stock agents, alleviating the need to transport stock to other municipalities for sale. The saleyards competitive pricing means Casterton is an obvious choice for selling stock.

The saleyards ran seven sales during the 2018-2019 financial year with 9,130 head of cattle and 17,155 head of sheep sold for a gross sale figure totalling \$9,810,923.13.

The results of the recent National Saleyard Quality Assurance Audit (NSQA) have identified that the saleyards have exceeded in all areas of operation, including quality, stock handling, security and occupational health and safety.

During the 2018-2019 financial year a trial was conducted to introduce contract scanning of cattle during all sales following on from the success of the process with the annual sheep sale. This introduction has been met with positivity from both selling agents and NSQA auditors, while also reducing time, costs and risks to Glenelg Shire Council officers associated with sale day operations.

a. Council Plan Linkage and Policy Context

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

Creative Glenelg – Creative, inspired, forward thinking and action orientated.

F6. CASTERTON LIVESTOCK SALEYARDS 2018-2019 PERFORMANCE UPDATE

(continued)

b. Legislative, Legal and Risk Management Considerations

The saleyards operate and comply with a range of legislative obligations such as the requirements of the *Export Control Act 1982* and the *Occupational Health and Safety Act 2004*.

c. Consultation and/or communication processes implemented or proposed

As this is for information only, further consultation and communication is not required. The relevant sales information has been reported within Councils 2018-2019 annual financial report.

d. Financial and Resource Implications and Opportunities

The saleyards operated within budget during the 2018-2019 financial year and there are no further resource implications following this report.

F7. CASTERTON LIVESTOCK SALEYARDS MANAGEMENT PLAN AND GENERAL MANAGEMENT PROCEDURE

Director: Robert Alexander, Director Assets

Executive Summary

To maintain consistency with Councils document management procedures, administration changes were required to be made to the Casterton Livestock Saleyards Management Plan and the Casterton Saleyards General Management Procedure. This report provides an overview of the two documents and recommends the adoption of both the Casterton Saleyards Management Plan and General Management Procedure following the recent updates.

Recommendation

1. That Council adopt the Casterton Livestock Saleyards Management Plan, as separately circulated.
2. That Council endorse CPR-ASSETS-SY-001 Casterton Livestock Saleyards General Management Procedure, as separately circulated.

MOTION**MOVED Cr Stephens**

1. That Council adopt the Casterton Livestock Saleyards Management Plan, as separately circulated.
2. That Council endorse CPR-ASSETS-SY-001 Casterton Livestock Saleyards General Management Procedure, as separately circulated.

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

At the 25 June 2013 Ordinary Council Meeting, Council adopted a revised Casterton Saleyards Management Plan ('the Plan'). In July 2018, the plan was further updated by Council Officers to ensure it was consistent with legislative changes and accreditation requirements, with all amendments certified by the Department of Agriculture and Water Resource on 25 July 2018.

The Plan provides a management and operation framework for the Casterton Livestock Saleyards to ensure compliance with current legislation, European Union (EU) Scheme Rules and codes of practice relating to saleyards with consideration of animal welfare as part of the transporting and sale of livestock.

The plan identifies and formalises relationships between key stakeholders, by way of requiring sign off on Agent License Agreements, EU Accreditation, NLIS Codes of Practice and saleyard operational procedures which are encompassed by the plan with underpinning support of the Casterton Livestock Saleyards Local Law.

F7. CASTERTON LIVESTOCK SALEYARDS MANAGEMENT PLAN AND GENERAL MANAGEMENT PROCEDURE

(continued)

The Casterton Livestock Saleyards General Management Procedure ('the Procedure') provides guidance with regard to general administration and management of the Casterton Livestock Saleyards while incorporating all departmental procedures and codes of practice.

The Procedure has formerly been in place as a Departmental procedure, however due to the Procedure's association with the Plan, the document has been reviewed and amended to be a Council procedure for Council's consideration and endorsement. The Plan has also been amended to clearly articulate the separation of operational procedures from the Plan, whilst ensuring they are included as relevant appendices to support the Plan and meet legislative requirements. In addition to this, both documents have had significant administrative changes to ensure they comply with Councils current document management procedures.

The recent administrative changes made to both the Plan and the Procedure documents have no impact to the operations of the Saleyards and its policies and procedures.

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

All legislative, legal and risk management requirements have been considered during the development of both the management plan and general management procedure.

c. Consultation and/or communication processes implemented or proposed

The amended draft of the Casterton Livestock Saleyards Management Plan, along with the amended draft General Management Plan were reviewed by the Casterton Saleyards Advisory Committee during the committee meeting held on 26 September 2019, at which time the committee moved a motion and seconded to accept the amendments to the management plan and general management procedure.

d. Financial and Resource Implications and Opportunities

Not applicable.

**F7. CASTERTON LIVESTOCK SALEYARDS MANAGEMENT PLAN AND
GENERAL MANAGEMENT PROCEDURE**

(continued)

Separate Circulations – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation</i>	<i>ECM</i>
1.	Draft Casterton Livestock Saleyards Management Plan reviewed September 2019	2449594
2.	Draft Council Procedure - CPR-ASSETS-SY-001 Casterton Livestock Saleyards General Management Procedure	600785

ANY OTHER PROCEDURAL MATTER:URGENT BUSINESS:**1. Passing of the late Mr Geoff Hanbury AO****MOTION****MOVED Cr Stephens**

That Council determine that this item be designated as urgent business, within the Council Meeting, in accordance with clause 4.15 of the Glenelg Shire Council Meeting Procedure adopted 17 December 2013.

SECONDED Cr Wilson**CARRIED****MOTION****MOVED Cr Stephens**

That Council express its profound regret of the passing of the late Mr Geoff Handbury AO, today, 26 November 2019.

Further that this Council respectfully tenders to his family its sincere sympathy in their bereavement, and Glenelg Shire Council fly flags at half mast on the day of Mr Hanbury's funeral.

SECONDED Cr Wilson**CARRIED**RECEIPT OF ITEMS SUBMITTED FOR INFORMATION:

Nil.

INDEX – SEPARATE CIRCULATIONS TO REPORTS:*Separate Circulation to Councillors, CEO, Director and available to the Public*

- A1. (1) Notice of Motion – Portland Court Hearings Cr Wilson
8 November 2019
- E1. (1) Assembly of Councillors meeting record of the Casterton Saleyards
Advisory Committee held on Thursday 26 September 2019
- E1. (2) Assembly of Councillors Volunteering and Wellbeing Advisory Committee
meeting held on Wednesday 30 October 2019
- E1. (3) Assembly of Councillors – Councillor and Acting Chief Executive Officer
meeting held on Tuesday 22 October 2019
- E1. (4) Assembly of Councillors – Councillors Briefing session meeting record
held on Tuesday 22 October 2019

- E1. (5) Assembly of Councillors – Deputation by South West Academy of Sports Inc – Athletes presentation held on Tuesday 12 November 2019
- E1. (6) Assembly of Councillors – Councillors Workshop meeting held on Tuesday 12 November 2019
- E1. (7) Assembly of Councillors - Councillor and Chief Executive Officer meeting held on Tuesday 12 November 2019
- F2. (1) Audit Committee Annual Report 2018/19
- F4. (1) Local Port of Portland Bay Advisory Committee Meeting Record of 13 February 2019
- F4. (2) Business Case - Trawler Wharf amenities block 17 July 2019 V.1
- F7. (1) Draft Casterton Livestock Saleyards Management Plan reviewed September 2019
- F7. (2) Draft Council Procedure - CPR-ASSETS-SY-001 Casterton Livestock Saleyards General Management Procedure

Separate Circulation to Councillors, CEO and Directors

- D1. (1) Minutes of the Audit Committee Meeting held on Tuesday 10 September 2019
- E1. (1) Meeting Record of the Australia Day Advisory Committee held on Tuesday 12 November 2019
- F1. (1) Councillor and Chief Executive Officer Leave of Absence Register
- F4. (1) Letter from Department of Transport - Local Port of Portland Bay 2019-2020 Funding
- F5. (1) Contract 2019-20-09 Bridgewater Lakes Road and Knights and Parkers Road Cape Bridgewater, and Heath Road Cashmore Rehabilitation Tender Evaluation Matrix

'IN CAMERA' Separate Circulation to Councillors and Directors

- G1. (1) Signed Meeting Record Australia Day Advisory Committee Meeting 12 November 2019
- G1. (2) Email Nelson Tennis Club 18 October 2019 Application for funding for the 2020 Australia Day Breakfast
- G1. (3) Email from Merino Digby Lions Club 17 October 2019 Application for funding for the 2020 Australia Day Breakfast
- G1. (4) Email from Heywood Australia Day Committee

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 Stephens

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 (f) and (h) of the *Local Government Act 1989*, excluding the Chief Executive Officer, Director Corporate Services, Director Community Services, Director Assets, Council Support Coordinator and Senior Administration Corporate Services to consider the following reports:

G1. Recommendations from the Australia Day Advisory Committee Meeting
12 November 2019

G2. Administration Matters

MOTION

MOVED Cr Wilson

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

**G1. Recommendations from the Australia Day Advisory Committee Meeting
12 November 2019**

G2. Administration Matters

SECONDED Cr Halliday

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 Halliday

CARRIED

CLOSURE OF COUNCIL MEETING

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 8.39pm.

I HEREBY CERTIFY THAT PAGES 1 TO 49 INCLUDING PAGES ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

CR ANITA RANK
MAYOR

17 DECEMEBER 2019

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