



Glenelg Shire Council
Minutes of the Ordinary Council Meeting held on
Tuesday, 26 May and 2020 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 (Deputy Mayor), Cr Alistair McDonald, Cr Karen Stephens, Cr Geoff White and Cr Gilbert Wilson.

Also, in attendance were the Chief Executive Officer (Mr Greg Burgoyne) and Executive Officer Corporate Services (Ms Rachael Fellows).

OPENING PRAYER:

The Mayor opened the meeting with the Council Prayer.

ABORIGINAL ACKNOWLEDGEMENT:

The Mayor read the Aboriginal Acknowledgement.

The Mayor further advised that National Reconciliation Week begins tomorrow and that the Glenelg Shire Council respectfully acknowledges the Aboriginal and Torres Strait community living throughout the Glenelg Shire and the contribution they make to the Glenelg Shire's prosperity and wellbeing.

RECEIPT OF APOLOGIES:

Nil.

CONFIRMATION OF MINUTES:

Nil.

Recommendation

That the minutes of the Ordinary Council Meeting held on Tuesday 28 April 2020, as circulated, be confirmed.

MOTION**MOVED Cr Hawker**

That the minutes of the Ordinary Council Meeting held on Tuesday 28 April 2020, as circulated, be confirmed.

SECONDED Cr McDonald**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:

Nil.

B. DEPUTATIONS:

Nil.

C. PETITIONS:**C1. PETITION RECEIVED – REQUEST FOR ROADS SEALING OF BENBOWS ROAD, GORAE**

Director: Edith Farrell, Director Assets

Recommendation

That Council receive the petition in accordance with clause 4.14 of Council's Meeting Procedure and the petition organiser be advised that the petition will be dealt with at the Ordinary Council Meeting to be held on Tuesday 23 June 2020.

MOTION**MOVED Cr Halliday**

That Council receive the petition in accordance with clause 4.14 of Council's Meeting Procedure and the petition organiser be advised that the petition will be dealt with at the Ordinary Council Meeting to be held on Tuesday 23 June 2020.

SECONDED Cr Wilson**CARRIED****Separate Circulations – Non-Confidential**

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	Petition presented by Terry Baker 14 March 2020 request for sealing of Benbows Road Gorae	2697706

D. COMMITTEE REPORTS:

Nil.

E. ASSEMBLY OF COUNCILLOR RECORDS:**E1. ASSEMBLY OF COUNCILLORS RECORDS 16 APRIL 2020 – 14 MAY 2020 (INCLUSIVE)**

Director: Joan Lewis, Acting Director Corporate Services

Executive Summary

In accordance with the *Local Government Act 1989* Section 80A (Section 80A is to be revoked in the *Local Government Act 2020* on the 24 October 2020), Assembly of Councillors records (including records of those titled as committees) must be reported to the next 'practical' Ordinary Council meeting and incorporated 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 16 April 2020 – Thursday 14 May 2020 (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 16 April 2020 – Thursday 14 May 2020 (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 16 APRIL 2020 – 14 MAY 2020 (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 16 April 2020 – Thursday 14 May 2020 (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:

- Meeting Record of the Tourism Advisory Committee meeting held on Tuesday 25 February 2020 (DocSet: 2696519);
- Assembly of Councillors – CEO and Councillors Meeting Record 28 April 2020 (DocSetID: 2691052);
- Meeting Record of the Tourism Advisory Committee held on Thursday 7 May 2020 (DocSetID:2696520); and
- Assembly of Councillors – Councillors Workshop meeting record 13 May 2020 (DocSetID: 2696747).

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

The purpose of this report is to ensure compliance with the *Local Government Act 1989*. All three sections are to be revoked under the new *Local Government Act 2020* as at 24 October 2020). 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”.

E1. ASSEMBLY OF COUNCILLORS RECORDS 16 APRIL 2020 – 14 MAY 2020 (INCLUSIVE)

(continued)

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.	Meeting Record of the Tourism Advisory Committee meeting held on Tuesday 25 February 2020	2696519
2.	Assembly of Councillors – CEO and Councillors meeting record 28 April 2020	2691052
3.	Tourism Advisory Committee meeting record held on Thursday 7 May 2020	269652
4.	Assembly of Councillors – Councillors Workshop meeting record 13 May 2020	2696747

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:

66B Leave of Absence of a Councillor

- (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.

Section 69(1)(g) of the *Local Government Act 1989* states:

S69 Extraordinary vacancies

- (1) An extraordinary vacancy is created if the office of a Councillor becomes vacant because the Councillor:

(g) is absent from 4 consecutive ordinary meetings of the Council without leave obtained from the Council.

- (2) The Council must not unreasonably refuse to grant leave.

- (3) A Councillor is not to be taken to be absent from an ordinary meeting of the Council –

(a) unless a meeting of the Council at which a quorum is present is actually held; or

(b) while any proceeding for ouster from office of the Councillor is pending.

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 66 of the *Local Government Act 1989*

Section 69 *Local Government Act 1989*

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.

F1. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER

(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 DocsetID</i>
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)	2694356

F2. AMENDMENT C97 – CUTTING RED TAPE

Director: Joan Lewis, Director Corporate Services

Executive Summary

This report seeks Council's adoption of Amendment C97 (the Amendment) named 'Cutting Red Tape' and authorisation to submit the Amendment for approval to the Minister for Planning.

The Amendment proposes to 'cut red tape' to remove unnecessary planning permit requirements, consolidate and update the planning scheme ordinance and maps, and to introduce local VicSmart permit requirements. This is anticipated to reduce planning permit requirements, processing timeframes, and costs to applicants for the affected permit requirements included in the Amendment.

Exhibition of the Amendment was undertaken with two (2) objections received in relation to the proposed purpose and reduced extent of the Environment Significant Overlay Schedule 2 (ESO2). The objections have been resolved via a minor modification to the proposed schedule to ESO2 resulting in the withdrawal of the objections. This allows Council to adopt the Amendment, without proceeding to an independent Planning Panel, and to submit the Amendment to the Minister for Planning for approval.

Recommendation

1. That Council adopts Amendment C97 to the Glenelg Planning Scheme pursuant to Section 29 of the *Planning and Environment Act 1987*.
2. That Council submits Amendment C97 as adopted, to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*.

MOTION**MOVED Cr Stephens**

1. That Council adopts Amendment C97 to the Glenelg Planning Scheme pursuant to Section 29 of the *Planning and Environment Act 1987*.
2. That Council submits Amendment C97 as adopted, to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*.

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

At the 24 September 2019 Ordinary Council Meeting it was resolved to seek authorisation to prepare and exhibit the Amendment and to request an exemption from some of the notice requirements.

F2. AMENDMENT C97 – CUTTING RED TAPE

(continued)

Authorisation was granted on 15 November 2019 with some modifications. The exemption from some of the notice requirements was granted on 20 November 2019. Due to the remaining notice requirements it was deemed appropriate to seek an extension of time to avoid public exhibition over the Christmas and New Year holiday period. The extension of time to exhibit the Amendment was granted on 8 January 2020.

Details of the exhibition period are contained in Section C of this report.

The Amendment is consistent with the recommendations of the *Glenelg Planning Scheme Review 2018*.

The Amendment proposes to make the following changes to the planning scheme maps:

- Rezone land at the Portland Airport, Cashmore from Public Use Zone (PUZ4) to Farming Zone (FZ).
- Replace Schedule 3 to the Design and Development Overlay (DDO3) applying to the Casterton airport environs with Schedule 1 to the Design and Development Overlay (DDO1).
- Amend Schedule 2 to the Environmental Significance Overlay (ESO2) affecting wetlands and waterways in the areas at Bolwarra, Narrawong and Portland.
- Amend Schedule 5 to the Environmental Significance Overlay (ESO5) and apply Schedule 6 to the Environmental Significance Overlay (ESO6) to the Port of Portland environs.

The Amendment proposes to make the following changes to the planning scheme ordinance:

- Amend Schedule 2 to Clause 42.01 Environmental Significance Overlay (ESO2).
- Amend Schedule 5 to Clause 42.01 Environmental Significance Overlay (ESO5).
- Insert Schedule 6 to Clause 42.01 Environmental Significance Overlay (ESO6).
- Amend Schedule 1 to Clause 43.02 Design and Development Overlay (DDO1).
- Delete Schedule 3 to Clause 43.02 Design and Development Overlay (DDO3).
- Amend Schedule 1 to Clause 44.06 Bushfire Management Overlay (BMO1).
- Insert a new Schedule to Clause 59.15 Local VicSmart Applications.
- Insert new Schedules 1, 2, 3, 4 and 5 to Clause 59.16 Information Requirements and Decision Guidelines for Local VicSmart Applications.

F2. AMENDMENT C97 – CUTTING RED TAPE

(continued)

- Amend the Schedule to Clause 66.04 Referral of Permit Application under Local Provisions.
- Amend the Schedule to Clause 66.06 Notice of Permit Applications under Local Provisions.

Further details about the Amendment can be found in the complete amendment documents at Attachments 1, 2, and 3.

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* (the Act), which are referenced in the attached explanatory report.

Council must consider the submissions received in accordance with Division 2 of the Act. This is discussed in Section C of this report.

In accordance with Section 29 of the Act Council acting as the planning authority may adopt the Amendment, or any part of it, with or without changes.

c. Consultation and/or communication processes implemented or proposed

An exemption from the standard notice requirements of Section 19 (1)(b) of the Act was granted in accordance with Section 20. The exemption reduced the number of individual notice letters that were sent to only those specified, namely, the Port of Portland, the Minister for Ports, GHCMA, CFA, VicRoads, and the Airport Manager. Exhibition also included notice on the Glenelg Shire and DELWP websites as well as notice in the Portland Observer, Mount Gambier Border Watch, Hamilton Spectator, the Casterton News, and the Victoria Government Gazette.

Exhibition of the Amendment was undertaken from 23 January 2020 to 24 February 2020. Two (2) submissions were received in response to the Amendment. Both of the submissions indicated the same contact person and objected to the proposed changes to the ESO2. A summary of the issues raised in the submissions can be found in the Schedule of Submissions at Attachment 4.

F2. AMENDMENT C97 – CUTTING RED TAPE

(continued)

The Planning Unit has discussed the submissions further with the objectors and has come to a mutually acceptable modification to the proposed updated Schedule 2 to the ESO. The proposed modification changes the Environmental objective to be achieved at 2.0 in the Schedule from:

To maintain and where possible enhance the environmental values of waterways, wetlands, and estuaries.

To:

To maintain and where possible enhance the environmental values of waterways, wetlands, estuaries, and their seasonal tributaries.

The objectors, GHCMA, and the Planning Unit are satisfied with this change and subsequently the objections to the Amendment have been withdrawn.

d. Financial and Resource Implications and Opportunities

The cost of the Amendment is to be managed by the Planning Unit and is within the operational budget. In resolving the objections it has saved Council significant time and expense than if a Planning Panel was required.

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.	Explanatory Report	2591517
2.	Instruction Sheet and Amendment Documents	2600215
3.	Amendment Maps	2600217
4.	Schedule of Submissions	2664068

F3. DELEGATIONS UPDATE LOCAL GOVERNMENT ACT 2020

Director: Joan Lewis, Acting Director Corporate Services

Executive Summary

The recent proclaimed *Local Government Act 2020* provides principles of good governance, continuous improvement and statutory compliance. Council may by instrument of delegation, delegate any power, duty or function of a Council to the Chief Executive Officer under Section 11(1) of the new *Local Government Act 2020* and to staff members under the *Planning and Environment Act 1987*.

Recommendation

That Council:

1. Exercise the powers conferred by s 98(1)11(1)(b) of the *Local Government Act 1989 and 2020 (the Act)* and the other legislation referred to in the attached instrument of delegation (S5), Glenelg Shire Council (Council) RESOLVES THAT –
 - a. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.
 - b. The instrument comes into force immediately the common seal of Council is affixed to the instrument (S5).
 - c. On the coming into force of the instrument (S5) all previous delegations to the Chief Executive Officer are revoked.
 - d. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. Adopt the updated S11A Instruments of Appointment and Authorisation (*Planning and Environment Act 1987*) to the following staff and that:
 - a. Statutory Planner, Matthew Berry;
 - b. Strategic Planner, Jacob Clements;
 - c. Strategic Planner, Kelly Wynne
 - d. Statutory Planner, Christopher Hodgetts; and
 - e. Statutory Planner, Sanket Gurikar.

F3. DELEGATIONS UPDATE LOCAL GOVERNMENT ACT 2020

(continued)

- 1) The Instruments referred to above come into force immediately the common seal of Council is affixed to the Instruments.
- 2) The duties and functions set out in the Instruments 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 Hawker

That Council:

1. **Exercise the powers conferred by s 98(1)11(1)(b) of the *Local Government Act 1989 and 2020 (the Act)* and the other legislation referred to in the attached instrument of delegation (S5), Glenelg Shire Council (Council) RESOLVES THAT –**
 - a. **There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.**
 - b. **The instrument comes into force immediately the common seal of Council is affixed to the instrument (S5).**
 - c. **On the coming into force of the instrument (S5) all previous delegations to the Chief Executive Officer are revoked.**
 - d. **The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**
2. **Adopt the updated S11A Instruments of Appointment and Authorisation (*Planning and Environment Act 1987*) to the following staff and that:**
 - a. **Regulatory Services Manager, Matthew Berry;**
 - b. **Strategic Planner, Jacob Clements;**
 - c. **Strategic Planner, Kelly Wynne**
 - d. **Statutory Planner, Christopher Hodgetts; and**
 - e. **Statutory Planner, Sanket Gurikar.**

F3. DELEGATIONS UPDATE LOCAL GOVERNMENT ACT 2020

(continued)

- 1) **The Instruments referred to above come into force immediately the common seal of Council is affixed to the Instruments.**
- 2) **The duties and functions set out in the Instruments 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 McDonald

CARRIED

Background/Key Information:

Section 11 of the *Local Government Act 2020* 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.

The Glenelg Shire Council, together with a number of other Victorian municipalities, subscribes to the Maddock's Lawyers Delegations and Authorisations update service. This review is based on the Maddock's proforma documents with appropriate alterations identified by each Director and their staff.

Updates to the S5 Instrument of Delegation by Council to CEO

Section 11(1)(b) of the 2020 Act provides for a Council to delegate powers, duties and functions to its CEO.

The updated S5 Instrument has been drafted to take into account the matters that cannot be delegated by the CEO pursuant to section 11(2) of the 2020 Act. These matters are listed as Conditions and Limitations in the Schedule to the S5 Instrument, including the condition under section 11(5) that any delegation to enter into a contract must include a financial limit.

Updates to the S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Section 232 of the *Local Government Act 1989*, the power to commence proceedings will no longer apply from 1 May 2020 and has been replaced with section 313 of the *Local Government Act 2020*.

The objectives of delegation and authorisation reviews are to:

- Achieve good governance;
- Ensure statutory compliance by incorporating recent legislative changes;
- Facilitate responsive and efficient customer service;

F3. DELEGATIONS UPDATE LOCAL GOVERNMENT ACT 2020

(continued)

- Deliver continuous improvement in service delivery and decision making; and
- Make minor wording enhancements, where necessary, to improve the quality of the documents.

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 11 of the *Local Government Act 1989* provides that a Council may by instrument of delegation delegate any power, duty or function of a Council under this Act or any other Act.

c. Consultation and/or communication processes implemented or proposed

Council staff listed in the schedule contained in the various Instruments of Delegation were provided with a copy of the draft delegations and authorisations and invited to provide comment prior to finalisation.

Documents are available for staff, and Councillors can view the Delegations prior to being adopted at the Ordinary Council Meeting.

d. Financial and Resource Implications and Opportunities

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

Separate Circulations – Non-Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	S5 Instrument of Delegation to Chief Executive Officer - Unsealed	

F4. GLENELG SHIRE COUNCIL FINANCIAL REPORT AS AT 30 APRIL 2020

Director: Joan Lewis, Acting Director Corporate Services

Executive Summary

The Financial Report is a key document in assuring responsible and responsive governance and decision making. This high-level report is provided to give Council the ability to monitor Glenelg Shire's financial performance.

Recommendation

That Council receives the Financial Report for the period ending 30 April 2020.

MOTION

MOVED Cr Stephens

That Council receives the Financial Report for the period ending 30 April 2020.

SECONDED Cr Wilson

CARRIED

Background/Key Information:

The 2019/2020 Annual Budget was adopted by Council on 25 June 2019.

This report provides information on the current status of Council's financial position and performance and includes:

- Comprehensive Income Statement;
- Balance Sheet;
- Statement of Cash Flows; and
- Statement of Capital Works.

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**

This report is presented in accordance with Section 138 of the *Local Government Act 1989*.

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

Report to be prepared for the Audit Committee Meeting.

F4. GLENELG SHIRE COUNCIL FINANCIAL REPORT AS AT 30 APRIL 2020

(continued)

d. Financial and Resource Implications and Opportunities

The resourcing of year-end audit is provided for in the adopted 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 Council Financial Report as at 30 April 2020	2697126

F5. NOVEL CORONAVIRUS 2019 UPDATE

Director: Joan Lewis, Acting Director Corporate Services

Executive Summary

The purpose of this report is to provide Council with an update information on the Novel Coronavirus 2019 (COVID-19).

FOR INFORMATION.

NOTED.

Background/Key Information

On 26 March 2020, the prime minister announced Australia would be undertaking Stage Three of restrictions to deter the spread of the COVID-19 virus which came into effect on 28 March 2020.

On the 16 March 2020 a State of Emergency was declared in Victoria. On the 11 May 2020 the Victoria State Government announced that they would review the COVID-19 stage three restrictions and the gradual easing of the changed restrictions would be implemented from 11.59pm on the 12 May 2020.

Under the changes, it means that there are five reasons to leave your home:

- Shopping for food and supplies;
- Care and caregiving;
- Exercise and outdoor recreation;
- Work and education – if you can't do it from home;
- Visiting friends and family – if you really need to.

There were various changes of activities for organisations and residences in the Glenelg Shire. A full list of the easing of the restrictions can be found on the Glenelg Shire Council website at www.glenelg.vic.gov.au or Facebook page and Department Health Human Services website at <https://www.dhhs.vic.gov.au/your-coronavirus-covid-19-questions-answered>

The Stage Three restrictions will remain in place until the 31 May 2020.

There has been one COVID-19 positive case reported in the Glenelg Shire and that case is no longer active.

Portland District Health and Casterton Memorial Hospitals have provided COVID-19 popup testing clinics in the Shire for residence to take part in the State Government two weeks test program.

F5. NOVEL CORONAVIRUS 2019 UPDATE

(continued)

Council is in partnership with Portland District Health and various community services groups (Lions Clubs, Portland Community Meal Share, Salvation Army, Rotary Clubs, United Way, Red Cross Australia, Victoria Council of Churches Emergencies Ministries) has initiated and launched the '1800 Glenelg Together' hotline.

It is a community hotline that has been established to connect vulnerable community members with the local support services they require. The hotline is free to call and is available to anyone living in the Glenelg Shire.

The hotline is manned by Portland District Health and they will direct residences to local agencies and services which can provide assistance in key areas of food and hygiene, medication deliveries and regular phone check in support (mental health).

The hotline is available to call between 10am-3pm, Monday through Thursday, 10am-4pm on Fridays.

More information is available through:

- Council website: www.glenelg.vic.gov.au
- Facebook Pages: www.facebook.com/glenelgshire
- Portland District Health website: <https://pdh.net.au>

Council will continue to take direction from the Department of Health and Human Services on the COVID-19.

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

Public Health and Wellbeing Act 2008, Emergency Management Act 1986, Emergency Management Act 2013, and Emergency Management Manual Victoria.

c. Consultation and/or communication processes implemented or proposed

Consultation has been undertaken with the Glenelg Shire Council Pandemic Committee.

d. Financial and Resource Implications and Opportunities

Nil.

F6. PROPOSED SALE OF 55 AND 57R PERCY STREET, PORTLAND

Director: Joan Lewis, Director Corporate Services

Executive Summary

This report is to seek Council's approval to sell 55 & 57R Percy Street Portland and briefs Council on the review of car parking in the precinct of the properties being considered for sale.

Recommendation

That Council after consideration of the car parking needs in the precinct approves the sale of 55 and 57R Percy Street Portland.

MOTION**MOVED Cr Halliday**

That Council after consideration of the car parking needs in the precinct approves the sale of 55 and 57R Percy Street Portland.

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

At the Ordinary Council Meeting held on Tuesday 28 November 2017, Council resolved to move ahead with the sale of the land and proceeded with the statutory requirements for public notice of the proposed sale.

A Special Committee of the Council was established to hear submissions. One submission was received identifying the need for additional car parking. At the Ordinary Council Meeting held on Tuesday 27 February 2018, Council passed a resolution with three (3) parts. Part 3 of the resolution stated:

3. *That Council consider car parking needs within the precinct of the Percy Street properties when evaluating any Expressions of Interest received for the purchase of 55 & 57R Percy Street.*

A conditional offer has now been received to purchase the properties. This includes a condition that a satisfactory planning permit be issued for the proposal. The developer has provided a concept proposal to construct apartments and retail premises. However a full permit application would need be submitted for assessment that will involve public notification, seeking formal access from the adjoining car park and input from Council's Heritage Advisor.

As required by the section 189(2)(b) of the *Local Government Act 1989 (the Act)*, Council has obtained a valuation from a qualified valuer that is not more than six (6) months old. The developer's offer price is in line with this valuation.

F6. PROPOSED SALE OF 55 AND 57R PERCY STREET, PORTLAND

(continued)

Whilst a formal car parking study of the precinct has not been undertaken any permit application would assess this in detail. A preliminary view by the Officer is that it is likely there would be sufficient car parking in the area based on the following:

- It is acknowledged that the Aldi and Uniting Church car park can sometimes reach capacity, although this occurs only on a few occasions throughout the year;
- There are significant additional car parks available within a reasonable walking distance to the precinct. This includes Hurd Street and Henty Street as well as the Council owned part of the car park behind Woolworths;
- The removal of the parking meters within the CBD, although subject to parking time limits, has made more free parking spaces accessible; and
- If additional public car parking is required in the future, Council owns a large parcel of land adjacent to the IGA car park that could be developed.

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

Sections 189 and 223 of the Act.

c. Consultation and/or communication processes implemented or proposed

Community consultation was undertaken in December 2017 as required by section 223 of the Act.

d. Financial and Resource Implications and Opportunities

The sale of the property will provide additional revenue and has not been included in Council's draft budget.

F7. ROAD CONSTRUCTION PROJECTS UPDATE

Director: Edith Farrell, Director Assets

Executive Summary

This paper is to brief Councillors on the current state of the Henty Employment Precinct project works and the Fixing Country Road rehabilitation works on Bridgewater Lakes Road, Cape Bridgewater and Heath Road, Cashmore.

Recommendation

That Council note the progress on the Henty Employment Precinct, and the Fixing Country Roads Program projects on Bridgewater Lakes Road, Cape Bridgewater and Heath Road, Cashmore.

MOTION

MOVED Cr Stephens

That Council note the progress on the Henty Employment Precinct, and the Fixing Country Roads Program projects on Bridgewater Lakes Road, Cape Bridgewater and Heath Road, Cashmore.

SECONDED Cr McDonald

CARRIED

Background/Key Information:

The Henty Employment Precinct Project is a three million dollar project that has been split into a number of construction packages to enable delivery.

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. Council awarded these works under Contract 2018-19-04 to Porthaul Civil Pty Ltd at the 25 September 2018 Ordinary Council Meeting. This contract reached Practical Completion in May 2020 and the infrastructure is now fully operational.

The second construction package includes the construction of Browning Street between the Henty Highway and Cashmore Road to an industrial standard road. Package two also includes replacement of the water main and the upgrade of the Browning Street and Henty Highway (Ring Road) intersection. Council awarded these works under Contract 2019-20-11 at the 17 December 2019 Ordinary Council Meeting to Mibus Bros (Aust) Pty Ltd.

This construction package has been further split into two components being the construction of Browning Street and water main upgrade and the upgrade of the Browning Street and Henty Highway (Ring Road) intersection. The first component of these works commenced in May 2020, with the initial contract meetings held during the first week of May. It is expected that these works will be well underway onsite by the end of this month and are anticipated to reach completion in October 2020.

F7. ROAD CONSTRUCTION PROJECTS UPDATE

(continued)

The Fixing Country Roads Program is the Victorian Government's commitment to regional Victorians to improve the condition of local roads. Glenelg Shire Council were successful in obtaining funding under part two of this program for 2019-2020 to undertake a three million dollar road upgrade and rehabilitation program.

The successful application involved the upgrade of Heath Road and Bridgewater Lakes Road with the main works scheduled for completion by the end of the 2019-2020 financial year. The project is well on track for delivery by the end of this financial year in accordance with the agreed project milestones.

To ensure a high level of quality is achieved final surfacing has been programmed for the 2020-2021 construction season, which will finalise the project.

The attached separate circulation contains photographs before, during and after construction, of both the Henty Employment Precinct projects and the Fixing Country Roads Program project.

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.

c. Consultation and/or communication processes implemented or proposed

Throughout the projects there have been a number of processes implemented to ensure consultation and communication is undertaken with relevant stakeholders.

d. Financial and Resource Implications and Opportunities

These projects are being managed by current Council resources however some specific expert external resources have also been utilised throughout the delivery of these projects.

Separate Circulation– Non-Confidential

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	Project Photographs	2696847

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

- C1. (1) Petition presented by Terry Baker 14 March 2020 request for sealing of Benbows Road Gorae
- E1. (1) Assembly of Councillors – CEO and Councillors meeting record 28 April 2020
- E1. (2) Tourism Advisory Committee Meeting Record held on Thursday 7 May 2020
- E1. (3) Assembly of Councillors – Councillors Workshop meeting record 13 May 2020
- F2. (1) Explanatory Report
- F2. (2) Instruction Sheet and Amendment Documents
- F2. (3) Amendment Maps
- F2. (4) Schedule of Submissions
- F3. (1) S5 Council to Chief Executive Officer – Unsealed
- F4. (1) Glenelg Shire Council Financial Report as at 30 April 2020
- F7. (1) Project Photographs

Separate Circulation to Councillors, CEO and Directors

- F1. (1) Councillor and Chief Executive Officer Leave of Absence Register

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 COUNCIL MEETING

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 7.29pm.

I HEREBY CERTIFY THAT PAGES 1 - 31 ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

CR ANITA RANK
MAYOR

23 JUNE 2020

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